



Item: AC-A-1

Tuesday, August 21, 2018

**SUBJECT: APPROVAL OF THE 2018 FLORIDA EQUITY REPORT**

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**PROPOSED BOARD ACTION**

Request approval for the submission of the 2018 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

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**Supporting Documentation:**

2018 Florida Equity Report

**Submitted by:**

Stacy Volnick, Vice President, Administrative Affairs



# Florida Educational Equity Report

Enrollment, Gender Equity in Athletics, and Employment

Data Year: 2016-2017

## Florida Atlantic University

**Chair, Board of Trustees:**

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**Signature**

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**Date**

**University President:**

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**Signature**

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**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

# FLORIDA EDUCATIONAL EQUITY REPORT

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# 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 development, discovery, and lifelong learning. Our efforts to continue to diversify FAU and to build a more equitable and inclusive environment is ongoing.

FAU benefits from the 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 still have improvements to make toward increasing the representation of women and underrepresented minorities in faculty and leadership positions, and we continue to implement strategies toward achieving those goals. We are also working 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 a position to leverage the rich diversity on our campus. We are creating a community that appreciates difference promotes discovery, and embraces inclusion FAU 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

# 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 Statutes], and the Florida Board of Governors (BOG) Regulation 2.003 Equity and Access. The BOG Regulation requires, (1) appropriate student participation in programs where protected classes are underrepresented, (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 2018 Equity Report covers fiscal year 2016 – 2017 and 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 the issues, we reaffirm our commitment to increasing 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 2016 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 reviewed and approved the institution's report during a regularly scheduled meeting as required by the Florida Educational Equity Act.

### SUMMARY OF PROGRESS

#### *Policies and Procedures in Support of Equity*

- Florida Atlantic University promotes diversity, equity and inclusion as a core value and is deeply committed to eliminating discrimination. The University's Anti-Discrimination/Anti-Harassment Regulation and Student Code of Conduct were both updated on July 1, 2015.

#### *Diversity*

- With 52.2 percent of FAU's student body classified 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 2016”, for the fifth 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 substantiate our continuing commitment to equity and diversity at FAU and reflect consistent and steady progress toward improvement. One example of progress includes the total FTIC enrollment of non-whites at approximately 51.3% in 2016 increasing to 52.2% in 2017.
- Additional sections in the full report describe the broad range of enrollment and graduation goals for the various protected classes.

### **Gender Equity in Intercollegiate Athletics**

- Female-athletes constituted 43.1% (unduplicated) of student athlete participation and received 45.04% of the total scholarships offered for athletes.

### **Employment Representation**

- Human Resources continues to promote the recruitment, hiring and promotion of diverse individuals at FAU. Over the last year, females hired in tenure-track positions has increased from 73 in 2016 to 78 in 2017.
- FAU has also made strides in the last year in the Management Occupation category by increasing the percentage of Black employees to 12.7% from Fall 2016 to 2017. Female employees have seen an increase of 7.7% from Fall 2016 to 2017.

### **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 for minorities and women. Minorities and women continue to be represented within Executive level 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

<b>Equity Allocations</b>	
Summer Jump Start Program (Academic Advising)	7,200
Campus of Difference™ (Office of Diversity & Multicultural Affairs)	22,000
Office of Equity, Inclusion and Compliance	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)	263,938
Florida Education Fund Scholarship (MLK) (Admissions)	12,000
Urban Male Initiative	15,000
<b>Total All Expenditures</b>	<b>\$935,522</b>

## PART II

### POLICIES AND PROCEDURES IN SUPPORT OF EQUITY

The policies, regulations and procedures that are specifically formulated to ensure equity at FAU and their respective web links are listed below:

Name of Policy/Procedure	Web Address
Anti-Discrimination and Anti-Harassment Regulation 5.010	<a href="http://www.fau.edu/regulations/chapter5/Reg%205.010%2006-2015.pdf">http://www.fau.edu/regulations/chapter5/Reg%205.010%2006-2015.pdf</a>
Discrimination and Harassment Complaint Processing Form	<a href="http://www.fau.edu/eic/ada_coordination/pdfs/Discrimination_Harassment%20Form_2016_EIC.pdf">http://www.fau.edu/eic/ada_coordination/pdfs/Discrimination_Harassment%20Form_2016_EIC.pdf</a>
Title IX Notice	<a href="http://www.fau.edu/eic/Title%20IX.php">http://www.fau.edu/eic/Title%20IX.php</a>
Prohibited Sexual Conduct Policy 1.15	<a href="http://www.fau.edu/eic/1.15%20Prohibited%20Sexual%20Conduct.pdf">http://www.fau.edu/eic/1.15%20Prohibited%20Sexual%20Conduct.pdf</a>
Reporting Child Abuse Policy 7.6	<a href="http://www.fau.edu/policies/files/7.6%20Reporting%20Child%20Abuse.pdf">http://www.fau.edu/policies/files/7.6%20Reporting%20Child%20Abuse.pdf</a>
Disabilities and Accommodations Policy 1.13	<a href="http://www.fau.edu/eic/ada_coordination/pdfs/Policy1.13Disability-and-Accommodation.pdf">http://www.fau.edu/eic/ada_coordination/pdfs/Policy1.13Disability-and-Accommodation.pdf</a>
Consensual Relations Policy 1.10	<a href="http://www.fau.edu/policies/">http://www.fau.edu/policies/</a>
Florida Educational Equity Act 1000.05	<a href="http://www.leg.state.fl.us/Statutes/Index.cfm">http://www.leg.state.fl.us/Statutes/Index.cfm</a>
Florida Civil Rights Act	<a href="http://www.leg.state.fl.us/Statutes/Index.cfm">http://www.leg.state.fl.us/Statutes/Index.cfm</a>
Title VI of the Civil Rights Act of 1964	<a href="http://www.justice.gov/crt/about/cor/coord/titlevi.php">www.justice.gov/crt/about/cor/coord/titlevi.php</a>
Title VII of the Civil Rights Act of 1964	<a href="http://www.eeoc.gov/laws/statutes/titlevii.cfm">http://www.eeoc.gov/laws/statutes/titlevii.cfm</a>
Title IX and Sex Discrimination	<a href="http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html">http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html</a>
Vietnam Era Veterans' Readjustment Assistance Act	<a href="http://www.dol.gov/ofccp/regs/compliance/vevraa.htm">http://www.dol.gov/ofccp/regs/compliance/vevraa.htm</a>
The Rehabilitation Act of 1973, Section 503	<a href="http://www.dol.gov/ofccp/regs/compliance/section503.htm">http://www.dol.gov/ofccp/regs/compliance/section503.htm</a>
The Rehabilitation Act of 1973, Section 504 of the U.S. Department of Education	<a href="http://www2.ed.gov/about/offices/list/ocr/504faq.html">http://www2.ed.gov/about/offices/list/ocr/504faq.html</a>
Americans with Disabilities Act, as amended	<a href="http://www.ada.gov/">http://www.ada.gov/</a>

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 via training for new employees and current employees who request additional training.



- 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
- UNIVERSITY NOTICE
- TRAINING CALENDAR
- 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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"TBD"

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Florida Atlantic  
University  
777 Glades Road  
Boca Raton, FL 33431

*"Florida Atlantic University embodies a culture of strategic and collaborative community engagement that results in mutual benefit to the institution and the diverse internal and external communities that it serves."*

### Campuses

Boca Raton  
Dania Beach  
Davie  
Fort Lauderdale  
Harbor Branch  
Jupiter

### Quick Links

Consumer Information  
Contact Us  
Emergency Information  
Employment  
Opportunities  
Get Help  
Privacy Policy  
University Regulations and Policies

An Equal Opportunity/Equal Access Institution

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OFFICE OF EQUITY, INCLUSION  
AND COMPLIANCE  
Florida Atlantic University

An illustration on a dark blue background featuring two light blue hands raised in the center. Below the hands are several overlapping, abstract shapes in various shades of blue, resembling leaves or organic forms.

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.
1. The EIC Executive Director is the Title IX Coordinator for the University.
  2. 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.*





**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:**

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

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**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:**

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**How have you been harmed?**

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

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*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)*

## 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](http://www.fau.edu/eic). The following staff members have primary responsibility for overseeing Title IX compliance.

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### **Title IX Coordinator for the University:**

**TBD**

#### **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

The Title IX Coordinator is 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.

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### **Deputy Title IX Coordinator for the University:**

**Ruba Kanaan**

#### **Assistant Director & Deputy Title IX Coordinator for the Office of Equity, Inclusion and Compliance**

Florida Atlantic University  
Administration Bldg., Suite 265  
Boca Raton, FL 33431  
561-297-2909  
[rkanaan@fau.edu](mailto:rkanaan@fau.edu)

The Deputy Title IX Coordinator reports to the Title IX Coordinator and is responsible for investigating complaints of sexual misconduct, including but not limited to, sexual harassment, intimate partner violence, and stalking. The Deputy Title IX Coordinator also assists with Title IX compliance matters, including training, education, and communication with the University community.

