



Item: AC-A-2

Tuesday, June 27, 2017

SUBJECT: APPROVAL OF THE 2017 FLORIDA EQUITY REPORT

PROPOSED BOARD ACTION

Approval for the submission of the 2017 Florida Equity Report: Enrollment, Sex Equity in Athletics and Employment to the Florida Board of Governors.

BACKGROUND INFORMATION

The Florida Equity Report on Enrollment, Sex Equity in Athletics and Employment summarizes Florida Atlantic University's efforts to expand access to educational advancement and equitable opportunities to previously underserved and underrepresented student and employee populations. This report reviews FAU's responsibilities and reporting requirements under the Florida Educational Equity Act (FEEA), Florida Statutes 1000.05, Florida Board of Governors Regulation 2.003, and other state and federal legislation mandates that prohibit discrimination for protected students and employees on the basis of race, color, national origin, sex, gender, religion, age, disability, marital status, veteran status, or any other basis protected by law. Additionally, gender equity in athletics is reviewed for compliance.

IMPLEMENTATION PLAN/DATE

The university will submit this document to the Board of Governors upon approval by the BOT.

FISCAL IMPLICATIONS

Not Applicable

Supporting Documentation:

2017 Florida Equity Report

Submitted by:

Morgan Kim, Chief Compliance Officer and
Office of Equity, Inclusion & Compliance

Phone: 561-297-3004



Florida Educational Equity Act Report: 2017
Enrollment, Gender Equity in Athletics, and Employment

Approved by University Board of Trustees:

Signature

Date

Approved by University President:

Signature

Date

Submitted by:
Office of Equity, Inclusion and Compliance
Florida Atlantic University
777 Glades Road
Administration Building, Suite 265
Boca Raton, FL 33431
561-297-3004

Signature
Katrina Oliver
Executive Director and Title IX Coordinator

Date



*Florida Atlantic University
2017 Equity Report*

Boca Raton, FL



FLORIDA ATLANTIC UNIVERSITY

Office of the President

President's Statement

Florida Atlantic University (FAU) embraces differing backgrounds and experiences and recognizes the unique perspective each one of us brings to the community. Together, we strengthen the FAU community and enhance our ability to carry out the University's mission of promoting academic and personal excellence, discovery, and lifelong learning. Our efforts to continue to diversify FAU and to build a more inclusive environment is ongoing.

FAU benefits from a host of activities within our different colleges, centers and departments, and this report articulates the fact that when we work together for a common goal, we can make a real difference. We can still improve on increasing the representation of women and minorities in faculty and leadership positions, and we continue to implement strategies toward achieving those goals. We are also working on methods and strategies to retain and graduate all of our students. I am proud of the work we have done to foster and enhance equity and inclusion for our faculty as well as other parts of the campus community and look forward to seeing great progress in the future.

We must continue to ensure that our campus promotes the principles of equity and inclusion, and that we place FAU in the best position to leverage the rich diversity on our campus. We are creating a community that appreciates differences, promotes discovery, and embraces inclusion. FAU's students, staff, faculty, and alumni continue to make an impact locally, nationally and internationally. FAU represents excellence in higher education for a diverse student body, and we will continue to ensure that our employees reflect the diversity of the global community we serve.



John Kelly
President

FLORIDA EDUCATIONAL EQUITY ACT REPORT

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PART I

EXECUTIVE SUMMARY

INTRODUCTION

The annual Equity Report has been developed and presented in accordance with the Florida Educational Equity Act [Section 1000.05 Florida Statute], and the Florida Board of Governors (BOG) Regulation 2.003 Equity and Access. The BOG Regulation requires, (1) equal access and opportunity in programs and activities, (2) gender equity in athletics, and (3) appropriate representation of women and minorities in senior-level administrative positions and tenure-track faculty positions. This report is adopted and implemented in good faith to fulfill such requirements and also to fulfill our commitment to equity and diversity at Florida Atlantic University in accordance with the aforementioned statute and reporting guidelines established by the Board of Governors in consultation with the State of Florida, Council on Equal Opportunity and Diversity.

This 2016 Equity Report provides the progress FAU is making for Academic Programs, Gender Equity in Athletics, Employment, Promotion & Tenure, and Other Requirements. The purpose of this report is to serve as a method of identifying and resolving potential issues of inequity on our campus. Through the resolution of these issues, we reaffirm our commitment to promoting equal access and opportunity as well as plans to increase the representation of women, minorities and other underrepresented groups at Florida Atlantic University.

DEVELOPMENT

The Office of Equity, Inclusion and Compliance (EIC) coordinated and compiled the Florida Equity Report with the assistance of various University offices including Institutional Effectiveness and Analysis, Athletics, Student Services and Academic Affairs. The data in this report was gathered through Human Resource files for 2015 and the Integrated Post-Secondary Education Data System (IPEDS) annual submission. These data represent current information used for federal and state reporting request. Prior to the final submission to the Florida Board of Governors, the FAU President and the Board of Trustees or designee approved the EIC's report as set forth in BOG Regulation 2.003.

SUMMARY OF PROGRESS

Policies and Procedures in Support of Equal Access and Opportunity

- Florida Atlantic University promotes diversity, equity and inclusion as core values and is committed to eliminating discrimination. University Regulation 7.001 promotes equal employment policies and practices consistent with federal and state laws. Further, University Policy 1.15, Prohibited Sexual Conduct, prohibits discrimination on the basis of sex and applies to prohibited sexual conduct that occurs on-campus as well as conduct that occurs off-campus relating to employment, educational programs or activities of the University or conduct that affects the opportunity for another member of the University Community to obtain services provided by the University. This policy was implemented on August 10, 2015. Additionally, the University Anti-Discrimination and Anti-Harassment Regulation 5.010 and Student Code of Conduct 4.007 were both updated and published on July 1, 2015.

Diversity

- With 52.2 percent of FAU's student body identified as minority or international students, Florida Atlantic University ranks as the most racially, ethnically and culturally diverse institution in the Florida State University System.
- FAU has been named to Military Times "Best for Vets: Colleges 2015," for the fourth consecutive year. The online publication comprising the Army Times, Navy Times, Air Force Times and Marine Corps Times, conducts and scores the "Best for Vets: Colleges Survey," a comprehensive assessment of college services to veterans.

Academic Programs (Enrollment and Graduation)

- Overall, the data presented in this report substantiates our continuing commitment to equity and diversity at FAU and reflects consistent and steady progress towards improvement. One example of progress includes the total FTIC enrollment of non-whites at 50.3% in 2015 increasing to 51.9% in 2016.
- FTIC enrollment indicated an increase in the percentage of Black enrollment from 16.3% in 2015 to 16.6% in 2016.
- Additional sections in the full report describe the broad range of enrollment and graduation goals for various protected classes.

Gender Equity in Intercollegiate Athletics

- While Athletics has continued to make opportunities to increase athletic opportunities for women, the unit is undergoing a balancing assessment of its scholarship opportunities as compared to its participation rates in order to award scholarships in a more equitable fashion. As it currently stands, the athletics department is approximately \$150,000 short in its funding of women's scholarships when compared to its participation rates. There are two ways this can be addressed. The first is to increase expenditures in women's scholarships or reducing expenditures in men's scholarships.

Employment Representation

- Human Resources continues to promote the recruitment, hiring and promotion of diverse individuals at FAU. Over the last year, FAU has seen a slight decrease in the number of tenured female faculty members from 301 in 2015 to 299 in 2016 and slight increase in the representation of women and minorities in senior-level administrative positions.
- FAU has also made strides in the last year in the Management Occupation category by increasing the percentage of Hispanic employees by 21.3%. Black employee numbers remain steady.

Protected-Class Representation

- FAU's faculty tenure data indicates that women and minorities continued to apply for and were granted tenure in the past year. The University continues to increase its efforts to diversify the tenured faculty ranks and executive level administration positions.

Promotion and Tenure Committee Composition

- FAU continues to seek participation from minorities and women to serve as college representatives on several of the Promotion and Tenure Committees.

In summary, the data show that FAU has made progress in nearly all areas; the University continues to provide a rich and diverse environment for its students, faculty and staff.

EQUITY PROGRAM ALLOCATIONS

Equity Allocations	
Summer Jump Start Program (Academic Advising)	7,200
Campus of Difference™ (Office of Diversity & Multicultural Affairs)	22,000
Office of Equity, Inclusion and Compliance (Financial Affairs)	423,184
Diversity Enhancement Scholarship (Financial Aid)	11,200
Auzenne Fellowship (Graduate Studies)	40,000
Auxiliary Learning Aids (Student Accessibility Services)	63,000
Office of Diversity & Multicultural Affairs (Student Affairs)	48,500
Summer Graduate Program (Graduate Studies)	29,500
Upward Bound (Federal Grant) (Student Affairs)	248,771
Total All Expenditures	\$893,355

PART II

Policies and Procedures in Support of Equity

The policies, regulations and procedures that are specifically formulated to promote equal access and opportunity as well as prohibit discrimination at FAU and their respective web links are listed below

Name of Regulation, Policy or Procedure	Web Address
Anti-Discrimination and Anti-Harassment Regulation 5.010	http://www.fau.edu/regulations/chapter5/Reg%205.010%206-2015.pdf Amended July 1, 2015
Discrimination and Harassment Complaint Processing Form	http://www.fau.edu/eic/ada_coordination/pdfs/Discrimination_Harassment%20Form_2016_EIC.pdf
Title IX Notice	http://www.fau.edu/eic/Title%20IX.php
Protection of Vulnerable Persons	http://www.leg.state.fl.us/statutes/index.cfm?mode=View%20Statutes&SubMenu=1&App_mode=Display_Statute&Search_String=39.201&URL=0000-0099/0039/Sections/0039.201.html
Disabilities and Accommodations Policy 1.13	http://www.fau.edu/eic/ada_coordination/pdfs/Policy1.13Disability-and-Accommodation.pdf
Consensual Relations Policy 1.10	http://www.fau.edu/policies/
Florida Educational Equity Act 1000.05	http://www.leg.state.fl.us/Statutes/Index.cfm
Florida Civil Rights Act	http://www.leg.state.fl.us/Statutes/Index.cfm
Title VI of the Civil Rights Act of 1964	www.justice.gov/crt/about/cor/coord/titlevi.php
Title VII of the Civil Rights Act of 1964	http://www.eeoc.gov/laws/statutes/titlevii.cfm
Title IX and Sex Discrimination	http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html
Vietnam Era Veterans' Readjustment Assistance Act	http://www.dol.gov/ofccp/regs/compliance/vevraa.htm
The Rehabilitation Act of 1973, Section 503	http://www.dol.gov/ofccp/regs/compliance/section503.htm
The Rehabilitation Act of 1973, Section 504 of the U.S. Department of Education	http://www2.ed.gov/about/offices/list/ocr/504faq.html
Americans with Disabilities Act, as amended	http://www.ada.gov/
Equal Employment Regulation 7.001	https://www.fau.edu/regulations/chapter7/Reg%207.001%208-12.pdf
Prohibited Sexual Conduct Policy 1.15	http://www.fau.edu/policies/files/1.15%20Prohibited%20Sexual%20Conduct.pdf

In addition to these resources, the EIC website links to the University regulation prohibiting discrimination. As required by the Report Guidelines, FAU provides a reproduction of its Non-Discrimination Regulation 5.010, updated July 1, 2015, (See following Policy). Each year, EIC notifies all faculty and staff members regarding the University Non-Discrimination commitments. The office accomplishes this through training for new employees and current employees who request additional training.