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### **Title IX Deputy Coordinator for Complaints Involving FAU Students:**

**Audrey Pusey**

#### **Assistant Dean of Students Director of Student Conduct**

Florida Atlantic University  
Building SS-8, Room 226  
Boca Raton, FL 33431  
561-297-3542  
[apusey@fau.edu](mailto:apusey@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.

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### **Title IX Deputy Coordinator for Complaints Involving FAU Athletics:**

**Danielle Daniel**

#### **Associate AD Internal Operations**

Florida Atlantic University  
Building 67, Room 218  
Boca Raton, FL 33431  
561-297-0231  
[dddaniel@fau.edu](mailto:dddaniel@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>**

**POLICY STATEMENT:**



**Office of the President  
University Policy**

<b>SUBJECT:</b> Prohibited Sexual Conduct	<b>Effective Date:</b> 8-10-15	<b>Policy Number:</b> 1.15	
	<b>Amended:</b> 4-30-18		
	<b>Supersedes:</b> New	<b>Page</b> 1	<b>Of</b> 12
	<b>Responsible Authority:</b> Chief Compliance Officer, Office of Compliance		

**APPLICABILITY/ACCOUNTABILITY:**

It is the policy of Florida Atlantic University ("FAU" or "University") to comply fully with the requirements of Title IX of the Education Amendments Act of 1972 (Title IX), and other federal and state laws and regulations prohibiting discrimination on the basis of sex. This policy in conjunction with the Student Code of Conduct (University Regulation 4.007) governs the conduct of all University students, faculty and staff, including applicants for employment (hereinafter collectively referred to as "University Community Members"), and third parties present on campus (contractors, vendors, alumni or visitors). Third parties are both protected by and subject to this policy.

This policy applies to Prohibited Sexual Conduct that occurs on campus. It also applies to Prohibited Sexual Conduct that occurs off campus, including on-line or electronic conduct if the conduct occurred in the context of employment, educational program or activity of the University, and/or affects the opportunity for another member of the University Community to obtain services provided by the University. This policy also applies to conduct that occurs off campus when the conduct is associated with a University-sponsored program or activity such as travel, research or internship programs.

In determining whether the University has jurisdiction over an off-campus conduct that is not part of an educational program or activity of the University, the Title IX Coordinator or designee will consider the seriousness of the alleged conduct, the risk of harm involved, whether both parties are University Community Members, and whether the off campus conduct is part of a series of actions that occurred both on and off campus

## **POLICY STATEMENT:**

Florida Atlantic University does not tolerate acts of sexual misconduct, sexual assault, stalking and relationship (dating or domestic) violence (Collectively "Prohibited Sexual Conduct").<sup>1</sup> All forms of Prohibited Sexual Conduct are viewed as serious University offenses, and violations of this policy will be subject to discipline, up to and including separation from the University. The University will respond to complaints or reports of Prohibited Sexual Conduct with measures designed to stop the behavior, eliminate any discrimination, prevent the reoccurrence of the prohibited conduct, and remediate any adverse effects.

### **A. Notice of Non-Discrimination**

The University will 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. Sexual harassment, including acts of sexual assault, sexual violence, domestic violence, dating violence, stalking and bullying, are all forms of sex discrimination and are prohibited.

### **B. Prohibited Sexual Conduct**

Prohibited Sexual Conduct is a term the University uses to collectively define different types of misconduct relating to sexual assault, sexual violence, stalking and relationship (dating or domestic) violence. The University's response to Prohibited Sexual Conduct is governed by the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, 20 U.S.C § 1092(f) (Clery Act) and Section 304 of the 2013 Amendments to the Violence Against Women Act (VAWA).

The University is committed to promoting a campus that is free from Prohibited Sexual Conduct and will take necessary steps to eliminate, prevent and address the effects of such acts. In determining whether alleged conduct violates this policy, the University will consider a host of factors, including the facts and circumstances involved in the incident, the nature of the alleged conduct and the context in which the conduct occurred. Prohibited Sexual Conduct can be committed by individuals of any gender, and it can occur between individuals of the same gender or different genders. Prohibited Sexual Conduct can occur between strangers or acquaintances, as well as people involved in intimate or sexual relationships.

### **C. Resources for Information and Assistance**

#### **1. The Office of Equity, Inclusion and Compliance**

The Office of Equity, Inclusion and Compliance (EIC) has primary responsibility for administering this Policy and oversees the investigations, response to, and resolution of

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<sup>1</sup>The University recognizes that not all forms of relationship violence involve sexual acts. However, such conduct, if substantiated, always constitutes a violation of Title IX and this policy, and therefore, will fall under the general term "Prohibited Sexual Conduct," and will be addressed consistent with the procedures applicable to all Title IX violations.

all reports of prohibited discrimination or harassment. The EIC will maintain all discrimination reports in accordance with applicable laws and regulations.

## 2. Title IX Compliance Coordinator

The University has a designated Title IX Compliance Coordinator within the EIC. The Title IX Compliance Coordinator oversees the University's investigations, response to and resolution of all reports of Prohibited Sexual Conduct involving students, faculty, and staff. The Title IX Compliance Coordinator is:

- Knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- Available to advise any individual including a reporting party, a responding party, or a third party, about University and community resources and reporting options;
- Available to provide assistance to any University employee, regarding how to respond appropriately to a report of Prohibited Sexual Conduct;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and assessments.

The Title IX Compliance Coordinator may delegate responsibilities under this policy to designated administrators, who will be appropriately trained. Inquiries or concerns about Title IX may be referred to the University's Title IX Compliance Coordinator. Concerns about the University's application of Title IX under this policy may be addressed to the United States Department of Education, Office for Civil Rights.

- **Title IX Compliance Coordinator**  
[561-297-3004](tel:561-297-3004)  
<https://www.fau.edu/eic>
- **Deputy Title IX Compliance Coordinator (Students)**  
561-297-3542  
<http://www.fau.edu/dean/contact.php>
- **Deputy Title IX Compliance Coordinator (Athletics)**  
561-297-3199  
<http://www.fausports.com/compliance/fau-compliance.html>

## **DEFINITIONS:**

### **Prohibited Sexual Conduct:**

#### **A. Sexual Harassment**

Sex discrimination is conduct of a physical, verbal, or electronic nature based on an individual's sex which interferes with that individual's education environment (admission, academic standing, grades, assignments), work environment (hiring, advancement, assignment), participation in University programs or activities or legitimately requested services (disability or religious accommodations) thereby creating hostile environment harassment or quid pro quo harassment as defined below:

##### **1. Hostile Environment**

A hostile environment is established when conduct based on a protected class is so severe, persistent or pervasive that it alters the conditions of education, employment or participation in a University program or activity, thus creating an environment that a reasonable person in similar circumstances would find hostile, intimidating or abusive.

##### **2. Quid Pro Quo Harassment**

Quid pro quo harassment occurs when submission to 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.

#### **B. Sexual Misconduct**

All forms of sexual misconduct are serious offenses and will result in University disciplinary consequences. Sexual misconduct involving force, duress, or inducement of incapacitation, or where the perpetrator has deliberately taken advantage of another person's state of incapacitation, will be deemed especially egregious and may result in separation from University. The consumption of alcohol or the use of illegal substances does not constitute a mitigating circumstance when it contributes to a violation regarding sexual misconduct. Because sexual misconduct may constitute both a violation of University policy and criminal activity, the University encourages persons to report alleged sexual misconduct promptly to campus or local law enforcement agencies.

The following behaviors constitute sexual misconduct and are prohibited under this policy:

##### **1. Sexual Violence**

Sexual Assault is a physical sexual act perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age or use of drugs or alcohol or because an intellectual or other disability prevents the person from having the capacity to give consent). Acts falling into the category of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion.



## **2. Sexual Battery**

Sexual Battery is unwanted oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however sexual battery does not include an act done for a bona fide medical purpose. Sexual Battery also includes unwanted touching or kissing of an intimate body part (whether direct or through clothing).

## **3. Sexual Exploitation**

Sexual Exploitation is any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute sexual assault or sexual battery. Examples may include:

- Recording, photographing, transmitting, viewing or distributing intimate or sexual images or sexual information without the knowledge and consent of all parties involved;
- Voyeurism (spying on others who are in intimate or sexual situations).

## **C. Interpersonal Violence and Stalking**

### **1. Domestic Violence**

Domestic Violence is any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment or any criminal offense resulting in physical injury or death of one family household member by another family or household member.

### **2. Dating Violence**

Dating Violence is violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

- A dating relationship must have existed within the last 6 months;
- The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
- The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

### **3. Stalking**

Stalking is willfully, maliciously and repeatedly following, harassing or cyberstalking another person. Acts that together constitute stalking may be direct action or may be communication by a third party, and can include, but are not limited to:

- Threats of harm to self or others
- Pursuing or following
- Non-consensual (unwanted) communication by any means
- Unwanted gifts
- Trespassing

## **PROCEDURES:**

### **I. Reporting Options**

The University takes reports of Prohibited Sexual Misconduct very seriously. How the University responds depends upon a variety of factors, including the wishes of the complainant, the facts and circumstances of the specific incident, to whom it was reported, and the University's obligations under applicable federal and state laws.

This section explains the various reporting and confidential disclosure options available to members of the University community to enable them to make informed choices about where to turn should they experience Prohibited Sexual Misconduct. Making a report to the University means telling a designated Reporting Option what happened, in person, in writing, by e-mail or electronically. The University encourages a reporting party to make a report directly to one of these designated reporting options:

- Florida Atlantic University Police Department
- Office of Equity, Inclusion and Compliance
- Title IX Compliance Coordinator
- Deputy Title IX Compliance Coordinator
- Office of the Dean of Students

#### **A. Reporting by University Employees**

##### **1. Responsible Employees**

Responsible employees are not confidential resources. A responsible employee is a University employee who has the authority to address Prohibited Sexual Conduct, who has the duty to report incidents of Prohibited Sexual Conduct, or who a member of the University community could reasonably believe has such authority or duty. Examples of responsible employees are:

- Senior Leadership (President, Provost, Vice Presidents (including Associate and Assistant), and Deans (including Associate and Assistant)
- Professional Staff and Graduate Assistants in the Dean of Students Office

- Professional Staff, Graduate Staff and Resident Assistants in the Office of University Housing
- FAUPD Staff
- Supervisory Employee (any individual employed as administration, faculty, or staff that supervises one or more employees as part of their official duties)
- Professional Staff and Coaches in the Athletic Department
- Full-time Faculty members

Responsible employees will safeguard an individual's privacy, but are required by the University to immediately share all details about a report of Prohibited Sexual Conduct (including the known details of the incident, the names of parties involved, a brief description of the incident and if the incident has been previously reported). Such reporting ensures timely support for all parties and enables an effective and consistent institutional response.

Before a responsible employee receives any information from a victim, the employee will seek to confirm that the Complainant understands the employee's reporting obligations.

## **2. All Other Employees**

All other employees (who are not designated confidential resources) will safeguard an individual's privacy, but are strongly encourage to share any information about such conduct with the EIC or the Title IX Compliance Coordinator in acknowledgement of the need to report incidents of Prohibited Sexual Conduct to prevent recurrence.

## **B. Confidential Resources**

Confidential resources include licensed professional counselors/mental health providers, such as those at the Counseling and Psychological Services Office (CAPS); pastoral counselors acting in that capacity; and medical professionals, such as those at the Student Health Center.

Confidential resources will not share information about an individual without the individual's express written permission, unless there is a continuing threat of serious violence to the individual or to others, or there is a legal obligation to reveal such information

## **II. Privacy and Confidentiality**

For any report under this policy, every effort will be made to respect and safeguard the privacy and interests of all individuals involved in a manner consistent with the need for careful assessment of the allegation and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects.

### **A. Privacy**

Information related to a report under this Policy will only be shared with those University employees who "need to know" in order to assist the active review, investigation, or

resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. If the decision is made to pursue disciplinary action against a respondent, information related to the complaint will be shared with the respondent.

#### **B. Confidentiality**

All requests for confidentiality will be evaluated by the Title IX Compliance Coordinator or the Dean of Students as applicable. In doing so, the Title IX Compliance Coordinator will consider the interests of the complainant and the University's commitment to a safe environment for all members of the University community, as well as legal requirements.

### **III. Interim Measures**

Once a report has been received by the EIC or the Title IX Compliance Coordinator if necessary, the University will implement reasonable and appropriate protective interim measures to protect the safety of the parties or witnesses of the alleged Prohibited Sexual Conduct. Interim measures are temporary action taken by the Title IX Compliance Coordinator in consultation with other administrators to ensure equal access to its education programs and activities and foster a safe climate during the investigation process.

The specific interim measures implemented and the process for implementing those measures will vary depending on the facts of each case. The University will consider a number of factors in determining what interim measures to implement, including the specific needs of the individuals involved; the severity or pervasiveness of the allegation; any continuing effect on the individuals involved; and whether other measures have been taken to protect the individuals involved.

Interim measures are not intended to be permanent, and may be modified or withdrawn as additional information is collected. The Title IX Compliance Coordinator in conjunction with other administrators will maintain consistent contact with the parties involved to ensure that their physical, mental and emotional well-being is fully addressed.

#### **A. Interim Measures for Students**

Interim measures for students may include, but are not limited to:

- Access to counseling services and assistance setting up initial appointments
- Imposition of a campus no-contact order
- Rescheduling exams or assignments
- Providing alternative course completion options
- Change in class schedule, including the ability to drop a course without penalty or to transfer section
- Change in work schedule or job assignment
- Change in student campus housing
- Assistance from University support staff in completing housing relocation
- Limiting access to certain University facilities or activities pending resolution of the matter
- Voluntary leave of absence

- Providing an escort to assure safe movement between classes
- Arranging for medical services
- Providing academic support services, such as tutoring
- University-imposed leave, suspension or separation for the respondent

#### B. Interim Measures for Faculty and Staff

Interim measures for faculty and staff may include, but are not limited to:

- Access to CAPS and assistance in setting up an initial appointment
- Changing work schedules, job assignments, or job locations
- Providing an escort to ensure safe movement on campus
- University-imposed leave, or physical separation from particular individuals or locations

### IV. Investigations

The University recommends that complaints of Prohibited Sexual Conduct be made to EIC or the Title IX Compliance Coordinator. In the event that a complainant reports information of an alleged act of Prohibited Sexual Misconduct to a responsible employee, that person will refer the matter to EIC. EIC in conjunction with other University administrators has the responsibility of investigating reports pertaining to alleged Prohibited Sexual Conduct. The EIC staff is trained annually and on an ongoing basis on issues related to Prohibited Sexual Misconduct, and in conducting investigations in a manner that protects the well-being and safety of the complainant and the University community.

To file a complaint pertaining to this policy, please contact:

561-297-3004

[http://www.fau.edu/eic/ada\\_coordination/pdfs/Discrimination\\_Harassment%20Form\\_2016\\_EIC.pdf](http://www.fau.edu/eic/ada_coordination/pdfs/Discrimination_Harassment%20Form_2016_EIC.pdf)

Campus Address:  
777 Glades Road, ADM 265  
Boca Raton, FL 33431

#### A. Intake

An EIC staff member will assess the nature of the complaint through an intake process. The EIC staff person will submit the complaint to the Title IX Compliance Coordinator or refer the complainant to the appropriate department if the allegations do not involve a violation of this policy or other anti-discrimination-anti harassment policies.

EIC will first ask the complainant for information about the incident. Supporting documents, such as emails, photos, or text messages, and any other evidence should be preserved. If witnesses were present or have relevant knowledge, it is important to identify them, state what they may know, and inform EIC how they can be contacted. If the complainant chooses not to participate, the Title IX Compliance Coordinator will

determine whether to conduct an investigation. If the Title IX Compliance Coordinator chooses to move forward with an investigation, a final determination will be made based on the information available. Under no circumstances will mediation be used to resolve cases of Prohibited Sexual Conduct.

After a complaint has been filed, EIC will inform the respondent of the allegations, the initiation of an investigation, and will provide the respondent with an opportunity to ask questions, provide information, and offer names of witnesses or other individuals with relevant information. EIC will interview the respondent and other individuals who may have pertinent knowledge. Supporting documentation and information may be collected from the complainant, respondent, and witnesses. EIC may request access to premises, records, and documents it deems relevant to the complaint. As the investigation progresses, the investigator may seek clarification from any person participating in the investigation regarding the incident or their statement. If the complainant learns or remembers any additional information, the complainant should notify EIC immediately.

#### **B. Advisors**

Both the complainant and the respondent will be permitted to ask an advisor of their choosing to be present during all relevant meetings related to alleged violations of this policy. The advisor may accompany the complainant or respondent and may confer privately with them, but the advisor may not speak on behalf of the complainant or respondent or otherwise participate in any meeting. An advisor's failure to comply with these guidelines may result in the termination of the meeting or the advisor no longer being permitted to be present. University personnel employed in the offices responsible for the disciplinary proceedings described in this policy, personnel employed by the Office of the General Counsel, and others whose participation could create a conflict of interest with their University duties are not eligible to serve as advisors. If there is a question or concern about a possible advisor, please consult with EIC.

#### **C. Standards of Proof**

The University uses the preponderance of the evidence standard of proof. This standard looks at whether it is "more likely than not" that the policy was violated.

#### **D. Timeline**

The investigative process will typically be completed within 60 calendar days from the time the Title IX Compliance Coordinator determines that an investigation will go forward. Any deviation from the 60-day time frame will be communicated in writing or by email to both the complainant and the respondent simultaneously, along with a new timeline and explanation of the reason for the extension of time.