Equity Inclusion and Compliance's Homepage

<http://www.fau.edu/eic>

- ADA COORDINATION
- POLICY 1.13, DISABILITY AND ACCOMMODATION
- AFFIRMATIVE ACTION PLAN
- EQUITY STATUS REPORT
- REGULATION 5.010 ANTI-DISCRIMINATION/ANTI-HARASSMENT
- REGULATION 5.010 COMPLAINT FORM
- SCHOLARSHIPS
- STUDENT GRIEVANCES
- TITLE IX
- TRAINING CALENDAR
- ANTI-DISCRIMINATION/ANTI-HARASSMENT WORKSHOP
- EIC HOME
- DIVERSITY AT FAU
- JOBS AT FAU
- PRESIDENT'S OFFICE
- UNIVERSITY OMBUDSMAN

WELCOME TO THE OFFICE OF EQUITY, INCLUSION AND COMPLIANCE

The Office of Equity, Inclusion and Compliance promotes a working and learning environment free from any form of unlawful discrimination or harassment. We focus on the needs of the University community through establishing meaningful partnerships with faculty, students, staff, administrators and the public. The Office supports the incorporation of inclusion and diversity in its programming as well as training initiatives.



Location

Kenneth R. Williams Administration Building
777 Glades Road, Room 265
Boca Raton, Florida 33431-0991

Office Hours

Monday through Friday - 8 a.m. - 5 p.m.

Contact Us

Phone: 561-297-3004
Fax: 561-297-2402
Florida Relay System: 800-955-8771

Our Team

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OFFICE OF EQUITY, INCLUSION
AND COMPLIANCE
Florida Atlantic University

A stylized illustration in shades of blue and white. It features two hands raised in the center, with various leaf-like shapes and abstract forms surrounding them, creating a sense of growth and community.

Anti Discrimination
and
Anti-Harassment
Regulation

REGULATION 5.010

Florida Atlantic University

Regulation 5.010 **Anti-Discrimination and Anti-Harassment Regulation**

I. **POLICY**

- A. Florida Atlantic University (“FAU” or University) shall comply with applicable federal, state and local discrimination/harassment laws to provide an educational, employment, and business environment free of all forms of discrimination or harassment. Unlawful discrimination or harassment based upon an individual’s race, color, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation, gender identity or expression, or other protected status is prohibited. This policy applies to all FAU students, applicants for employment, faculty, and staff (hereinafter collectively referred to as “University Community Members”), as well as third parties providing services to FAU. This Regulation 5.010 (“Regulation”) establishes procedures for a University Community Member to file a complaint of alleged discrimination, harassment or retaliation.

Discriminatory conduct in the form of sexual misconduct/sexual harassment is also prohibited, and procedures for processing and investigating claims of sexual misconduct/sexual harassment by a University employee will be processed in accordance with current University policy on prohibited sexual conduct.

- B. The Office of Equity, Inclusion and Compliance (“EIC”) shall administer this Regulation. Inquiries regarding the procedures contained in this Regulation should be forwarded to EIC.
- C. It shall be a violation of this Regulation for any University Community Member to discriminate against or harass any other University Community Member on the basis of a protected status as defined by law or University regulations and policy.
- D. Retaliation, or otherwise taking adverse employment or educational action, against a University Community Member because he/she in good faith reported discrimination or harassment, or who assisted or participated in any investigation, regarding a complaint, is prohibited.
- E. Activities covered under this Regulation include, but are not limited to, all educational, athletic, cultural and social activities occurring on campus or sponsored by FAU, housing supplied by the University, and employment practices between the University and its employees.
- F. Those found to have violated any term, condition or provision of this Regulation will be subject to disciplinary action, up to and including termination or separation.
- G. Any supervisory employee who receives a report, observes or learns of an alleged violation of this Regulation has an absolute and unqualified duty to immediately report the conduct to the EIC Director.
- H. Every University employee has a duty to cooperate fully and unconditionally in a University investigation. This duty includes, among other things, speaking truthfully with the EIC investigator or his/her designee and voluntarily providing all documentation which relates to the claim being investigated.

II. DEFINITIONS/EXAMPLES

- A. For the purpose of this Regulation, “unlawful discrimination” is defined as a difference in treatment on the basis of a person’s status in a protected class. Harassment is a form of unlawful discrimination under Title VII of the Civil Rights Act of 1964 (“Title VII”), the Florida Civil Rights Act and other applicable local, state or federal laws. “Prohibited discrimination” includes unlawful discrimination and that which is based on other protected classes defined by University regulations or policy. A violation of this Regulation may occur regardless of any finding of “unlawful” conduct, as the standards for finding a violation of this policy are independent.
- B. Discrimination on the basis of sex in education programs and activities receiving federal financial funding as set forth in Title IX of the Education Amendments of 1972, as amended (“Title IX”), is included in this Regulation’s definition of prohibited discrimination. Discrimination on the basis of sex includes sexual violence, sexual battery, sexual harassment, domestic battery, dating violence, stalking and bullying (as defined below). Title IX prohibits sex discrimination in both the educational and employment settings. Sex discrimination is governed by the current University policy on prohibited sexual conduct.
- C. For purposes of this Regulation, examples of prohibited conduct that fall into the definition of discrimination include, but are not limited to:
1. **Disparity of treatment**
Disparate treatment occurs when an individual suffers less favorable treatment than others because of the protected status.
 2. **Disparate Impact**
Disparate impact occurs when an employment policy, although neutral on its face, adversely impacts persons in a protected status. Disparate treatment on the basis of a class not protected by federal, state or local law shall not constitute discrimination or harassment if such disparate treatment is required by federal or state law.
 3. **Retaliation**
Retaliation is adverse action taken against a person for engaging in protected activity. Examples of adverse action include: firing, denial of a promotion, lowering a grade, unjustified negative performance evaluations and reports, increased supervision or scrutiny, sudden enforcement of previously unenforced policies, exclusion from activities or privileges open to others, making critical comments about the protected activity to others, or any other action that would deter a reasonable person in the same circumstances from filing a complaint or engaging in protected activity.
- D. For the purposes of this Regulation, examples of prohibited conduct that fall into the definition of harassment include, but are not limited to:
- a. Verbal and/or physical conduct based on a protected characteristic that: (A) has the purpose or effect of creating an objectively intimidating, hostile or offensive work or educational environment; (B) has the purpose or effect of unreasonably interfering with an individual’s work or learning performance; or (C) otherwise unreasonably adversely affects an individual’s employment or educational opportunities.

- b. Examples of the foregoing verbal and/or physical conduct that may constitute harassment could include making comments (“humorous” or “non-humorous”) based on a protected characteristic, objectionable epithets/slurs, threatened or actual physical harm or abuse, the display of hostile symbols/objects, and other intimidating or insulting conduct directed against the individual because of their protected characteristic or membership.
- E. Sexual harassment, which includes acts of sexual violence and may include gender-based harassment, is a form of unlawful discrimination prohibited by Title VII, Title IX and other applicable laws. Sexual harassment can take the form of hostile environment harassment, or “quid pro quo” harassment.

Hostile Environment

Hostile environment harassment exists when harassment has the purpose or effect of unreasonably interfering with a person’s work or educational performance or participation in a university program or activity, or is sufficiently severe or pervasive to create an intimidating, hostile, or offensive work or educational environment.

Quid Pro Quo

Quid pro quo harassment is established when submission or rejection of conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual’s education, employment, or participation in a University program or activity.

- F. Gender-based harassment may be a form of sexual harassment prohibited under Title IX or other state or local laws. Gender-based harassment includes acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
- G. The definition of sexual harassment excludes the use of sexual material in a classroom setting for academic purposes.

III. REPORTING VIOLATIONS

- A. EIC is responsible for administering the complaint and investigation process set forth in this Regulation.
 - 1. In cases where the individual making an allegation that they have been subjected to conduct that violates this regulation (“Complainant”) chooses not to file a formal complaint, EIC will take action it deems necessary, including but not limited to informing the alleged offender (“Respondent”) of the concerns, and suggesting that the individual monitor and modify (if necessary) his/her behavior. All complaints, formal or informal, must be reported to EIC.
 - 2. The EIC contact information is provided below:
Equity, Inclusion and Compliance
Florida Atlantic University
Administration Building
777 Glades Road, Room 265
Boca Raton, Florida 33431-0991
<http://www.fau.edu/EIC/>
(561) 297-3004

- B. In all cases in which a violation of Title IX is alleged against a University Community Member, the University shall provide notice to the Complainant of his/her rights as soon as possible after it receives notification of the alleged violation. For complaints involving allegations of student misconduct by a student, the *Student Code of Conduct*, Regulation 4.007, will govern.

The EIC Executive Director is the Title IX Coordinator for the University.

1. Individuals with questions or concerns about Title IX may contact the University's Title IX Coordinator and may file a complaint directly with that office consistent with the procedures outlined herein.
- C. Any University employee who believes he/she has been harassed, discriminated or retaliated against in violation of this Regulation should report the facts and circumstances thereof to the EIC Director, or in the alternative, may report to the appropriate Vice President or Provost, College Dean, or the Director of Human Resources, who in turn must notify the EIC Director.
- D. Any student who believes he/she has been harassed or discriminated against in violation of this Regulation should report the facts and circumstances thereof to the EIC Director, or in the alternative, may report to a University Vice President or Provost, the Dean of Students, the Dean of his/her College, or to his/her Department Head, who in turn must notify the EIC Director.
- E. Reports or allegations of an alleged violation of this Regulation will be processed upon the filing of a written complaint with EIC. The Director of EIC may process an alleged violation without a written complaint if deemed necessary by the Director and if enough information is available to conduct a responsible investigation.
- F. A complaint must be filed with EIC within one-hundred eighty (180) calendar days of the alleged act(s) of discrimination/harassment. EIC may process an alleged violation outside of this time limitation if deemed necessary by the Executive Director. The filing of a complaint under this Regulation is independent and does not preclude the Complainant from also filing a complaint with federal, state or local enforcement agencies. The filing of a complaint with EIC does not constitute a filing with, or have any effect on the filing time limitations of those external agencies. All Complainants are urged to contact these external agencies directly to learn the filing deadlines and procedures for each agency. Contact information for these agencies is available from the EIC office.
- G. All complaints shall contain the name of the Complainant and state the nature of the act(s) complained of, including such details as the name of the alleged offender and the date(s) or approximate date(s) on which the offending act(s) occurred, the name(s) of any witnesses, and the desired resolution(s). Any portion of a complaint file that is exempt from public disclosure under the Florida Public Records law shall remain confidential to the extent permitted by law.