#### **E. Determinations**

At the conclusion of the investigation, EIC will determine, based on the preponderance of the evidence standard, whether the alleged acts occurred and violated the Prohibited Sexual Conduct Policy. EIC will provide its determination, including the basis for the determination, in writing to the complainant and the respondent simultaneously.

## **F. Rights**

To the extent appropriate, and in all cases involving Prohibited Sexual Conduct, both Complainants and Respondents shall have equivalent rights, including but not limited to, the right:

- To be informed of their rights under this Policy and University Regulation 5.010.
- To a fair, prompt, and impartial investigation.
- Not to be forced to present testimony or statements in the same room as the Respondent/or other party.
- To be informed of the nature of any disciplinary action taken against the Respondent/other party, and to request reconsideration of University action as long as appropriate and in accordance with University procedures.
- To submit a victim impact statement for consideration by the investigating official and the supervisory officials responsible for disciplinary action.

## **G. Student Immunity**

Individuals with information about Prohibited Sexual Conduct may hesitate to come forward out of fear that their own violations of University policy would be revealed. Students are advised that the University does not condone infractions of policy, but considers reporting incidents of Prohibited Sexual Conduct to be of utmost importance. Therefore, the University will generally extend immunity from student or employee disciplinary sanctions for alcohol or substance abuse violations to victims and potential witnesses in order to facilitate reporting and resolution of Prohibited Sexual Conduct complaints.

## **H. Appeals**

The complainant and respondent have the right to appeal the determination by EIC or its designee and the sanction (if any) rendered. The complainant and respondent will be notified of this right and the procedures for appeal simultaneously in writing.

## **V. Awareness and Prevention**

The Title IX Compliance Coordinator coordinates education, training and awareness programs on discrimination, Prohibited Sexual Conduct for students, staff and faculty. The University is committed to offering educational programs to promote awareness and prevention of Prohibited Sexual Conduct. Educational programs include a description of University policies and procedures as well as definitions of prohibited conduct.

As part of the University's commitment to provide an environment free from Prohibited Sexual Conduct for students, faculty and staff, this policy will be disseminated to the University community through email communication, publications, websites and new employee training programs.

**VI. Academic Freedom**

The University is committed to the principle of academic freedom. This policy is not intended to limit teaching methods. Offensiveness of conduct by itself is generally not sufficient to constitute prohibited harassment. The conduct must be sufficiently severe to interfere with an individual's ability to participate in employment or educational programs or activities.

**INITIATING AUTHORITY:** Chief Compliance Officer

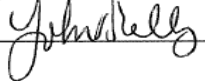
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POLICY APPROVAL  
(For use by the Office of the President)

Policy Number: 1.15

*Initiating Authority*  
Signature:  Date: 05/11/2018  
Name: Morgan Kim

*Policies and Procedures Review Committee Chair*  
Signature:  Date: 4-30-18  
Name: Elizabeth F. Rubin

*President*  
Signature:  Date: 6-29/18  
Name: Dr. John Kelly

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Executed signature pages are available in the Office of the General Counsel





<b>SUBJECT:</b> REPORTING CHILD ABUSE	<b>Effective Date:</b> 05-30-13	<b>Policy Number:</b> 7.6	
	<b>Supersedes:</b> New	<b>Page</b> 1	<b>Of</b> 4
	<b>Responsible Authority:</b> Senior Vice President, Financial Affairs		

**APPLICABILITY:**

This policy is applicable to all University employees and administrators.

**DEFINITIONS:**

*Abandonment:* A situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child’s care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both. For purposes of this subsection, “establish or maintain a substantial and positive relationship” includes, but is not limited to, frequent and regular contact with the child through frequent and regular visitation or frequent and regular communication to or with the child, and the exercise of parental rights and responsibilities. Marginal efforts and incidental or token visits or communications are not sufficient to establish or maintain a substantial and positive relationship with a child. The term does not include a surrendered newborn infant as described in s. 383.50, a “child in need of services” as defined in chapter 984, or a “family in need of services” as defined in chapter 984. The incarceration, repeated incarceration, or extended incarceration of a parent, legal custodian, or caregiver responsible for a child’s welfare may support a finding of abandonment. (*Section 39.01(1), Florida Statutes*)

*Abuse:* Any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child. (*Section 39.01(2), Florida Statutes*)

*Administrator:* High-level personnel who have been assigned the responsibilities of university-wide academic or administrative functions: university president, provost, senior/executive vice presidents, vice presidents, associate vice presidents, associate/vice provosts, deans, chief of police, equal opportunity programs director, intercollegiate athletics director, internal audit director, Title IX coordinator, and university compliance officer. (*Board of Governors Regulation 3.002(1)(b)*)

*Child:* Any unmarried person under the age of 18 years who has not been emancipated by order of the court. (*Section 39.01(12), Florida Statutes*)

*Neglect:* When a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired. The foregoing circumstances shall not be considered neglect if caused primarily by financial inability unless actual services for relief have been offered to and rejected by such person. A parent or legal custodian legitimately practicing religious beliefs in accordance with a recognized church or religious organization who thereby does not provide specific medical treatment for a child may not, for that reason alone, be considered a negligent parent or legal custodian. (*Section 39.01(44), Florida Statutes*)

## **POLICY STATEMENT:**

To ensure the safety and well-being of children on University property and University-sponsored events, and in compliance with Sections 39.201 and 39.205, Florida Statutes and Florida Board of Governors (BOG) Regulation 3.002, the University establishes the following reporting obligations and procedures for known or suspected child abuse, abandonment, or neglect:

### **I. REPORTING REQUIREMENTS**

#### **A. Reporting Requirements Generally**

Pursuant to Section 39.201, Florida Statutes, all persons have a legal obligation to report knowledge or reasonable suspicion that a child is abused, abandoned, or neglected or that a child is in need of supervision and care and has no parent, legal custodian, or responsible adult relative immediately known and available to provide supervision and care to the Florida Department of Children and Facility Services (DCF). Section 39.205(1), Florida Statutes further prohibits any person from knowingly and willfully preventing another person from meeting their reporting obligation to DCF. A person who knowingly and willfully fails to report as required by law, or who knowingly and willfully prevents another person from doing so, is subject to criminal prosecution.

## **B. Reporting Requirements Specific to University Administrators**

In addition to the general reporting requirements noted above, University administrators who receive information from faculty, staff or other institution employees of known or suspected child abuse, abandonment, or neglect committed *on University property or during a University-sponsored event or function* are required to report such information to DCF. In addition to individual criminal prosecution as noted above, pursuant to Section 39.205(3), Florida Statutes and Board of Governors Regulation 3.002(3), a knowing and willful failure to report by an administrator as described herein, or a knowing and willing restraint of another person from doing so, shall subject the University to a possible fine of \$1 million dollars.

## **II. PROCEDURES:**

### **A. Reporting to DCF**

A report to DCF shall be made immediately to the DCF's central abuse hotline. Such reports may be made on the single statewide toll-free telephone number or via fax, web-based chat, or web-based report. Contact information for DCF is as follows: Telephone: 1-800-962-2873; Fax: 1-800-914-0004; and Web Address for Florida Abuse Hotline: <https://abuse-report-bc.dcf.state.fl.us/AbuseWebReport/AddReporterinfo.aspx>. *It is advisable to make the report via fax and retain a copy of the fax transmission.*

### **B. Reporting to the University Police Department**

In addition to the reporting requirements to DCF, any known or suspected child abuse, abandonment, or neglect committed *on University property or during a University-sponsored event or function* should also be reported to the University Police Department.

### **C. Duplicate Reporting**

If a report is being made on behalf of more than one individual, please list all reporting parties on the written transmission/report. If you believe that another individual may have already made a report, this does not negate or satisfy your affirmative individual obligation to make your own report.

### **D. Immunity**

Actual first-hand knowledge or tangible evidence is not required to establish a reporting requirement. It is the responsibility of DCF and/or law enforcement to investigate as appropriate. In the event a University employee or administrator is uncertain as to whether there is a duty to report, the University recommends that a report be made. Section 39.203, Florida Statutes provides immunity to any person, official, or institution reporting in good faith any instance of child abuse, abandonment, or neglect to DCF or any law enforcement agency.

**E. Sanctions**

Any employee who fails to comply with this policy will be subject to the applicable criminal penalties as described above. In addition, the University may impose additional sanctions in accordance with University regulations and policies and applicable law, including without limitation suspension and termination from employment.

**F. Confidentiality**

All reporting herein shall be made confidentiality to DCF and the University Police Department, as applicable, and should not be disclosed to other parties except as provided by law.

**III. RELATED INFORMATION**


Nothing herein shall alter any obligations or legal authorities under applicable law. In the event of any amendments in Florida Statutes or BOG Regulations noted herein after the effective date of this policy, such amendments shall apply with equal force and effect in this policy without further action required.