IV. INVESTIGATION OF COMPLAINTS

- A. EIC shall investigate all complaints that contain enough information to allege prohibited discrimination or harassment. This investigation will include, but shall not be limited to, interviewing the alleged offender and the complainant. Each party shall have an equal opportunity to present relevant witnesses and other evidence. The investigation may include the interview of other persons who may have information relevant to the allegations, preparation of witness statements for all persons interviewed, and review of any relevant documents. Upon completion of the investigation, a final report shall be prepared which includes a summary of the complaint, a description of the investigation, whether a violation of University Regulation was found, based on a preponderance of the evidence, and recommendations for disposition.
- B. EIC may attempt conciliation before or during the course of an investigation of a complaint. If conciliation is not achieved, then EIC shall continue to investigate the complaint, and shall issue a final report.
- C. EIC shall attempt to conclude its investigation on non-Title IX matters and issue its final report within seventy-five (75) calendar days of the filing of the complaint. However, the investigation process may be stayed for good cause as determined by the Executive Director.
- D. The final report by EIC shall be submitted to the appropriate Vice President, Provost or designee if an employee is involved, and/or to the Dean of Students or designee if a student is involved. The Respondent and Complainant will each be notified in writing of the outcome of the complaint and any appeal. Corrective or disciplinary action up to and including dismissal or expulsion will be considered and implemented, if warranted, by the Vice President, Provost or Dean of Students in consultation with the EIC Director. Corrective or disciplinary action may also be considered and implemented if EIC determined the complaint was unfounded and made maliciously or recklessly. All disciplinary action shall be subject to applicable University Regulations (including but not limited to University Regulation 5.009 (Grievance Procedure) and University Regulation 4.007 (Student Code of Conduct)), policies and applicable collective bargaining agreements.
- E. Any Complainant or Respondent may submit a response or statement to be attached to the EIC's final report and which will be maintained in the EIC file; any response or statement must be submitted to the EIC Director within ten (10) calendar days of the date the final report is published.

VI. RECONSIDERATION

- A. Any Complainant or Respondent may request reconsideration of a finding in the EIC Report by filing a written request with the EIC Executive Director.
 - 1. The EIC Executive Director must receive the written request within ten (10) calendar days of the date the final report is published.
 - 2. The request must include a basis for the reconsideration.
 - 3. The EIC Executive Director will consider any request for reconsideration, but reconsideration will only be granted in cases where new evidence is provided or relevant evidence was not previously considered or reviewed.

4. The EIC Executive Director shall notify the requesting party, in writing, of the appeal decision within twenty (20) calendar days.

Specific Authority: Article IX of the Florida Constitution; Florida Board of Governors Regulation 1.001; Formerly 6C5-5.012, Amended 11-11-87, 7-5-99, 11-9-05, 6-28-06, 11-16-11, 07-01-15.

**SEXUAL DISCRIMINATION, SEXUAL HARASSMENT, AND SEXUAL VIOLENCE
FAU TITLE IX COORDINATORS**

Title IX of the Education Amendments of 1972 (“Title IX”), a federal law that prohibits sex discrimination in education, provides as follows:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance....”

Sex discrimination includes sexual harassment and sexual violence, as further described in **FAU Regulation 5.010** available at www.fau.edu/eic. The following staff members have primary responsibility for overseeing Title IX compliance.

TITLE IX Coordinator for the University:

Katrina Oliver, JD.

**Executive Director & Title IX
Coordinator for the Office of
Equity Inclusion and Compliance**

Florida Atlantic University
Administration Bldg., Suite 265
Boca Raton, FL 33431
561-297-3004

katrinaoliver@fau.edu

Title IX Coordinator for the University; responsible for University-wide Title IX compliance, including training, education, communicating and coordinating the Title IX review processes for faculty, staff, students and other members of the University community.

TITLE IX Deputy Coordinator for Complaints Involving FAU Students:

**Ryan Iocco, Assistant Director
for Student Conduct**

Florida Atlantic University
SS-8, Room 226
Boca Raton, FL 33431
561-297-3542

riocco@fau.edu

The Office of the Dean of Students is responsible for assisting in Title IX compliance for matters involving FAU students, including training, education, communication, and administration of complaints involving students. To file a complaint involving a FAU student and sexual harassment, sexual discrimination, or sexual violence, you may contact the Title IX Deputy Coordinator listed or the Title IX Coordinator for the University.

TITLE IX Deputy Coordinator for Complaints Involving FAU Athletics:

**Melissa Dawson, Associate Director
Intercollegiate Athletics**

Florida Atlantic University
Building 67, Room 205
Boca Raton, FL 33431
561-297-2683

mdawson@fau.edu

To file a complaint involving a FAU student athlete, coach or athletic administrator and sexual harassment, sexual discrimination, or sexual violence, you may contact the Title IX Deputy Coordinator listed or the Title IX Coordinator for the University.

If you believe you are a victim of a crime and you wish to talk to an advocate, you may contact FAU Victim Services at 561-297-0500 or <http://www.fau.edu/police/victimservices>.

The facts and circumstances surrounding the alleged discrimination/harassment are as follows: (Be specific. Include dates, times and places. Attach additional sheet(s) if necessary)

Date: _____ Time: _____ (a.m.) (p.m.) Place: _____

Explanation of Situation:

Individual(s) who witnessed or have knowledge of this situation: (List name, title, relationship, and contact information).

Have you discussed the problem with your immediate supervisor, departmental chairperson, or instructor?

Yes No Other _____

If yes, please provide the date(s), name(s) and relationship of the individual(s) involved in the discussion and the result/response:

Date: _____ Time: _____ Location: _____

Name: _____ Title/Relationship: _____

Result/Response:

How have you been harmed?

Describe the action you desire to rectify the alleged discrimination/harassment:

I certify that the foregoing statements are true and correct to the best of my knowledge. My signature below acknowledges that I have read this document and attest to its content.

Name (Please Print)

Signature

Date

Office Use Only:

File #

Received by:

Name: _____ Signature: _____ Date: _____

(EIC Representative)



SUBJECT: DISABILITIES AND ACCOMMODATIONS	Effective Date: 9-18-12	Policy Number: 1.13
	Supersedes: Presidential Memorandum #88	Page Of 1 4
	Responsible Authority: Director, Equal Opportunity Programs	

APPLICABILITY/ACCOUNTABILITY:

It is the policy of the University to comply fully with the requirements of the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, and other federal and state laws and regulations prohibiting discrimination on the basis of disability or handicap. This policy is applicable to all members of the University community and all University facilities, events and services.

POLICY STATEMENT:

A. PUBLIC ACCOMMODATIONS

Every segment or department of the University community sponsoring an event held in University facilities or offering a service or benefit to visitors, including without limitation prospective students and vendors, is responsible for providing a reasonable accommodation when requested. Additional costs that may be incurred shall be the responsibility of the event sponsor or University department, as applicable. The event sponsor or University department shall also coordinate with the appropriate University individuals to provide the most appropriate reasonable accommodation. All events held in University facilities shall be barrier free and accessible.

University departments or event sponsors, including campus cinemas, lectures and speakers, shall notify potential attendees, students or vendors that reasonable accommodations should be requested of the department or sponsor at least five (5) business days prior to the event or service. The University will use reasonable efforts to provide the individual's requested accommodation if the accommodation is reasonable and will not fundamentally alter the event or service.

The University's [Office of Equal Opportunity Programs \(EOP\)](#) or the University's [Office for Students with Disabilities \(OSD\)](#) can assist University departments and event sponsors in determining appropriate accommodations and providing resources for potential service providers.



SUBJECT: CONSENSUAL RELATIONS	Effective Date: 10-30-09	Policy Number: 1.10
	Supersedes: New	Page Of 1 3
	Responsible Authority: Senior Vice President, Finance & Administration	

APPLICABILITY:

The purpose of this policy is to set forth expectations for University community members regarding amorous or sexual relationships and to ensure that such relationships do not result in actual or perceived impropriety.

STATEMENT OF POLICY:

- A. General Considerations. Florida Atlantic University is committed to providing and maintaining a working and learning environment that is fulfilling and equitable for all members of the University community including students, faculty and staff. Implicit in the University's commitment is that all community members conduct themselves in an ethical manner in their interactions and relationships with each other. To accomplish the University's goals, relationships between students, faculty and staff must be based on integrity, respect and trust. Any amorous or sexual relationships between University community members that call these principles into question interfere with the University's academic mission.
- B. Amorous or Sexual Relationships between Individuals of Unequal Power: Amorous or sexual relationships between individuals of unequal power (e.g., between a supervisor and an employee, faculty member and student, or staff member and student) where the person of real or perceived greater power directly supervises or has the ability to impact either the employment or education of the other, have the potential of resulting in, or causing the appearance of, the following:
 - 1. A conflict of interest (see [FAU Regulation 5.011, University Ethics](#); see also Chapter 112, Florida Statutes).
 - 2. An abuse of power or trust.
 - 3. The perception of favoritism, bias or unfair treatment.

4. The perception or allegations that the relationship was the result of coercion or exploitation.
5. Allegations of sexual harassment either during the relationship or after it ceases (see [FAU Regulation 5.010 Anti-Discrimination and Anti-Harassment](#)).
6. Other allegations of inappropriate conduct.

PROCEDURES:

- A. Prohibited Amorous or Sexual Relationships. Faculty members, administrators and staff in any type of supervisory or oversight capacity are prohibited from engaging in an amorous, dating or sexual relationship with a student or employee whom he/she instructs, evaluates, supervises, or advises, or over whom he/she is in a position to exercise authority such that it would impact their educational or work performance.
- B. Required Disclosure of Amorous or Sexual Relationships.
 1. Faculty members, administrators and staff in any type of supervisory or oversight capacity, who as of the date of the adoption of this policy, are currently involved in an amorous, dating or sexual relationship where there is direct authority relationship between the individuals must immediately disclose the existence of their relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.
 2. Faculty members, administrators and staff in any type of supervisory or oversight capacity who are involved in an amorous, dating or sexual relationship where no direct authority exists, but as a result of reassignment or restructuring of a department or unit are placed in a direct authority relationship with the person with whom they have a relationship covered by this policy, must disclose the existence of such relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.
- C. The University's Management of Potential or Actual Conflicts of Interest resulting from an Amorous or Sexual Relationship.
 1. The University will manage any potential conflicts of interest created by amorous or sexual relationships where direct authority or the ability to impact the performance of the other individual exists. The University will take these efforts to ensure the integrity of the work and educational environment and may explore the following options:
 - (a) Removing the faculty member, administrator or staff who are in any type of supervisory or oversight authority over the individual with whom they involved in an amorous or sexual relationship from any evaluative decision concerning the other individual;
 - (b) By moving an advisor from his/her involvement as advisor or committee member with an advisee;
 - (c) Relocation of an employee to another supervisory area; or

- (d) Other action that the appropriate administrators believe resolves the actual or perceived conflict of interest.
2. The University, in managing actual or perceived conflicts of interest, resulting from amorous or sexual relationships may require time or more decisive efforts to effectively address conflicts of interest that arise from two individuals' involvement in an amorous, dating or sexual relationship where a direct authority relationship exists between the individuals. In such cases, the following may occur:
- (a) In the case of two employees (including student employees), one or both of the employees may be placed on administrative leave, with or without pay, until a suitable option becomes available to address the actual or perceived conflict of interest.
 - (b) If there is no reasonable option available to address the actual or perceived conflict of interest, one or both employees may be required to separate his/her employment from the University

D. Violations of this Policy. Any member of the University community who violates this policy is subject to discipline by the applicable supervisory authority.

INITIATING AUTHORITY: Senior Vice President, Finance & Administration

POLICY APPROVAL
(For use by the Office of the President)

Policy Number: 1.10

Initiating Authority
Signature:  Date: 11/2/09
Name: Dennis Crudele

Policies and Procedures Review Committee Chair
Signature:  Date: 6/30/09
Name: Elizabeth H. Rubin

President
Signature:  Date: 11/5/09
Name: John F. Pritchett

Programming Initiatives for Underrepresented Populations

UPWARD BOUND

Dean of Students, Student Affairs

The Upward Bound is a part of Florida Atlantic University's Pre-College Programs. Upward Bound is a federally funded program through the United States Department of Education under the National TRIO programs. This program is a partnership between FAU and the Broward County School Board. Upward Bound provides academic support, exposure to cultural events and college tours, as well as ACT/SAT test preparation to its high school student participants. Our goals are to increase student GPA, standardized test scores, entrance into college, and graduation from college.