**INITIATING AUTHORITY:** Senior Vice President, Financial Affairs


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

Policy Number: 7.6

*Initiating Authority*  
Signature:  Date: 5/30/2013  
Name: Dorothy Russell

*Policies and Procedures Review Committee Chair*  
Signature:  Date: 5-30-13  
Name: Elizabeth F. Rubin

*President*  
Signature:  Date: 5/30/2013  
Name: Dennis Crudele

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<b>SUBJECT:</b> DISABILITIES AND ACCOMMODATIONS	<b>Effective Date:</b> 9-18-12	<b>Policy Number:</b> 1.13	
	<b>Supersedes:</b> Presidential Memorandum #88	<b>Page</b> 1	<b>Of</b> 4
	<b>Responsible Authority:</b> 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.

## B. EMPLOYEES

The University is an Equal Opportunity/Equal Access employer. The University prohibits discrimination against its applicants and employees on the basis of disability, as provided by law, and is committed to providing accessibility and reasonable accommodation to its applicants and employees with regard to all aspects of employment including benefits and services.

### 1. Applicants

Applicants for employment with the University may request reasonable accommodations during the application, recruiting, and hiring process. Accommodation requests should be made in writing at least five (5) business days prior to the time the accommodation is needed. Requests for non-faculty positions should be made to the Division of Human Resources. Requests for faculty positions should be made directly to the hiring department or the EOP. The University may make pre-employment inquiry as to an applicant's ability to perform essential job functions with or without reasonable accommodation; provided, however, that the University will not make pre-employment inquiry as to the nature or presence of a disability.

### 2. Employees

University employees may request reasonable accommodations at any time. To request a reasonable accommodation, a University employee shall follow the following procedures:

- a. Fill out the [ADA Accommodation Intake Questionnaire](#) found on the EOP Website.
- b. Contact the Office of Equal Opportunity Programs to schedule a meeting with a EOP representative to begin the Interactive Process.
- c. During the Interactive Process, it will be determined if any additional medical documentation will be needed to better determine the best reasonable accommodation. If so, the employee will be provided with Disability Documentation & Accommodation Request form which must be completed by the employee's health care practitioner.
- d. Return the form to the Office of Equal Opportunity Programs representative along with any additional documentation of the diagnosis of a disability from the employee's health care practitioner (e.g., medical doctor, psychiatrist, psychologist, physical therapist, vocational rehabilitation specialist). Such documentation is to include sufficient evidence that the employee has a physical or mental impairment that substantially limits one or more major life activity. Specify the requested accommodation(s) the employee is seeking.

The initial responsibility for funding the cost of a reasonable accommodation rests with the employee's department. Should a department demonstrate to the next highest administrative level that sufficient funds do not exist, the department head should refer a request for funding to the next highest administrative level. Final decisions on how to fund reasonable accommodations will be made by the Senior Vice President of Financial Affairs.

Medical/disability records must be maintained separately from the official personnel file in the Division of Human Resources.

## **C. STUDENTS**

Self-identification and registration with OSD is the student's option and is not mandatory. However, if a student wants the University to provide an academic accommodation and if the student wants to ensure that they are assigned to accessible facilities, a student must identify herself/himself as having a disability by registering with the OSD.

In order to complete the OSD registration process, it is the responsibility of the student to provide the OSD with a self-reported narrative of his/her experience of disability, barriers, and effective and ineffective accommodations. Additionally supporting documentation from a licensed professional in the field concerning the student's disability and functional limitations resulting from the disability is part of the process for determining accommodations. If the OSD determines that the student's self-report is inadequate and presented documentation is outdated, incomplete, or vague, it is the responsibility of the student to provide additional documentation that appropriately demonstrates the current existence of a disability. It is the responsibility of the student to pay for a new evaluation to document the disability and the need for an academic accommodation. All disability-related records are kept confidential and are not released without the student's written permission.

If a disability and need for accommodation are adequately shown and the provision of such accommodations would not fundamentally alter the academic program, the OSD will discuss the provision of these accommodations with the student in an intake interview. It is the student's responsibility to submit the "OSD Semester Request for Services" form, "Testing Accommodations Form," "Notetaker Request Form," and any other appropriate forms to the OSD in a timely manner each semester in order to ensure the appropriate accommodations will be provided. Supervisors, students, faculty and staff should make reasonable efforts to resolve problems informally, at the lowest administrative level, as they arise.

More specific guidelines and processes for student accommodation requests are available from the [OSD website](#).

## **D. EFFECTIVE COMMUNICATION FOR INDIVIDUALS WITH DISABILITIES**

Each college or department within the University is required to take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. How and what type of effective communication is provided will depend on the nature of the communication and the situation. Primary consideration should be given to the requests of the individual with the disability. Reasonable efforts should be made to honor the request of the individual unless another reasonably effective method exists or the desired aid would be an undue burden.

Alternate formats of all University communications, including but not limited to printed documents, electronic media, website information, meetings, and activities, shall be made available. Publications should contain the phrase "available in alternate formats upon request." Responsibility for providing alternate formats of printed documents or auxiliary aids and services lies with each department or college, as applicable. Such alternate format, auxiliary aids and services may include but are not limited to: large print (18 pt. font), computer storage media, screen reader, audio recorded text, Braille, qualified sign language interpreter, or amanuensis.

The University is not required to take any action that would present an undue burden or fundamentally alter the service, program, or activity. The decision not to provide a particular alternate format, auxiliary aid or service does not necessarily mean there is a violation of law. The decision to deny a request for a specific accommodation as an undue burden rests with the Dean of the College or Chair of the Department or applicable Vice President and should be made after considering all resources available for use in the operation of the service, program, or activity. This decision must be accompanied by a written statement of the reasons for reaching the conclusion and kept on file in the College or Division. If requested action is considered an undue burden, the department shall take other action that would ensure that, to the maximum extent possible, the individual with a disability is effectively communicated with using the most appropriate method.


**RELATED INFORMATION:** Regulation 5.010 (Anti-Discrimination and Anti-Harassment).


**INITIATING AUTHORITY:** Director, Equal Opportunity Programs

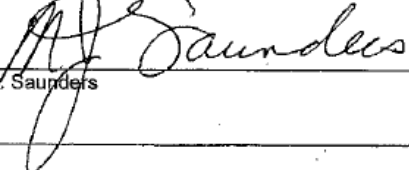
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POLICY APPROVAL  
(For use by the Office of the President)

Policy Number: 1.13

*Initiating Authority*  
Signature:  Date: 9-20-12  
Name: Paula Behul

*Policies and Procedures Review Committee Chair*  
Signature:  Date: 9-19-12  
Name: Elizabeth Rubin

*President*  
Signature:  Date: 9/21/12  
Name: M.J. Saunders

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SUBJECT: CONSENSUAL RELATIONS	Effective Date:	Policy Number:	
	10-30-09	1.10	
	Supersedes:	Page	Of
	New	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.

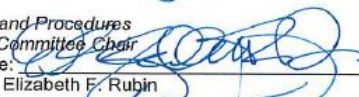
**INITIATING AUTHORITY:** Senior Vice President, Finance & Administration

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

Policy Number: 1.10

*Initiating Authority*  
Signature:  Date: 11/2/2009  
Name: Dennis Crudele

*Policies and Procedures Review Committee Chair*  
Signature:  Date: 10/30/09  
Name: Elizabeth F. Rubin

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

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# **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 Reviews

**Items A, B, C:** As presented in the Executive Summary, each of the seven enrollment charts displays appropriate representation for females and protected class race/ethnic codes. The University seeks to maintain or improve protected class representation. All of the protected groups continued to be represented at 89.3% of expected levels based on previous year enrollment. Other enrollment highlights are stated below:

- 15.8% Black freshmen enrollment in 2017; this percentage decreased from 16.6% in 2016.
- 25.9% Hispanic freshmen enrollment in 2017; there was no change in the percentage from 2016.
- Overall freshman minority enrollment rate was 50.7% in 2017, slightly down from 51.9% in 2016.
- 54.6% of state college transfers were from minority groups in 2017, slightly down from 58.9% in 2016.
- Black college transfers were 19.8% in 2017, slightly down from 23.1% in 2016.
- Hispanic college transfers were 25.9% in 2017, which is no change from 25.9% in 2016.
- Retention rate for Black FTICs entering FAU in summer/fall 2016 after one year was 83%.
- Retention rate for Hispanics was 82.5% as compared to 76.7% for Whites and 79.8% for FTICs overall.
- Female students are retained at a greater rate than males; 80.6% for females versus 78.7% for males.

Chart 1. Fulltime First time in College Enrollment, Fall 2017 And Early Admits										
	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>MEN</b>	36	179	3	60	310	1	586	56	11	1242
<b>WOMEN</b>	34	260	4	62	411	0	684	63	22	1540
<b>TOTALS</b>	70	439	7	122	721	1	1270	119	33	2782
<b>Category % of Totals</b>	2.5%	15.8%	0.3%	4.4%	25.9%	0.0%	45.7%	4.3%	1.2%	100.0%

Source: BOG IPEDS Fall Enrollment by Race, Ethnicity, and sex. Line 01, First time students.