SUMMER JUMP START PROGRAM

University Advising Services

A summer entrance program offered to select first year students by University Advising Services. The program is a part of a conditional acceptance into the university designed to help students make a successful transition from the high school environment to the FAU college environment.

CAMPUS OF DIFFERENCE™

Office of Diversity and Multicultural Affairs

(Human Relations & Diversity Training)

A half-day workshop for FAU students to explore personal and cultural identity, recognize the language of stereotyping and its impact on interactions with others. The intention of the discussion is to create an inclusive campus community that values and respects diversity.

DIVERSITY ENHANCEMENT SCHOLARSHIP

Financial Aid

The scholarship is provided for students transferring from a Florida community college or state college to FAU. Awards may be based solely on merit; or based on financial need with an acceptable GPA; or based on a combination of need and merit. Scholarships are awarded for Fall and Spring semesters only (summer funding is not available). Renewals for up to six semesters are possible, with appropriate academic progress.

THEODORE R. & VIVIAN M. JOHNSON SCHOLARSHIP

Student Accessibility Services

Theodore R. Johnson, a former UPS executive, established a charitable trust fund to provide scholarships to students with disabilities who are attending one of Florida's 11 public universities. Mr. Johnson had a hearing impairment and understood the difficulties a person with a disability has to overcome; therefore, he wanted to use his money to make sure students with disabilities have the chance to be the best they can. The scholarship is competitively awarded to currently enrolled undergraduate FAU students in good standing or an accepted incoming student.

DELORES A. AUZENNE FELLOWSHIP

Graduate College

The Delores A. Auzenne Fellowship Program is designed to encourage minority students to pursue graduate degrees in areas where they are historically underrepresented at Florida Atlantic University. These areas include, but are not limited to: engineering, mathematics, computer science, economics, and psychology.

GRADUATE DIVERSITY FELLOWSHIP

Graduate College

Florida Atlantic University offers a fellowship to graduate students who increase the diversity of the student body in their chosen field of study. Applicants must be able to demonstrate how they contribute to increasing diversity, and if applicable any impediments or disadvantages they may have overcome to pursue their advanced degree.

PART III

ACADEMIC PROGRAM REVIEWS

In this section, eight (8) areas of review are required of each university with programs at the specified levels. Enrollment and conferring of degrees for students by gender and race/ethnicity are analyzed. In addition, the official total includes students classified as non-resident aliens. Specifically, the University reviewed and assessed:

- First-Time-In-College (FTIC) Enrollment
- Full-time Transfers
- Retention of Full-time FTICs After One Year
- Graduation Rate of Full-time FTICs After Six Years
- Bachelor Degrees Awarded
- Master Degrees Awarded
- Doctoral Degrees Awarded
- First Professional Degrees Awarded

***Key for all tables and charts:**

- NRA = Non-Resident Alien
- B = Black
- AI/AN = American Indian/Alaskan Native
- A = Asian
- H = Hispanic
- NH/OPI = Native Hawaiian/Other Pacific Islander
- W = White
- \geq Two = Two or more races
- UNK = Unknown

*Non-resident alien is defined by IPEDS as a person who is not a citizen or national of the United States but who has been admitted as a legal immigrant for the purpose of obtaining permanent resident alien status (and who holds either an alien registration card (Form I-551 or I-151) a Temporary Resident Card (Form I-688), or an Arrival-Departure Record (Form I-94) with a notation that conveys legal immigrant status such as Section 207 Refugee, Section 208 Asylee, Conditional Entrant Parolee or Cuban-Haitian).

Academic Program Review

As presented in the Executive Summary, each of the seven enrollment charts display appropriate representation for females and protected class race/ethnic codes. The University seeks to maintain or improve female and minority representation. All of the protected groups continued to be represented at 80% of expected levels based on previous year enrollment. Other enrollment highlights are stated below:

- 16.6% Black freshmen enrollment in 2016; this percentage increased from 16.3% in 2015.
- 25.9% Hispanic freshmen in 2016; this percentage increased from 25.5% in 2015.
- Overall freshman minority enrollment rate was 51.9% in 2016, up from 50.3% in 2015.
- 58.9% of state college transfers were from minority groups in 2016, up from 57.3% in 2015.
- Black college transfers were 23.1% in 2016, up from 22.7% in 2015.
- Hispanic college transfers were 28.6% in 2016, which increased from 27.2% in 2015.
- Retention rate for Black FTICs entering FAU in summer/fall 2015 after one year was 80%. Retention rate for Hispanics was 80.4% as compared to 78.5% in 2015. These retention rates compare to 73.6% for Whites and 76.9% for FTICs overall.
- Female students are retained at a greater rate than males; 77.1% for females versus 76.8% for males.

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
MEN	43	179	7	69	321	0	566	38	5	1228
WOMEN	35	328	2	99	468	1	804	71	12	1820
TOTALS	78	507	9	168	789	1	1370	109	17	3048
Category % of Totals	2.6%	16.6%	0.3%	5.5%	25.9%	0.0%	44.9%	3.6%	0.6%	100.0%

Source: FAU IEA Headcount & Enrollment Dashboard

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
MEN	14	59	2	10	108	1	158	11	1	364
WOMEN	12	138	0	16	136	1	162	21	3	489
TOTALS	26	197	2	26	244	2	320	32	4	853
Category % of Totals	3.0%	23.1%	0.2%	3.0%	28.6%	0.2%	37.5%	3.8%	0.5%	100.0%

Source: FAU IEA Headcount & Enrollment Dashboard

	NRA	B	AI/AN	A	H	NH/OPI	W	>= Two	Unk	F	M	T
COHORT	58	536	6	120	843	3	1539	153	37	1884	1411	3295
Category % of Totals	1.8%	16.3%	0.2%	3.6%	25.6%	0.1%	46.7%	4.6%	1.1%	57.2%	42.8%	100.0%
AFTER 1 YEAR	48	429	4	99	678	2	1132	117	26	1452	1083	2535
Retention Rate	82.8%	80.0%	66.7%	82.5%	80.4%	66.7%	73.6%	76.5%	70.3%	77.1%	76.8%	76.9%

Source: IEA Dashboard on Retention Characteristics

All of the protected groups continued to be represented at 80% of expected levels based on previous year graduation rates. Other graduation highlights are stated below:

- Graduation rate for Black students entering FAU in summer/fall 2010 was 49.7%, higher than the overall graduation rate of 49.3%.
- The graduation rate for Hispanics, was 50.0% which is higher than the overall graduation rate of 49.3%.
- The male graduation rate is 44.1%, which is lower than the female graduation rate of 54.1%.
- Over 46% of graduates in 2015-16 were non-white.
- Black students accounted for 19.3% of baccalaureate degrees awarded.
- Hispanic students accounted for 25.1% of baccalaureate degrees awarded.
- 17.3% of masters degrees were awarded to Black students.
- 18.8% of masters degrees were awarded to Hispanic students.
- 13.4% of research doctorates and 18.2% of professional doctorates were awarded to Black students.
- 10.9% of research doctorates and 9.1% of professional doctorates were awarded to Hispanic students.

	NRA	B	AI/AN	A	H	NH/OPI	W	>= Two	Unk	F	M	T
COHORT	18	342	6	108	612	7	1438	94	10	1360	1275	2635
Category % of Totals	0.7%	13.0%	0.2%	4.1%	23.2%	0.3%	54.6%	3.6%	0.3%	52.5%	47.5%	100.0%
After 6 years												
Number of Graduates	8	170	1	60	306	5	691	48	9	736	562	1298
Percent Graduated	44.4%	49.7%	16.7%	55.6%	50.0%	71.4%	48.1%	51.1%	90.0%	54.1%	44.1%	49.3%
Category % Graduated	0.6%	13.1%	0.1%	4.6%	23.6%	0.4%	53.2%	3.7%	0.7%	56.7%	43.3%	100.0%
Number Retained	8	195	2	68	332	5	740	48	9	781	626	1407
Percent Retained	44.4%	57.0%	33.3%	63.0%	54.2%	71.4%	51.5%	51.1%	90.0%	57.4%	49.1%	53.4%
Category % Retained	0.6%	13.9%	0.1%	4.8%	23.6%	0.4%	52.6%	3.4%	0.6%	55.5%	44.5%	100.0%

Source: Internal SQL code. Number retained includes those that graduated within six years.

Chart 5: Bachelor's Awarded, AY 2015-2016

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
Men	39	377	2	103	561	1	1101	59	23	2296
Women	62	711	3	122	856	5	1459	107	19	3344
Total	101	1088	5	225	1417	6	2560	196	42	5640
% TOTAL	1.8%	19.3%	0.1%	4.0%	25.1%	0.1%	45.4%	3.5%	0.7%	100.0%

Source: IEA Degrees Awarded Dashboard

Chart 6: Master's Awarded, AY 2015-2016

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
Men	34	59	0	20	96	0	252	9	1	471
Women	26	170	3	36	152	1	440	18	5	851
Total	60	229	3	56	248	1	692	27	6	1322
% TOTAL	4.5%	17.3%	0.2%	4.2%	18.8%	0.1%	52.3%	2.0%	0.5%	100.0%

Source: IEA Degrees Awarded Dashboard

Chart 7: Doctoral Degrees Awarded, AY 2015-2016

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
Men	11	4	0	0	7	0	30	1	0	53
Women	7	12	0	1	6	0	38	1	1	66
Total	18	16	0	1	13	0	68	2	1	119
% TOTAL	15.1%	13.4%	n/a	0.8%	10.9%	n/a	57.1%	1.7%	0.8%	100.0%

Source: IPEDS Completions 2015-16 Report degrees awarded AY 2015-2016 Sum of all Doctor's degree Completions: total by first major

Chart 8: First Professional Degrees Awarded, AY 2015-2016

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
Men	0	0	0	0	0	0	0	0	0	0
Women	0	2	0	0	1	0	8	0	0	11
Total	0	2	0	0	1	0	8	0	0	11
% TOTAL	n/a	18.2%	n/a	n/a	9.1%	n/a	72.7%	n/a	n/a	100.0%

Source: IPEDS Completions 2015-16 Report degrees awarded AY 2015-2016 Post-Master's certificates degree Completions: total by first Major

Overview of Academic Programs – Student Services

Student Services

Student Affairs and Enrollment Services prepared an annual report on the requested areas using institutional effectiveness goals as guidelines. Each university is required to conduct a periodic review of its student services to determine compliance with equity statutes. Non-Discrimination on the basis of race, color, national origin, sex, religion, age, disability, marital status, veteran status, or any other basis protected by law is required. The following self-assessment follows models established under other laws, guidelines, or requirements.

FAU Advising Services

University Advising Services (UAS) provides support services to first and second year students transitioning into their college of major at or around 45 earned credit hours. UAS provides a safety net for all undeclared students who may not be sure of where to go for help. UAS helps these students regardless of the number of credit hours. In support of this mission, the UAS office offers students a broad, comprehensive array of services aimed at aiding students in developing and implementing an appropriate and meaningful educational plan.

The academic advising program is based on the Appreciative Advising model. It is the intentional collaborative practice of asking positive, open-ended questions that helps students optimize their educational experience and achieve their dreams, goals and potential. The advisee and advisor, as partners, work together to discover the student's passions, and dreams, design a plan to achieve those dreams, deliver on that plan, and make changes as necessary to achieve their goals.