Chart 2. Fulltime Florida College System Transfers, Summer And Fall 2017										
	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>MEN</b>	35	132	2	29	179	2	346	30	9	764
<b>WOMEN</b>	35	206	2	43	263	0	329	46	18	942
<b>TOTALS</b>	70	338	4	72	442	2	675	76	27	1706
<b>Category % of Totals</b>	4.1%	19.8%	0.2%	4.2%	25.9%	0.1%	39.6%	4.5%	1.6%	100.0%

Source: BOG IPEDS Enrollment by Race, Ethnicity, and sex. Column 2 Transfer-In.

Chart 3. Retention of Fulltime FTICs Entering Fall 2016 or Summer 2016 and continuing into Fall, After one year												
	NRA	B	AI/AN	A	H	NH/OPI	W	>= Two	Unk	F	M	T
<b>COHORT</b>	78	507	9	168	789	1	1370	109	17	1820	1228	3048
<b>Category % of Totals</b>	2.6%	16.6%	0.3%	5.5%	25.9%	0.0%	44.9%	3.6%	0.6%	59.7%	40.3%	100.0%
<b>AFTER 1 YEAR</b>	60	421	5	147	651	1	1051	82	15	1467		2433
<b>Retention Rate</b>	76.9%	83.0%	55.6%	87.5%	82.5%	100.0%	76.7%	75.2%	88.2%	80.6%	78.7%	79.8%

Source: Student Instruction File

All of the protected groups continued to be represented at 89.3% 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 2011 was 55.4%, higher than the overall graduation rate of 50.7%.
- The graduation rate for Hispanics was 51.7%, which is higher than the overall graduation rate of 50.7%.
- The male graduation rate is 46.1%, which is lower than the female graduation rate of 54.5%.
- Over 49.8% of graduates in 2016-17 were non-white.
- Black students accounted for 19.2% of baccalaureate degrees awarded.
- Hispanic students accounted for 26.4% of baccalaureate degrees awarded.
- 18.2% of masters degrees were awarded to Black students.
- 16.1% of masters degrees were awarded to Hispanic students.
- 12.2% of research doctorates and 16.5% of professional doctorates were awarded to Black students.
- 7.8% of research doctorates and 17.6% of professional doctorates were awarded to Hispanic students.

**Chart 4. Graduation Rate of Fulltime FTICs Beginners and Early Admits Entering Fall 2011 or Summer 2011**

	NRA	B	AI/AN	A	H	NH/OPI	W	>= Two	Unk	F	M	T
<b>COHORT</b>	25	442	9	101	669	4	1805	135	11	1749	1452	3201
<b>Category % of Totals</b>	0.8%	13.8%	0.3%	3.2%	20.9%	0.1%	56.4%	4.2%	0.3%	54.6%	47.5%	100.0%
<b>After 6 years</b>												
<b>Number of Graduates</b>	18	245	6	56	346	3	874	69	5	953	562	1622
<b>Percent Graduated</b>	72.0%	55.4%	66.7%	55.4%	51.7%	75.0%	48.4%	51.1%	45.5%	54.5%	44.1%	50.7%
<b>Category % Graduated</b>	1.0%	15%	0%	3.0%	21.0%	0%	54%	4%	0%	59%	43.3%	100.0%

Source: IPED Graduation Rate of 2011 Cohort.

**Chart 5: Bachelor's Awarded, AY 2016-2017**

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>Men</b>	57	359	4	101	554	5	1102	90	7	2279
<b>Women</b>	48	733	8	134	949	3	1375	140	23	3413
<b>Total</b>	105	1092	12	235	1503	8	2477	230	30	5692
<b>% TOTAL</b>	1.8%	19.2%	0.2%	4.1%	26.4%	0.1%	43.5%	4.0%	0.5%	100.0%

Source: BOG IPEDS Completions AY 2016-17

**Chart 6: Master's Awarded, AY 2016-2017**

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>Men</b>	70	70	1	28	98	0	302	12	1	582
<b>Women</b>	40	198	1	27	139	3	462	18	0	888
<b>Total</b>	110	268	2	55	237	3	764	30	1	1470
<b>% TOTAL</b>	7.5%	18.2%	0.1%	3.7%	16.1%	0.2%	52.0%	2.0%	0.1%	100.0%

Source: BOG IPEDS Completions AY 2016-17

**Chart 7: Doctoral Degrees Awarded, AY 2016-2017**

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>Men</b>	14	10	0	0	7	0	33	3	0	67
<b>Women</b>	5	4	1	0	2	0	34	2	0	48
<b>Total</b>	19	14	1	0	9	0	687	5	0	115
<b>% TOTAL</b>	16.5%	12.2%	0.9%	n/a	7.8%	n/a	58.3%	4.3%	n/a	100.0%

Source: BOG Completions AY 2016-2017, Research Doctorates

**Chart 8: First Professional Degrees Awarded, AY 2016-2017**

	NRA	B	AI/AN	A	H	NH/OPI	W	≥TWO	Unk	T
<b>Men</b>	0	1	0	1	3	0	19	0	0	24
<b>Women</b>	0	13	0	5	12	0	27	3	1	61
<b>Total</b>	0	14	0	6	15	0	46	3	1	85
<b>% TOTAL</b>	n/a	16.5%	n/a	7.1%	17.6%	n/a	54.1%	3.5%	1.2%	100.0%

Source: BOG Completions AY 2016-2017, Professional Doctorates



# OVERVIEW OF ACADEMIC AND STUDENT SERVICES PROGRAM

## 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 help 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 were initiated. 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 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 57.3% of all clinic appointments in 2016-2017:**

- Boca clinic: 54.7% of all clinic appointments were with female students
- Davie clinic: 68% of all clinic appointments were with female students
- Jupiter clinic: 63% of all clinic appointments were with female students

### **Services provided to minority students (for students who chose to identify their race and/or ethnicity) in 2016-2017:**

- 23.1% of all clinic appointments were with Black students
- 1.9% of all clinic appointments were with Hispanic students
- 8% of all clinic appointments were with Asian students
- 1.9% of all clinic appointments were with American Indian students
- 0.5% of all clinic appointments were with Native Hawaiian or other Pacific Islander
- 9.4% 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 2016-17 reporting year:

33	Electronic Textbook accommodations
3	Braille and tactile graphics accommodations
139	Housing accommodations
199	Notetaking accommodations
28	ASL accommodations
118	Assistive Technology training
<u>3,702</u>	<u>Exam accommodations</u>
<b>4,222</b>	<b>Total Accommodations</b>

*Closed Captioning print and transcription calculated by hours – 1,208 hours*

### **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;
- Recruit, develop and retain a committed, high achieving staff.

### **Campus Recreation**

Usage Numbers are below:

- 387,783 total visits to the center
- 10,420 unique visits (Spring 2017 only)

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

- 3,970 Participants
- 29% Female
- 71% Male

**Group Fitness Programs** – structured group fitness classes such as Yoga, Pilates, Hip Hop, TRX and more.

- 23,376 Total Participations
- 1,538 male participations (Spring 2017 only)
- 6,868 female participations (Spring 2017 only)

**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.

- 764 Participants
- 41% Female (314 total)
- 59% Male (450 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 and the natural world.

- Total Outdoor Adventure Trip Enrollment: 116
- Outdoor Adventure Gear Rental: generated \$3,409
- Challenge Course Student Programs: 11 groups / 153 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 Education**

The Department of Housing and Residence Education ensures that all residents are aware 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 connection between the student and the University. In addition, via the Residential Education Model, Housing and Residential Education provides intentional learning opportunities and individualized engagement within the residential communities.

Students are connected with purposeful experiences and resources that support their academic success, personal development, and community engagement as they progress towards graduation. Lastly, Housing and Residence Education collaborates with Student Accessibility Services to provide accommodations for students with disabilities.

**Get Wise on the Quad** is a residential learning center that provides a wide variety of academic support services geared toward the needs of first-year students. Highly trained academic advisors and coaches, career counselors, subject area tutors and writing consultants, staff the center. Residents living in HPT, IRT, GPT, Algonquin and Parliament may take advantage of the large array of services from Monday-Thursday 4-9pm and Sunday 6-9pm in Glades Park Towers. In addition, there are quiet study hours Monday-Thursday from 1-4pm.

**Residential Student Scholars** are motivated, hardworking, and outgoing FAU students that serve as a touch point for first-year students to promote academic success. Residential Student Scholars integrate themselves and develop personal connections with students in order to help students transition to university level coursework and develop a strong foundation that will benefit them throughout their undergraduate years at Florida Atlantic University. They actively work to enrich the curricular environment of the residential community through success skills workshops, assistance in the Get Wise center, 1-on-1 conversations with students, as well as arranging and facilitating study sessions. Residential Student Scholars empower students to take pride and ownership of their academic journey.

**Residential Career Coaches** are undergraduate student leaders who serve as Career Center ambassadors engaging with freshmen and underclassmen to lay the foundation for career development. Specifically, they help students build towards their future by guiding them through Major Knowledge, helping them establish a LinkedIn profile, and setting up accounts in FAU's online career portal. Most importantly, they help students understand all the services, resources, and programs available to help them successfully navigate the career development process.

### **Pre-College Programs/Civic Engagement**

Florida Atlantic's Upward Bound and Upward Bound Math & Science Programs are federally funded programs through the U.S Department of Education under the National TRiO Programs. The programs are a partnership between FAU and the Broward County Public Schools. The Upward Bound (UB) Program provides academic support essential to completion of high school and prepares the student to enter and successfully complete post-secondary education. The Upward Bound Math & Science (UBMS) Program intent is to strengthen the math & science skills of participating students, helping them to recognize and develop their potential to excel in math & science and encourage them to pursue post-secondary education in those career fields. UBMS graduating high school senior participants can also receive up to six college credits towards post-secondary education by enrolling in the Summer Bridge Program at no cost. Both programs expose students to opportunities to build academic skills necessary for success in college by providing college prep workshops, ACT/SAT prep, tutoring, college tours, cultural events/field trips, all at no charge to the student.

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

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; provide opportunities for intentional interaction, engagement and integration. The ODMA offers educational programs that foster and sustain an environment that promotes academic excellence, values difference, and inclusiveness.

### **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™**

- 13 sessions
- 150 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.

- 29 sessions
- 759 participants

### **The Safe Zone Ally Training**

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

- 12 sessions
- 262 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 RSIE 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: 69
- Book Loan Program: 252 books provided, \$20,356.11 book cost

## **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.

131 programs and events, 6,716 participants

# 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

<b>Chart 1. Sex Equity in Athletics Update</b>		
<b>Element</b>	<b>Assessment</b>	<b>Area for improvement? (check if yes, and describe on form below)</b>
1. Sports offerings	<p><b>Men (8):</b> Baseball, Basketball, Cross Country, Football, Golf, Soccer, Swimming, Tennis</p> <p><b>Women (11):</b> Basketball, Beach Volleyball, Cross Country, Golf, Soccer, Softball, Swimming, Tennis, Indoor Track &amp; Field, Outdoor Track &amp; Field, Volleyball</p>	
2. Participation rates, male and female, compared with full-time undergraduate enrollment	<p><b>Full-time Undergraduate Enrollment:</b> Female – 55.7% Male – 44.3%</p> <p><b>Student-Athlete Participation (duplicated):</b> Female – 49.0% Male – 51.0%</p>	
3. Availability of facilities, <i>defined as locker room, practice, and competitive facilities</i>	<p>Paired teams (swimming, tennis, basketball, cross country/track and soccer) have equitable facilities available for practice and competition. Women’s indoor volleyball shares practice and competition facilities with basketball. Football, beach volleyball, softball and baseball each have their own practice and competition facilities. Men’s and women’s golf utilize community golf courses.</p> <p>All teams with the exception of men’s and women’s golf and men’s cross country have locker room facilities on campus.</p>	



<b>Chart 1. Sex Equity in Athletics Update</b>		
4. Scholarship offerings for athletes	<p><b>Student-Athlete Participation (unduplicated):</b>            Female – 43.1%            Male – 56.9%</p> <p><b>Aid:</b>            Female Teams - 45.0%            Male Teams - 55.0%</p>	
5. Funds allocated for:		
a) the athletic program as a whole	All teams are treated equitably, taking into account sport specific differences that may increase or decrease expenditures in certain areas.	
b) administration	Administrative funds are not allocated by gender.	
c) travel and per diem allowances	<p>Per diem allowances are standard for all teams.</p> <p>Travel costs vary widely from trip to trip and are determined by destination, size of team, academic considerations, and schedule, among other factors. The general rule for all Athletic programs is that teams fly to out-of-state competitions and travel by bus or van within the state.</p>	
d) recruitment	All teams are treated equitably, taking into account sport specific differences and annual fluctuations in recruiting needs that may increase or decrease expenditures.	
e) comparable coaching	Experience and number of coaches available are comparable between men’s and women’s teams, taking into account squad sizes and NCAA rules related to the number of coaches permitted for different teams.	

<b>Chart 1. Sex Equity in Athletics Update</b>		
f) publicity and promotion	Publicity and promotion for programs is equitable in like sports and is accomplished through website, media relation initiatives, and video streaming. Production and printing of collateral materials (posters, schedule cards, etc.) is equitable among like sports.	
g) other support costs	These funds are not allocated by gender and are equitably accessible.	
6. Provision of equipment and supplies	An annual budget is proposed by the Head of Equipment for each team based upon roster size, condition of current equipment, and replacement needs. Adjustments are allowed for contingencies in any given year.	
7. Scheduling of games and practice times	<p>Teams who share facilities (men's and women's soccer, men's and women's swimming, men's and women's cross-country, men's and women's basketball, volleyball, and men's and women's tennis) practice together or alternate requested practice times each year. Regular practice times are accommodated for student-athlete academic schedules. Competitions scheduled for the same date are arranged between coaches and administrators.</p> <p>Track, Beach Volleyball, Tennis, and Golf share facilities with non-athletics entities, but have priority for scheduling their competitions and practice times.</p>	
8. Opportunities to receive tutoring	<p>The department currently has 7 full-time staff members dedicated to academic support equitably for all of our sports. We also have 2 learning specialists who provide support equitably for any student-athlete that needs assistance without regard to sport or gender.</p> <p>Tutoring is available to all student-athletes. 26 tutors work varying times throughout the day depending on need. Sessions are typically scheduled Monday – Thursday 8 AM – 9 PM and Friday 9 AM – 5 PM.</p>	
9. Compensation of coaches and tutors	<p>All coaches' compensation is based on comparison with other NCAA and conference institutions, fair market value, years and experience, and differentiated job duties, among other factors.</p> <p>Tutors are compensated according to their level of experience. All tutors, independent of assignments to students, teams or gender are paid equivalently.</p>	

<b>Chart 1. Sex Equity in Athletics Update</b>		
10. Medical and training services	There is a complete sports medicine clinic in the Tom Oxley Athletic Facility and a satellite clinic located in the FAU Arena. All student-athletes have equal access to treatment and medical care as needed. FAU has an exclusive partnership with Boca Raton Regional Hospital who provides excellent day-to-day care for all student-athletes including surgeries and rehabilitation.	
11. Housing and dining facilities and services	No special housing and/or dining services are provided for any athletic teams.	
<b>Chart 2. Sex Equity in Athletics - Areas for Improvement</b>		
<b>Areas for Improvement</b>	<b>Program for Improvement</b>	<b>Timetable</b>
Student-Athlete Opportunities	FAU has demonstrated a history and continuing practice of program expansion in women’s sports. We currently are studying whether to continue that trajectory or whether our participation in all Conference USA sports for women and men meets the interests and abilities of our student population.	On-going

**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 programs and sports

**PART IV**  
**SEX EQUITY IN ATHLETICS UPDATE**  
**STUDENT ATHLETES GENDER**  
**2016-2017**

	Male	Female	Total
Number	256*	246*	502
Percent of Total	51.0%	49.0%	100%

\*Student Athletic Participation (duplicated)

# 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. While the numbers are small there was a decrease (-5.5%) in the number of tenured faculty between Fall 2012 and Fall 2017. There were slight decreases in the proportion of female (-1.9%), Asian (-5.2%) and White (-4.0%) tenured faculty.

### **Chart 2. Tenure-Track Faculty**

From Fall 2016 to Fall 2017, there was a 20.6% increase in tenure-track faculty overall with a 6.8% increase in female faculty. To provide context for the overall percentage increase this change represents an increase with black tenure track faculty going from 3 in 2016 to 7 in 2017 and female tenure-track faculty gained 5, going from 73 in 2016 to 78 in 2017. These changes reflect a change in hiring practices, with a greater focus in Fall 2017 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 (2.9% from Fall 2016 to Fall 2017), and the long-term increase of non-tenure-earning faculty (17.2%) from Fall 2012 to Fall 2017), 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**

There was an increase in the proportion of Black employees (12.7%) between Fall 2016 and Fall 2017. There was notable growth in minority diversity from Fall 2012 to Fall 2017. 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 (2016 and 2017)	H	NH/OPI (2016 and 2017)	W	≥ Two (2016 and 2017)	Unk	Female	Male	Total
Number, Fall 2017	4	25	0	72	26	0	287	1	0	149	266	415
Number, Fall 2016	5	25	0	76	24	1	299	1	0	152	279	431
Percentage Change From Fall 2016 to 2017	20.0%	0.0%	N/A	-5.3%	8.3%	100.0%	-4.0%	0.0%	n/a	-2.0%	-4.7%	-3.7%
Number, Fall 2012	7	27	1	70	27	0	306	1	0	144	295	439
Percentage Change From Fall 2012 to 2017	-42.9%	-7.4%	-100.0%	2.9%	-3.7%	N/A	-6.2%	N/A	N/A	3.5%	-9.8%	-5.5%
Area for improvement, compared with national standards? (Check if yes)												
Source: IPEDS HR Instructional Faculty Only – Fulltime Tenured												