To carry out this mission, a reorganization of the staff, positions, and job duties was initiated. Subsequently, 10 new advisors were hired, three Associate Directors were promoted and their job duties expanded to include an Associate Director for First Year Experience (FYE), Associate Director for the Second Year Experience (SYE), and an Associate Director for Students in Transitions.

The Academic and Career Enhancement for Student Success (ACCESS) Program provides ongoing academic coaching tailored to the individual student. An academic coach is required for all students below a 2.0 FAU G.P.A.

Academic Advising Services provides:

- Advising and Course Selection for **Undecided/Exploratory** students regardless of credit hours.
- Advising and Course Selection for **First Year** students (Freshmen 0-29 credits).
- Support services for students with fewer than 60 earned credits (Freshmen and Sophomores)
Note: Referrals to Colleges are made after three (3) semesters and/or 45 credit hours for those students who have declared majors and are in good academic standing.
- Support services for students not in good academic standing up to 60 credit hours.
- Pre-professional science majors, will continue to be advised by The Charles E. Schmidt College of Science regardless of other declared majors, G.P.A., or credit hours.
- Students directly admitted into the Christine E. Lynn College of Nursing will be advised by them.

Additional Programming

Success Network – An online communication system that connects the student to a network of support providing resources such as: advisors, faculty, tutors and many different support staff (Starfish Solutions).

Residential after-hour Student Service Center – A fully staffed center that provides Academic Advising and Coaching, Career Counseling & Internships, Tutoring and Writing Assistance, Monday-Thursday, between 4-9 pm, in Grades Park Towers (the first year residence hall).

Commuter Advisors – These advisors are located in the University Parking Garages – 2 nights a week, from 5pm – 7pm, to address emergency needs of students, to schedule appointments, and to refer students to university resources.

One Nation Exploration (O.N.E.) Program – This program explores personal interests, majors on campus, and professional options available after graduation for undecided/undeclared students. The career exploration class (SLS 1301) is required for all undeclared second semester first year students.

Peer Associate Program within University Advising Services office – This office is designed for students to gain real-world experience in a fast learning environment while working in the University Advising Services office.

Internship Opportunities for Graduate Students – These internships allow graduate students to gain practical working experience in academic and student affairs (multiple semester opportunities (Fall, Spring, Summer)).

Foster Youth and Homeless Program – This program designates a staff member responsible for keeping an eye on those students least likely to ask for help. The staff member works with them to connect them to available resources. The program also connects to the state wide support network of Florida Reach.

Health Services

Student Health Services provides high quality healthcare, education and public health services to a diverse community to enhance student learning and promote lifelong success. The following data describes how Student Health Services continued to achieve their mission:

Females comprised 63.2% of all clinic appointments in 2015-16:

- Boca clinic: 66% of all clinic appointments were with female students
- Davie clinic: 69% of all clinic appointments were with female students
- Jupiter clinic: 66% of all clinic appointments were with female students

Campus clinical data collected from 10/1/15 to 6/30/16 due to transition of data systems

Services provided to minority students (for students who chose to identify their race and/or ethnicity) in 2015-16:

- 24% of all clinic appointments were with Black students
- 1.5% of all clinic appointments were with Hispanic students
- 8% of all clinic appointments were with Asian students
- 2% of all clinic appointments were with American Indian students
- 0.5% of all clinic appointments were with Native Hawaiian or other Pacific Islander
- 10% of all clinic appointments were with International students

- **Unique Services:** Women’s health clinic provides contraceptive management, annual exams, breast exams, testing and treatment for sexually transmitted infections, pregnancy testing and other gynecological services that include colposcopies.

Student Accessibility Services

The number of students receiving Auxiliary Learning Aids (direct services) during the 2015-16 reporting year:

68	Electronic Textbook accommodations
3	Braille and tactile graphics accommodations
117	Housing accommodations
390	Notetaking accommodations
27	ASL accommodations
189	Assistive Technology training
<u>3,967</u>	<u>Exam accommodations</u>
4,764	Total Accommodation

Closed Captioning print and transcription calculated by hours - 120

Club and Intramural Athletics

The mission of the FAU Campus Recreation Department is to create movement and engagement opportunities to enhance the social and physical wellbeing of the FAU community. We:

- Offer high quality programs and services that are diverse and innovative;
- Maintain progressive and well-managed facilities in a safe and enjoyable environment;
- Provide experiential learning and foster the development of leadership, social and management skills through employment and participation opportunities;
- Effectively and ethically manage human, financial and physical resources; and
- Recruit, develop and retain a committed, high achieving staff.

Campus Recreation

Usage Numbers are below:

- 425,993 total visits to the center
- 16,359 unique visits

Intramural Sports – leagues, tournaments and special events in M/W & Co-ed divisions where FAU students compete against each other:

- 2,403 Participants
- 34% Female
- 66% Male

Group Fitness Programs – structured group fitness classes such as Yoga, Pilates, Hip Hop, Body Sculpting, and more:

- 22,263 Total Participations
- 3,314 unique participants

- **Club Sports** – student-led clubs and organizations promoting physical, recreational and competitive activities at various skill levels. Clubs include Soccer, Ice Hockey, Rugby, Lacrosse, etc:
 - 720 Participants
 - 30% Female (215 total)
 - 70% Male (505 total)

Outdoor Adventures is housed within the Department of Campus Recreation. It serves students, faculty/staff, and community members. Outdoor Adventures comprises gear rentals, outdoor trips, challenge course programming, a climbing center, and Camp Owls. We are committed to offering adventure-based experiential education opportunities that promote personal growth, leadership development, and respect for others as well as the natural world.

- Number of Outdoor Adventure Trips: 23
- Total Outdoor Adventure Trip Enrollment: 204
- Outdoor Adventure Gear Rental: generated \$2,265 from 229 rentals
- Challenge Course Student Programs: 23 groups / 640 participants

Student Financial Assistance/Student Employment

Student Financial Assistance awards grants, loans, scholarships, and work-study. The office bases awards on compliance with basic guidelines, such as timely completion of the FAFSA for need-based awards and awards in which need is one criteria.

Student employment includes the federally-funded College Work-Study program and independently sought employment in campus units. Work-study student must demonstrate financial need.

Housing and Residence Life

FAU Department of Housing and Residence Life ensures that all residents are aware of the University's commitment to building an inclusive campus environment. The department creates a seamless environment of living and learning in a safe and welcoming community. Through opportunities for leadership development, civic responsibility, self-exploration, and student involvement, the department will assist in building a life-long connections between the student and the University.

Additionally, Housing and Residence Life provides accommodations for students with disabilities. The Housing contract directs students requesting such accommodations to contact Student Accessibility Services, formerly Office of Students with Disabilities.

Pre-College Programs/Civic Engagement

Pre-College Programs - Upward Bound is a federally funded program through the U.S. Department of Education under the National TRIO programs. The program is a partnership between FAU and the Broward County School Board. Upward Bound provides academic support, exposure to cultural events and college tours, as well as ACT/SAT test preparation to its high school student participants. The goal is to increase student GPA, standardized test scores, and entrance into college and graduation from college.

Student Civic Engagement develops partnerships between the university and community, providing service opportunities to faculty, staff and students, and to promote the link between the curriculum and service fostering civic awareness.

The Office of Diversity and Multicultural Affairs (ODMA)

The ODMA promotes the academic and personal growth of traditionally underserved students. The office collaborates with the campus community to create an institutional and community climate of social justice. We promote access and equity in higher education and offer programs that educate the campus about diversity. In addition, we incorporate student learning and development; enhance student overall educational experiences; provide access to academic, social, cultural, recreational, and other group activities; and provide opportunities for intentional interaction, engagement and integration. The ODMA offers educational programs that foster and sustain an environment that promotes academic excellence and values differences and inclusiveness.

The following items below reflect the University's commitment to maintaining educational equity. It also reflects the University's programs that support all students, but particularly minority students.

Human Relations and Diversity Training (ADL Campus of Difference™)

- Explore your personal and cultural identity
- Recognize the language of stereotyping and its impact on interactions with others
- Explore the dynamics of power and privilege connected to group-identities
- Examine and challenge bias, prejudice and discrimination in yourself and others
- Create an inclusive campus community that values and respects diversity

ADL Campus of Difference™

- 29 sessions
- 477 participants

Specialized Diversity Training

Specialized Diversity Trainings are also available to students and range from 45 minutes to three hours. All specialized trainings are interactive in nature and provide students an opportunity to explore and learn about an array of topics including, but not limited to: privilege, inclusive language, intersections of race and gender, personal biases, and discrimination.

- 20 sessions
- 575 participants

The Safe Zone Ally Training is designed to raise awareness of lesbian, gay, bisexual, transgender, questioning, and ally (LGBTQA) communities.

- 12 sessions
- 142 participants

RISE Program (Reaching Individual Success and Empowerment):

The RISE Program provides access to academic, social, cultural, and leadership opportunities that impact traditionally under represented student populations. Its curriculum includes engagement, cultural competence, leadership, and service. Each student is assigned a RISE advisor who helps ensure students stay on track and receive the academic support they need to persist. As part of the program, students are eligible to participate in the Book Loan Program.

The Book Loan Program assists Florida Atlantic University students on a temporary basis who are financially unable to purchase books. Books are issued on a first come, first serve basis and are dependent upon availability. Students who participated in this program had to be registered as a degree-seeking student, registered in the class for which the book was required, and the student must receive financial assistance through the FAU Office of Financial Aid.

- RISE Cohort: The RISE program can only admit 75 students per fall and spring semester.
- Book Loan Program: 209 books provided

PRIDE Resource Center:

The PRIDE Resource Center strives to provide resources related to LGBTQ issues by providing information to members of the FAU community seeking to understand the experiences of LGBTQ students. Additionally, the center seeks to encourage a supportive campus environment for LGBTQ students by developing student, faculty, and staff allies through professional development and educational programs.

Diversity and Multicultural, Educational, and Engagement Programs/Events

The Office of Diversity and Multicultural Affairs offers an array of programs and events that promote diversity and provide students with intentional and educational interactions.

- 39 programs and events

PART IV

SEX EQUITY IN ATHLETICS UPDATE

In compliance with the Florida Educational Equity Act (FEEA) and pursuant to the 1979 Intercollegiate Athletics Policy Interpretations, FAU is required to choose one of three prongs or assessments for compliance with Title IX of the Education Amendments of 1979.

Prong 1 - Accommodation of interests and abilities

Prong 2 - Substantial proportionality

Prong 3 - History and practice of expansion of sports

In compliance with Prong 3

With the addition of Sand Volleyball during the 2011-12 academic year, and in compliance with Title IX of the Education Amendments of 1979, we comply with Prong 3: A history of expanding opportunities for the underrepresented sex.

History of Female Sports

Tennis 1979, Swimming/diving 1984, Basketball 1984, Volleyball 1987, Soccer 1991, Cross Country 1991, Golf 1991, Softball 1994, Outdoor Track 2000, Indoor Track 2005, Sand Volleyball 2012.

Chart 1. Gender Equity in Athletics Update

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
1. Sports offerings	FAU sponsors 19 National Collegiate Athletic Association (NCAA) teams, eight for men and eleven for women. The additional three women's teams are to assist with increasing participation opportunities for females. This increase is critical to our future compliance with Title IX.	No
2. Participation rates, male and female, compared with full-time undergraduate enrollment	During the 2015-16 academic year there were 16,116 full time undergraduate students at FAU. Full-time, undergraduate level females accounted for 55.64% of these students. During that same time period there were 484 student athletes of which 241 or 49.79% were female.	No
3. Availability of facilities, <i>defined as locker room, practice, and competitive facilities</i>	The availability of facilities utilized by our male and female teams is equivalent. The following sports share practice and competition facilities with their gender opposite: swimming, tennis, basketball, cross country/track and soccer. The women's indoor volleyball team does not have a gender opposite team but shares the same facility as the basketball teams. Four sports (football, beach volleyball, baseball and softball) have	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>their own facilities. (This accounts for 2 men’s sports and 2 women’s sports.) Baseball and softball facilities are different based on their playing rules differences. Football has a separate facility based on the number of spectators that need to be accommodated as well as the wear and tear the field receives during practices. Beach volleyball has its own facility based on the unique playing surface. Men’s and women’s golf both are fortunate enough to utilize several different community golf courses. Golf is a popular recreation activity in the local area and the courses utilized by both teams are of great quality and equivalent.</p> <p>All teams, with the exception of men’s and women’s golf and men’s cross country, have locker room facilities on the FAU campus. Football, beach volleyball, softball, women’s soccer and women’s cross country/track all have locker room accommodations in the Oxley Athletics Center. Baseball, men’s tennis, men’s swimming, men’s soccer, women’s swimming, women’s indoor volleyball and women’s tennis all have locker rooms in the athletic fieldhouse. These locker rooms are equivalent. In this facility, all men’s teams share a shower facility and all women’s teams share a shower facility. The football locker room has its own shower facilities in the Oxley Athletic Center due to it being the only men’s sport housed in this location. The men’s and women’s basketball programs both have locker rooms in the FAU arena. These facilities are exactly identical.</p> <p>The men’s and women’s golf teams do not have a locker room facility on campus. This is because both teams utilize local golf courses and are permitted to use the restroom/locker rooms at these facilities. The facilities are shared by the golf course/club members as well as our men’s and women’s teams.</p>	
4. Scholarship offerings for athletes	The total amount of financial assistance awarded in 2015-2016 was \$4,655,282. Men represented 51.70% of participation and received 57.05% of the awards. Women represented 48.30% of the participation and received 42.95% of the awards.	YES
5. Funds allocated for:		
a) the athletic program as a whole	Please see items below for further information.	No
b) administration	The athletics program is administered by the Vice President and Athletics Director. There is one Executive Senior Associate Athletics Director and two Associate Athletics Directors (Executive Senior Associate for	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>External Relations/Senior Woman Administrator, Associate Athletics Director for Business/Facilities/Compliance and Associate Athletics Director for Academics). In addition, there are five Assistant Athletics Directors (Assistant Athletics Directors for Administration, Media Relations, Business, Compliance and Facilities/Operations).</p> <p>Oversight of the various departments within the athletics program is not determined by the gender of the sport/department or by the gender of the administrator. Rather, oversight is determined by the individuals with the most amount of experience in that department's area of focus.</p>	
<p>c) travel and per diem allowances</p>	<p>An evaluation of the travel and per diem of teams will include addressing transportation modes, hotel accommodations and meal allowances. Each of these aspects will be addressed separately.</p> <p>Both male and female teams have the same "departure" and "return" policies for away events. The exception to this might be when teams travel to play Florida International University, University of Miami, Florida Gulf Coast University or University of Central Florida. For these trips teams will sometimes travel to and from the competition on the same day. This is determined by the head coach and is not based on gender.</p> <p>The mode of transportation for all teams is by airplane, bus or van. The athletics department has a policy that is enforced consistently regardless of the gender of team. For out-of-state trips all teams will utilize air transportation. If any coach requests to travel out-of-state by any means other than air transportation their request is made to their sport administrator who evaluates the benefits versus the demands of extended travel (missed class time, etc). Decisions by the sport administrator are made based on benefits not by gender. Air transportation is commercial for all teams except football.</p> <p>Travel within the state is dictated by the number of participants travelling and the expected drive time required. For any team of 20 participants or more, regardless of gender, travel is by charter bus. These policies are enforced regardless of the gender of the team.</p>	<p>No</p>

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>While on the road, all teams are accommodated at hotels that are similar in nature regardless of the gender of the team.</p> <p>Per diem for men's and women's track and field and cross country, men's and women's golf, men's and women's swimming, men's and women's tennis, sand volleyball, baseball and men's soccer is \$25 per day. Men's basketball, women's basketball, indoor volleyball, women's soccer and softball are allowed \$30 per diem. The other 3 women's teams were increased to \$30 per day in order to ensure that the number of male and female athletes permitted a higher per diem were more equitable annually.</p> <p>The football team is too large to travel to local restaurants for meals so they must cater meals through the hotel at which they are staying.</p>	
d) recruitment	<p>Recruitment, while a difficult area to evaluate, is consistent in its application. Coaches typically request more funding for recruiting than allotted, at this time coaches of all sports noted that the budget was limited, but they make the funds work to the best of their ability. Head coaches and assistant coaches for every team sponsored receive a university cell phone for use in the recruiting process. Courtesy cars are provided to a number of head and assistant coaches for both male and female teams. Any team that does not have a courtesy car assigned to them is provided the funds to rent a vehicle for recruiting travel.</p> <p>Teams are permitted to recruit throughout the United States and, when approved in advance, can travel periodically overseas to scout potential recruits. This practice is rare, but has been done by both the women's track and field team, volleyball and women's soccer team. Teams are permitted to spend their scholarship dollars as they feel will benefit the team best. Therefore, as long as the coach stays within his/her recruiting budget and within the scholarship limits they are permitted this type of recruiting activity.</p> <p>Based on the information above recruitment is equivalent.</p>	No
e) comparable coaching	There are 3 men's programs (football, basketball and baseball) with the full number of NCAA allowable assistant coaches and 4 women's programs (basketball, soccer, volleyball and softball) During the 2013-14 year	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>FAU upgraded the second assistant coaches for volleyball and women's soccer to full-time AMP assistants. This was a great step toward eliminating gender equity concerns in this area. This increased Athletics staff who receive salary and benefits to 14 assistants for men's teams and 9 assistants for women's teams. Although not equal in number, the consultant notes that it is allowable since there will be 3 men's teams and 4 women's teams that have the maximum allowable assistant coaches per NCAA rules and all will be afforded benefits.</p> <p>It is noted that football is permitted more assistant coaches due to the large number of participants and this makes the unequal number of actual assistants permissible since at least an equivalent number of female teams have the maximum number of allowable coaches. FAU does not sponsor a women's team with equal participant numbers to football so a disparity in actual number will exist.</p>	
f) publicity and promotion	<p>Efforts in publicity and promotions are equitable.</p> <p>Complete, season long marketing plans are created for football, men's basketball and women's basketball. These marketing plans include in-game promotions, radio advertisements, billboards, group ticket initiatives, season ticket initiatives, media releases, internet broadcast and a coach's show that highlights all three of these sports. In addition, website ads, e-mail blasts, flyers, schedule cards, and schedule posters are created and distributed to assist in attracting spectators to these events.</p> <p>Indoor volleyball, men's soccer, women's soccer, baseball and softball have schedule posters, website ads and flyers created and distributed.</p> <p>In addition, 2-3 home events each for indoor volleyball, men's soccer, women's soccer, softball and baseball are identified for more focused marketing efforts. This includes e-mail blasts, twitter, Facebook, Instagram, website ads, in game promotions, give-a-ways to students and general public and flyers help promote these targeted events.</p> <p>Men's and women's swimming, men's and women's tennis and beach volleyball have two home contest a year emphasized by marketing. These sports receive schedule posters and for their two hi-lighted contest there</p>	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>are social media advertising and flyers created as well as in game give-a-ways aimed at attracting fans.</p> <p>Teams that receive minimal marketing support (twitter, Facebook, Instagram, campus flyers) are women's cross country and track and men's and women's golf. The reason for this is that these sports do not have home contests. All of their contests are off campus and, in the case of golf, at country clubs where allowing spectators is challenging. The media relations department does write press releases and publish the contest results of all of these teams in order to create an awareness of the accomplishments of the student-athletes that participate in these sports.</p>	
g) other support costs	<p>At FAU the need for secretarial assistance is minimal as both coaches of male and female teams have their own computers and do their own typing and correspondence. New technology has made this position almost obsolete in a lot of departments our size. While the football staff does have one full time administrative assistant for 10 staff members, the Athletics Director's administrative assistant is available to assist all sports, regardless of gender, with clerical tasks as needed. Both male and female teams have taken advantage of this for game contracts and other miscellaneous needs.</p> <p>In addition to secretarial support, athletic departments across the country often hire operations directors for individual sports to support them in coordinating team travel, alumni relations, community outreach and various other initiatives. At FAU, the men's and women's basketball teams and football team have individuals hired as Director of Operations. These individuals provide the assistance mentioned above and allow the coaches to focus more of their time on the development of the student-athletes.</p>	No
6. Provision of equipment and supplies	<p>The provision of equipment and supplies is equivalent. Each team has the necessary practice and competition gear to compete. Each year, the equipment manager will review with each head coach the number of practice clothes, competition shoes, uniforms, warm-ups etc. needed. Once the coach has submitted the list, the equipment manager will review it for need and similarity with the gender opposite team to ensure equipment is equivalent.</p>	No
7. Scheduling of games and practice times	<p>With the exception of men's and women's basketball, volleyball and men's and women's tennis, all teams have their own practice facilities. This allows for equitability</p>	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>in the scheduling of games and practice times. The basketball teams and volleyball team utilize the FAU arena for all practices and home events. Volleyball has priority scheduling for this venue in the fall since they are in season. Men's and women's basketball has priority in the spring since they are in season. The three head coaches meet during each semester to discuss the available practice slots and agree who will utilize which slot. Once the order is set, it will rotate in future years allowing each team an opportunity to have the first selection.</p> <p>Patch Reef Park is the home of men's and women's tennis. This facility has 17 courts so the practice times of both teams can be equally accommodated.</p> <p>The golf teams utilize different courses throughout the community. The teams must work with the local golf course to determine what time they are permitted to practice. This time is set by the course and is usually during the time of day that less members utilize the facility. This policy is the same for both men's and women's teams.</p>	
8. Opportunities to receive tutoring	Individual team meetings are held at the beginning of each semester with each sports academic advisor, supervisor, assigned athletic trainer, equipment manager and Director of Compliance. At these meetings, tutoring opportunities are shared with the athletes. In addition, all students are required to acknowledge that they have read the student athlete handbook.	No
9. Compensation of coaches and tutors	Both male and female coaches of men's and women's teams are compensated at rates within the mid-range of their Conference USA counterparts. The athletics department maintains an up-to-date annual report on all the coaching salaries for its conference counterparts. This report is used during salary negotiations for all positions. This ensures that all staff members are compensated at a rate that is comparable to the appropriate market rate for our conference and/or team and that salary decisions are not made based on the gender of the applicant and/or the gender of the athletes being coached.	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	The Student Athlete Center for Academic Excellence hires and assigns tutors to assist students with courses that challenge them academically. The tutors hired are compensated based on educational level (undergraduate or graduate) not gender.	
10. Medical and training services	<p>The assignment of our full time athletic trainers is based on injury rate and seriousness data obtained through an annual report produced by the NCAA. This allows FAU to make sure its most experienced trainers are assigned to the sports with the highest incident of serious injury. It is important to note that all trainers employed in the athletics training room (whether graduate assistant or regular employee) are certified. This allows FAU to makes sure that each team has an athletic trainer that has met at least the minimal standards set by the governing body of the profession. Team physicians (with varying specialties), physical therapist, chiropractors, sport psychologist and a nutritionist are all available to our student-athletes. The head athletics trainer evaluates each request for these special services with the trainer assigned to each sport.</p> <p>Once approved by the head trainer, student-athletes are assigned to see the requested specialist. The head trainer is involved to ensure that decisions on who sees these specialists are determined by critical need, not gender.</p>	No
11. Housing and dining facilities and services	Both male and female student-athletes live in residence halls or apartments on and off campus. Those student-athletes choosing to live off campus are free to identify the housing of their choice regardless of their gender. For student athletes living on campus, both male and female first year students live in the new first year residence halls. Upperclassmen, regardless of gender, request their residential rooms through the same means that non student-athlete males and females utilize. Student-athletes of both sexes are told that if they are provided a full scholarship and live on campus they may not live in the Innovation Village Residence Hall unless they personally pay for the price difference between residing in these rooms as opposed to the others available on campus. Again, this policy effects both male and female student-athletes and, therefore, is not a gender equity concern. The only exception to this policy is both men's and women's basketball players are permitted to live in Innovation Village to assist with recruiting. Since this is done for an equal number of male and female student athletes, it is equitable.	No

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>During holiday breaks and times when classes are not in session athletes are sometimes required to be here to practice and/or compete. During these times, the housing options available are utilized. The decision as to who utilizes which depends upon the cost impact of accommodating all effected teams in like housing and availability. These decisions are not based on the gender of the student-athletes.</p> <p>Male and female student-athletes living on campus are provided meal plans available to all non-student-athletes on campus. Off campus student-athletes are provided a meals stipend based on the cost of meal plans on campus. These students determine how their meal money is utilized. This is an acceptable practice due to the fact that the stipend for each individual is the same regardless of gender.</p>	

Chart 2. Sex Equity in Athletics - Areas for Improvement

Areas for Improvement	Program for Improvement	
Scholarship Offerings for Athletes	<p>As it currently stands, the athletics department is approximately \$150,000 short in it's funding of women's scholarships when compared to its participation rates. There are two ways this can be addressed. The first is to increase expenditures in women's scholarships. In contrast, FAU could reduce expenditures in men's scholarships.</p> <p>To address this issue, FAU is undergoing a thorough review of our current over scholarship budget. This review will involve looking at the past 3 years of scholarship expenditures to see which teams, if any, have consistently fell short of utilizing their full allotment of scholarship dollars. If there are consistent men's programs that have not annually maxed out their allotment dollars, FAU will look to reduce their scholarship budget and reallocate the money to a women's sport. Also, if there is a women's sport that has consistently fell short of utilizing their scholarship dollars annually, we will look to redistribute this money to another women's sport that annually utilizes all of their monies.</p> <p>In addition, through the budget development process, FAU is currently working through, it will look to identify areas within the operating budget that can be reduced in</p>	

Element	Assessment	Area for improvement? (check if yes, and describe on form below)
	<p>order to allow these monies to be reallocated to women's scholarships.</p> <p>Once these two steps are completed this coming summer, FAU will evaluate the impact on this improvement area and determine if additional action is needed.</p>	

Check one basis below for assuring that the University is in compliance with the Florida Educational Equity Act:

- Accommodation of Interest and Abilities
- Substantial Proportionality
- History and expansion of program

PART V

EMPLOYMENT REPRESENTATION SUMMARY

Chart 1. Tenured Faculty

Faculty apply for tenure at the beginning of their sixth year of employment, so trends in this area may reflect hiring practices of several years prior. There was no change a (0.0%) in the number of tenured faculty between Fall 2011 and Fall 2016. There were slight decreases in the proportion of female (-1.3%), Black (-7.4%) and Hispanic (-14.8%) tenured faculty.

Chart 2. Tenure-Track Faculty

From Fall 2015 to Fall 2016, there was an increase (7.1%) in tenure-track faculty overall with a 4.3% increase in female faculty. Despite this increase there was a -25.0% decrease in Black faculty. To provide context for the percentage decreases, this change represents a small overall drop with black tenure-track faculty decreasing from 4 in 2015 to 3 in 2016 and female tenure-track faculty gaining 3, going up from 70 in 2015 to 73 in 2016. These changes reflect a change in hiring practices, with a greater focus in Fall 2016 of hiring tenure-track faculty who will contribute to the research mission of the university.

Chart 3. Non-Tenure-Earning Faculty

The immediate increase in non-tenure-earning faculty (4.4% from Fall 2015 to Fall 2016), and the long-term decrease of non-tenure-earning faculty (-15.9%) from Fall 2011 to Fall 2016), reflect the hiring focus mentioned above. In addition, these percentages reflect the need to hire non-tenure-track instructors to meet course demand and the growth of the College of Medicine requiring the addition of non-tenure-track Clinical faculty.

Chart 4. Executive/Administrative/Managerial

In general, there was no change in the proportion of minority employees (0.0%) between Fall 2015 and Fall 2016. There was notable growth in minority diversity from Fall 2011 to Fall 2016. The growth in diversity is in a positive direction, but it is unclear if this is a growth in positions or a realignment of positions among existing employees.

Employment Representation Charts

Chart 1. Category Representation – Tenured Faculty												
Indicator	NRA	B	AI/AN	A (2015 and 2016)	A/PI (2011)	H	NH/OPI (2015 and 2016)	W	≥ Two (2015 and 2016)	Not Reported	Female	Total
Number, Fall 2016	5	25	0	76	N/A	24	1	299	1	0	152	431
Number, Fall 2015	4	26	1	78	N/A	27	1	301	1	0	154	439
Percentage Change From Fall 2015 to 2016	25.0%	-3.8%	100.0%	-2.6%	N/A	-11.1%	0.0%	-0.7%	0.0%	n/a	-1.3%	-1.8%
Number, Fall 2011	7	27	1	66	61	28	0	302	0	0	147	431
Percentage Change From Fall 2011 to 2016	-28.6%	-7.4%	N/A	N/A	N/A	-14.3%	N/A	-1.0%	N/A	N/A	3.4%	0.0%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS HR Fall Report for 2011, 2015, 2016

Chart 2. Category Representation – Tenure-Track Faculty												
Indicator	NRA	B	AI/AN	A (2015 and 2016)	A/PI (2011)	H	NH/OPI (2015 and 2016)	W	≥ Two (2015 and 2016)	Not Reported	Female	Total
Number, Fall 2016	25	3	0	12	N/A	8	0	86	2	0	73	136
Number, Fall 2015	21	4	0	12	N/A	6	0	83	1	0	70	127
Percentage Change From Fall 2015 to 2016	19.0%	-25.0%	N/A	0.0%	N/A	33.3%	N/A	3.6%	100.0%	N/A	4.3%	7.1%
Number, Fall 2011	20	4	0	12	N/A	14	0	86	0	0	64	136
Percentage Change From Fall 2011 to 2016	25.0%	-25.0%	N/A	N/A	N/A	-42.9%	N/A	0.0%	N/A	N/A	14.1%	0.0%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS HR Fall Report for 2011, 2015, 2016

Chart 3. Category Representation – Non-Tenure-Earning Faculty or Faculty at Non-Tenure Granting Universities												
Indicator	NRA	B	AI/AN	A (2015 and 2016)	A/PI (2011)	H	NH/OPI (2015 and 2016)	W	≥ Two (2015 and 2016)	Not Reported	Female	Total
Number, Fall 2016	13	26	0	13	N/A	28	0	157	1	0	135	238
Number, Fall 2015	16	20	0	12	N/A	28	0	151	1	0	130	228
Percentage Change From Fall 2015 to 2016	-18.8%	30.0%	N/A	8.3%	N/A	0.0%	N/A	4.0%	0.0%	N/A	3.8%	4.4%
Number, Fall 2011	20	13	0	13	N/A	32	0	204	0	1	163	283
Percentage Change From Fall 2011 to 2016	-35.0%	100.00%	N/A	N/A	N/A	-12.5%	N/A	-23.0%	N/A	N/A	-17.2%	-15.9%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS HR Fall Report for 2011, 2015, 2016

Chart 4. Category Representation – Executive/Administrative/Managerial												
Indicator	NRA	B	AI/AN	A (2015 and 2016)	A/PI (2011)	H	NH/OPI (2015 and 2016)	W	≥ Two (2015 and 2016)	Not Reported	Female	Total
Number, Fall 2016	5	71	0	26	N/A	57	1	379	3	0	300	542
Number, Fall 2015	6	71	0	27	N/A	47	0	382	4	0	301	537
Percentage Change From Fall 2015 to 2016	-16.7%	0.0%	N/A	-3.7%	N/A	21.3%	N/A	-0.8%	-25.0%	N/A	0.3%	0.9%
Number, Fall 2011	1	34	0	17	N/A	8	0	217	0	0	149	277
Percentage Change From Fall 2011 to 2016	400.0%	108.8%	N/A	N/A	N/A	612.5%	N/A	74.7%	N/A	N/A	101.3%	95.7%
Area for improvement, compared with national standards? (Check if yes)												

Source: IPEDS Part B1-Fulltime Non-Instructional faculty by Occupational Category – First Column Management Occupations

PART VI

AREAS OF IMPROVEMENT & ACHIEVEMENT

Part VI: Areas of Improvement from 2015 Report; Achievement of Improvement Reported in 2016

<p>Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment Identified in September 2016 Report</p>	<p>Achievement Report for Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment Identified in Previous Report, June 2015</p>
<p>Black FTIC enrollment has increased 16.6% in 2016 from 16.3% in 2015.</p>	<p>58.9% of state college transfers were from minority groups compared to 57.3% in 2015.</p>
<p>Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment Identified in September 2015 Report</p>	<p>Achievement Report for Areas of Improvement Pertaining to Sex Equity in Athletics Identified in Previous Report, June 2015</p>
<p>While Athletics has continued to make opportunities to increase athletic opportunities for women, the unit is undergoing an assessment of its scholarship opportunities to balance the awards, as compared to its participation rates, in a more equitable fashion.</p>	<p>As the participation rate increases, scholarship dollars will need to increase to match the participation rate.</p>
<p>Areas of Improvement Pertaining to Employment Identified in September 2016 Report</p>	<p>Achievement Report for Areas of Improvement Pertaining to Employment Identified in Previous Report, June 2015</p>
<p>Maintain and increase diverse representation of staff in management positions and faculty positions.</p>	<p>Increase diverse representation in faculty recruitment.</p>

PART VII

PROTECTED CLASS REPRESENTATION IN THE TENURE PROCESS

2015 - 2016

Sex, Race/Ethnicity	*Applied	*Withdrawn	*Denied	*Deferred	*Nominated
MALES					
American Indian or Alaskan Native					
Asian	5				5
Black or African American					
Hispanic	1				1
Native Hawaiian/Other Pacific Islander					
Two or More Races					
White	10	1			10
Other, Not Reported					
Total Male (include Other, Not Reported)	16	1			16
FEMALES					
American Indian or Alaskan Native					
Asian					
Black or African American					
Hispanic	2				2
Native Hawaiian/Other Pacific Islander					
Two or More Races					
White	8				8
Other, Not Reported					
Total Female (Number and Percent) (include Other, Not Reported)	10 0.0%	1 0.0%	0 0.0%	0 0.0%	10 0.0%
GRAND TOTAL	26	1	0	0	26

***APPLIED:** Faculty whose names have been submitted for tenure review. Sum of Withdrawn, Denied, and Nominated (or provide explanation).

***WITHDRAWN:** Faculty who withdrew from tenure consideration after applying for review.

***DENIED:** Faculty for whom tenure was denied during the review process.

***NOMINATED** Faculty for whom tenure is being recommended by the University.

PART VIII

PROMOTION AND TENURE COMMITTEE

COMPOSITION

The overall University Committee is diverse.
For college committees – the criteria and process will be reviewed with each Dean and the Provost.

Type of Committee	Black, or African American		American Indian/ Alaskan Native		Asian		Native Hawaiian or Other Pacific Islander		Hispanic		Two or more Races		White		Other, Not Reported		Total including Other, Not Reported	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
University Committee	1	2	0	0	1	0	0	0	0	0	0	0	4	2	0	0	5	4
Dorothy F. Schmidt College of Arts and Letters																		
Anthropology	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
English	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
History	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Languages, Linguistics & Comparative Literature	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Music	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Philosophy	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Political Science	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Communications & Media Studies	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Sociology	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Theatre	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Visual Art & Art History	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
TOTAL	0	1	0	0	0	0	0	0	0	0	0	0	8	2	0	0	8	3

Barry Kaye College of Business																		
Accounting	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Economics	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Finance	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Information Technology & Operations Management	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Management	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Marketing	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	0
TOTAL	0	0	0	0	2	0	0	0	0	0	0	0	4	0	0	0	6	0
College of Engineering and Computer Science																		
Civil Engineering	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	2	0
Computer Science & Electrical Engineering	1	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	3	0
Ocean Mechanical Engineering	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2	0
TOTAL	1	0	0	0	4	0	0	0	0	0	0	0	2	0	0	0	7	0
Harriet L. Wilkes Honors College																		
	0	2	0	0	1	0	0	0	1	1	0	0	14	5	0	0	16	8
TOTAL	0	2	0	0	1	0	0	0	1	1	0	0	14	5	0	0	16	8

Part VIII: Promotion and Tenure Committee Composition, AY 2015 - 2016

Christine E. Lynn College of Nursing	0	2	1	0	0	0	0	0	0	0	0	0	0	15	0	0	1	17
TOTAL	0	2	1	0	0	0	0	0	0	0	0	0	0	15	0	0	1	17
College of Medicine																		
Biomedical Science	0	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0	2	2
Student Affairs	0	0	0	0	0	0	0	0	0	0	0	0	3	1	0	0	3	1
TOTAL	0	0	0	0	2	2	0	0	0	0	0	0	3	1	0	0	5	3
Charles E. Schmidt College of Science																		
Biological Science	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Chemistry & Biochemistry	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Geosciences	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Mathematical Science	0	0	0	0	1	0	0	0	0	0	0	1	0	0	0	0	2	0
Physics	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Psychology	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1
TOTAL	0	0	0	0	1	0	0	0	0	0	0	5	1	0	0	6	1	
DSI - Design & Social Inquiry																		
Architecture	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	1	0
Criminal Justice	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Public Administration	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Social Work	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Urban Plan & Regional	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
TOTAL	0	0	0	0	0	0	0	0	1	0	0	3	1	0	0	4	1	

College of Education																		
Communications Sciences & Disorders	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
Counselor Education	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Curriculum Culture & Educational Inquiry	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1
Educational Leadership & Research Methodology	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Exceptional Student Education	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Exercise Science & Health Promotion	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Teaching & Learning	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
TOTAL	0	1	0	0	0	1	0	0	0	0	0	4	1	0	0	4	3	
FAU Libraries	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	4
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4

PART IX

OTHER REQUIREMENTS

A. Budget Plan

Strategies used to increase diversity in hiring consists of including minorities and females in all search committees depending upon availability; ensuring a diverse applicant pool; and advertising in diverse publications to reach female and minority candidates; using approved search and screen procedures specifying that search waiver requests will be processed through the Office of Equity, Inclusion and Compliance.

B. President's Evaluation

President Kelly's 2015 – 2016 Evaluation was held on Monday September 26-27, 2016 (see pages 55-57)

B. Top Administrators' Evaluations were completed February – April 2016.



Board of Trustees Annual Retreat Meeting Minutes
Monday, September 26 – Tuesday, September 27, 2016
Harbor Branch Oceanographic Institute
5600 U.S. 1 North
Fort Pierce, FL 34946

Kelly described the Board of Governors' preeminent and emerging preeminent categories. He said FAU's goal is to achieve emerging preeminent status by 2025. Kelly went over FAU's current performance in the preeminence metrics, including average GPA, six-year graduation rates, research expenditures, doctoral degrees awarded, freshman retention rates, National Academy Memberships, number of post-doctoral appointees, and endowment size. He believes we can reach excellence status in eight of the ten metrics by 2025, which would qualify us as emerging preeminent.

Provost Perry reviewed our expected performance for the upcoming year. While we remain strong in most categories, our six-year graduation rate is not. This is primarily due to the lack of academic preparation by many of the freshman who were admitted in 2010, when the university was aggressively pursuing enrollment growth. It is too late now to help those students graduate on time, as many have left the university.

Trustee Chris Beetle gave a presentation on Faculty Engagement in Student Success. His data showed that students who don't graduate in six years aren't "stragglers" who are not taking enough credit hours. Rather, they are students who drop out by their fourth year and don't return. On the positive side, he noted our four-year graduation rate is showing substantial and sustainable improvement, and our entering standards are improving. So we should be able to correct the six-year rate in time. He went over strategies that faculty can use to help students.

Full Board Meeting

I. Public Comments

No Public Comment

II. Approval to Move the November Board of Trustees Meeting Date

Chair Barbar asked to move the November meeting date to Wednesday, November 16.

There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.

III. Approve Naming of University Elements

a. Tennis Courts

Pat Chun said we are the only Division 1 university in the state without tennis courts. Thanks to the generosity of donors, we will now have a facility that is scheduled to be completed in October. Dr. Dennis disclosed that he and his family made contributions to the facility, and that two courts were being named after them as a result. Dr. Dennis was therefore recused from the vote.

There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.

- b. Schmidt Family Complex
 - David Kian presented naming opportunities for the Schmidt Family Complex. **There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.**

- c. Tech Runway
 - Kian presented naming opportunities for Tech Runway. **There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.**

- d. Christine E. Lynn College of Nursing
 - Kian presented a naming opportunity for the Christine E. Lynn College of Nursing. **There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.**

IV. Approve Authorization of Textbook Affordability Report

- Provost Gary Perry gave a presentation on the textbook affordability report. A new version was given to the Board at the meeting, which showed only two general education courses had wide cost variance among texts for different sections of the same course. In both cases the reason for the variance was because sections in the Honors College used more rigorous textbooks that cost more. The report described a plan by which the appropriate dean and provost would determine whether future variances are justified. Trustee Dan Cane said he was much happier with the new version. **There was a motion and a second. With no further discussion or changes, the motion was unanimously approved.**

V. 2015-16 Presidential Review

Chair Barbar presented his annual evaluation of the President's performance for the 2015-16 fiscal year. It was extraordinarily positive. Barbar reported that Dr. Kelly is highly regarded by the Board of Governors, Governor Scott, and the economic development community. Trustees Moabery and Dorman noted that Governor Scott had also expressed to them his appreciation of Dr. Kelly's performance. Moabery said FAU had hired Kelly at the worst time in the university's history, and in two short years we are now the best in the system.

Trustee Stilley said Dr. Kelly is "one in a million," and every other university in the state will want him. Trustee Dennis expressed concern that Kelly works 18+ hours per day. Moabery and Stilley agreed, but noted that it is clear that is just the way Kelly is. Nevertheless, Trustee Cane noted that Kelly needs to scale his time better, and Trustee Barbar said he suggested the president use his ELT more to do less essential functions, and the president agreed. Trustee Rubin noted that the ELT is a strong group, and Moabery added that they are cohesive in their support of the president.

Trustee Moabery asked Trustee Beetle for the faculty's perspective. Beetle responded that it is mostly positive. Some faculty have individual issues, but most are buying in to the president's leadership. He noted that the tour the president and provost did last year bought him much goodwill, and he should consider doing it again.

Trustee Cairo added that the students know and like Dr. Kelly very much.

There was a motion and a second to approve the evaluation and to delegate to the Chair authority to finalize the president's goals for 2016-2017. With no further discussion or changes, the motion was unanimously approved.

The Board then discussed President Kelly's compensation, in accordance with his contract. The Board reviewed a Presidential Pay Ranges report dated 9/23/2016, prepared by McConnell and Company, an executive compensation consulting firm. The report compared Kelly's current compensation with two relevant comparators: national research peer universities, and the five other major public research universities in Florida. The report found that Kelly's current compensation is at or below the low end of the comparative markets. The report presented several possible compensation adjustments that could bring Kelly to a more competitive market rate and yet remain reasonable compensation within the meaning of Internal Revenue Code section 162.

The Trustees expressed concern that Kelly's performance made him extremely attractive to other universities, and that it was necessary to adjust his compensation to help prevent his being lured away. It was also noted that rewarding exceptional performance was simply the right thing to do. After reviewing all of the alternative compensation adjustments suggested in the report, **there was a motion and a second to increase Dr. Kelly's annual base salary to \$475,000. With no further discussion or changes, the motion was unanimously approved.**

Trustee Moabery then raised the question of how the Board could further incentivize Dr. Kelly to stay for a longer term. It was noted that his current contract expired in February 2019. Chair Barbar reported that the Board of Governors did not want to see presidential contracts extended beyond a year, so it was not possible to expand the term of Dr. Kelly's contract at this time. The trustees then discussed setting a retention goal that would incentivize Dr. Kelly to extend his contract in 2019, provided the Board wished to at that time. After much discussion, it was agreed to target a bonus that would be paid in 2022, which would mean that Dr. Kelly's contract would have to be renewed three times (if renewals remain limited to one year by the Board of Governors) before Dr. Kelly earned it. It was emphasized that the contractual language of such a retention bonus provision must specify that the potential award of the bonus does not in any way imply that the Board will, or obligate the Board to, renew Dr. Kelly's contract after February 2019.

There was a motion and a second to (i) establish a \$350,000 retention bonus payable to Dr. Kelly in February 2022, provided that he is continuously employed as president through that date, and further provided that the compensation consultant confirm in writing that the president's overall compensation package with such a term would remain reasonable, and (ii) to delegate to the chair authority to negotiate and execute an amendment to the president's employment agreement consistent with the foregoing. With no further discussion or changes, the motion was unanimously approved.

VI. New Business

Trustee Moabery made a motion to hold elections for Board officers at the fall retreat, rather than in January. The motion was seconded. Trustee Workman asked whether such an item was required to be noticed; Mr. Kian replied that the Board could consider this new business motion raised at the meeting without prior posted notice. Trustee Beetle asked whether the Board's Operating Procedures permitted such a vote now; Mr. Kian replied that the Operating Procedures do not specify when such elections must be held, and that since we were in the last quarter of the current officers' two-year terms, it was not unreasonable to vote now if the Board so chose. With no further discussion or changes, the motion was unanimously approved.

Trustee Moabery then made a motion nominating Trustee Barbar to serve as Chair. The motion was seconded. Trustee Stilley noted that he normally would not support a third term as Chair for someone, since the two-term limit is a good idea. However, our rules do allow for additional terms, and Chair Barbar's performance and commitment as Chair have been so outstanding that Trustee Stilley supported the additional term in this limited case.

With no further discussion or changes, the motion was unanimously approved

Trustee Moabery then made a motion nominating Trustee Cane to serve as Vice Chair. The motion was seconded. With no further discussion or changes, the motion was unanimously approved. With no further business, the FAU Board of Trustees 2016 Annual Retreat Meeting was adjourned.