Chart 2. Category Representation – Tenure-Track Faculty												
Indicator	NRA	B	AI/AN	A (2016 and 2017)	H	NH/OPI (2016 and 2017)	W	≥ Two (2016 and 2017)	Unk	Female	Male	Total
Number, Fall 2017	26	7	0	14	11	0	105	1	0	78	86	164
Number, Fall 2016	25	3	0	12	8	0	86	2	0	73	63	136
Percentage Change From Fall 2016 to 2017	4.0%	133.3%	N/A	16.7%	37.5%	N/A	22.1%	-50.0%	N/A	6.8%	36.5%	20.6%
Number, Fall 2012	13	4	0	13	10	0	72	2	0	57	57	114
Percentage Change From Fall 2012 to 2017	100.0%	75.0%	N/A	7.7%	10.0%	N/A	45.8%	-50.0%	N/A	36.8%	50.9%	43.9%
Area for improvement, compared with national standards? (Check if yes)												
Source: IPEDS HR Instructional Faculty Only – Fulltime Tenured-Track												

Chart 3. Category Representation – Non-Tenure-Earning Faculty or Faculty at Non-Tenure Granting Universities												
Indicator	NRA	B	AI/AN	A (2016 and 2017)	H	NH/OPI (2016 and 2017)	W	≥ Two (2016 and 2017)	Unk	Female	Male	Total
Number, Fall 2017	12	23	0	17	27	0	165	1	0	139	106	245
Number, Fall 2016	13	26	0	13	28	0	157	1	0	135	103	238
Percentage Change From Fall 2016 to 2017	-7.7%	-11.5%	N/A	30.8%	-3.6%	N/A	5.1%	0.0%	N/A	3.0%	2.9%	2.9%
Number, Fall 2012	6	12	0	9	22	1	153	7	0	120	89	209
Percentage Change From Fall 2012 to 2017	-100.0%	91.7%	N/A	88.9%	22.7%	N/A	7.8%	-85.7%	N/A	15.8%	19.1%	17.2%
Area for improvement, compared with national standards? (Check if yes)												
Source: IPEDS HR Instructional Faculty Only – Fulltime Non-Tenured												

Chart 4. Category Representation – Executive/Administrative/Managerial												
Indicator	NRA	B	AI/AN	A (2016 and 2017)	H	NH/OPI (2016 and 2017)	W	≥ Two (2016 and 2017)	Unk	Female	Male	Total
Number, Fall 2017	3	80	0	29	55	1	417	4	0	323	266	589
Number, Fall 2016	5	71	0	26	57	1	379	3	0	300	242	542
Percentage Change From Fall 2016 to 2017	-40.0%	12.7%	N/A	11.5%	-3.5%	0.0%	10.0%	-33.3%	N/A	7.7%	9.9%	8.7%
Number, Fall 2012	2	58	0	22	14	0	290	4	0	217	173	390
Percentage Change From Fall 2012 to 2017	50.0%	37.9%	N/A	31.8%	292.9%	N/A	43.8%	0.0%	N/A	48.8%	53.8%	51.0%
Area for improvement, compared with national standards? (Check if yes)												
Source: IPEDS HR Instructional Faculty Only – Fulltime Non-Instructional Executive/ Administrative/ Managerial												
Area for improvement, compared with national standards? (Check if yes)												
Source: IPEDS HR Instructional Faculty Only – Fulltime Non-Instructional Executive/ Administrative/ Managerial												

## PART VI AREAS OF IMPROVEMENT AND ACHIEVEMENT

### Part VI: Areas of Improvement from 2016 Report; Achievement of Improvement Reported in 2017

Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment (This Year)	Achievement Report for Areas of Improvement Pertaining to Academic Services, Programs, and Student Enrollment Identified (Identified Last Year)
<p>Black FTIC enrollment.</p>	<p>Hispanic FTIC enrollment remained steady at 25.9% as indicated in 2016.</p> <p>54.3% of state college transfers were from minority groups.</p>
Areas of Improvement Pertaining to Gender Equity in Athletics (This Year)	Achievement Report for Areas of Improvement Pertaining to Gender Equity in Athletics (Identified Last Year)
<p>Student Athlete Opportunities. FAU has demonstrated a history and continuing practice of programs expansion in women's sports. We currently are studying whether to continue that trajectory or whether our participation in all Conference USA sports for women and men meets the interests and abilities of our student population.</p>	<p>Female-athletes constituted 43.1% (unduplicated) of student athlete participation and received 45.04% of the total scholarships offered for athletes.</p>
Areas for Improvement Pertaining to Employment Identified (This Year)	Achievement Report for Areas of Improvement Pertaining to Employment (Identified Last Year)
<p>Diverse representation in management and faculty positions and committees.</p>	<p>Black representation and female representation increased by 12.7% and 7.7% respectively, in the Executive/Admin/Managerial category.</p> <p>Representation of tenure track females increased by 6.8% and representation of Black tenure track faculty increased by 133.3%.</p>

**PART VII  
PROTECTED-CLASS REPRESENTATION  
IN THE TENURE PROCESS  
AY 2016-2017**

<b>Sex, Race/Ethnicity</b>	<b>Applied</b>	<b>Withdrawn</b>	<b>Denied</b>	<b>Deferred</b>	<b>Nominated</b>
<b>MALES</b>					
American Indian or Alaskan Native					
Asian	2				2
Black or African American					
Hispanic					
Native Hawaiian/Other Pacific					
Two or More Races					
White	5				5
Other, Not Reported	1				1
<b>Total Male (Include Other, Not Reported)</b>	<b>8</b>				<b>8</b>
<b>FEMALES</b>					
American Indian or Alaskan Native					
Asian	1				1
Black or African American					
Hispanic					
Native Hawaiian/Other Pacific					
Two or More Races					
White	6				6
Other, Not Reported					
<b>Total Female (Number and Percent) (Include Other, Not Reported)_____</b>	<b>7</b>				<b>7</b>
<b>GRAND TOTAL</b>	<b>15</b>				<b>15</b>

**LEGEND:**

**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

#### AY 2016–2017

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								6	2			7	2
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	0	1
History	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
(Languages, Linguistics & Comparative Literature	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Music	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Philosophy	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Political Science	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Communications & Media Studies	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Sociology	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Theatre	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Visual Art & Art History	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>3</b>

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								6	2			7	2
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	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Finance	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Information Technology & Ops Management	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Management	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
Marketing	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>

**PART VIII  
PROMOTION AND TENURE COMMITTEE  
COMPOSITION  
AY 2016-2017**

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								6	2			7	2
College of Engineering & Computer Science																		
Civil Engineering	0	0	0	0	1	0	0	0	0	0	0	0	2	0	0	0	3	0
Computer Science & Electrical Engineering	0	0	0	0	1	0	0	0	0	0	0	0	1	0	0	0	2	0
Ocean Mechanical Engineering	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2	0
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>0</b>

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								6	2			7	2
Harriet L. Wilkes Honors College																		
<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>14</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>9</b>
Christine E. Lynn College of Nursing																		
<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>18</b>

**PART VIII**  
**PROMOTION AND TENURE COMMITTEE**  
**COMPOSITION**  
**AY 2016-2017**

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								6	2			7	2
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	1	0	0	0	0	0	0	2	1	0	0	2	2
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>4</b>
Charles E. Schmidt College of Science																		
Biological Science	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Chemistry & Biochemistry	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Geosciences	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Mathematical Science	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	2	
Physics	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
Psychology	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>

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								6	2			7	2
DSI - Design & Social Inquiry																		
Architecture	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
Criminal Justice	0	0	0	0	0	0	0	0	0	0	0	0	1	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	1	0	0	0	1
Urban Plan & Regional	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2</b>

**PART VIII  
PROMOTION AND TENURE COMMITTEE  
COMPOSITION  
AY 2016-2017**

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								6	2			7	2
College of Education																		
Communications Sciences & Disorders	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Counselor Education	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Curriculum Culture & Educational Inquiry	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0
Educational Leadership & Research Methodology	0	0	0	0	0	0	0	0	0	0	0	0	1	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	0	1	0	0	0	1	0
Teaching & Learning	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>2</b>

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								6	2			7	2
FAU Libraries																		
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>

## 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 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 2016 – 2017 Evaluation was held on Wednesday, October 25, 2017  
(*see Board of Trustees Annual Retreat Meeting Minutes*)

B. Top Administrators' Evaluations were completed October 2017.

**Board of Trustees Annual Retreat Meeting Minutes**  
**Wednesday, October 25, 2017 – 10:00 a.m.**  
**Harbor Branch Oceanographic Institute**  
**5600 U.S. 1 North**  
**Fort Pierce, FL 34946**

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**Call to Order and Roll Call**

Chair Anthony Barbar convened the annual retreat of the Florida Atlantic University Board of Trustees with the following members participating :

Mr. Daniel Cane, Mr. Shaun Davis, Dr. Michael Dennis, Dr. Malcolm Dorman, Ms. Emily Lawless, Mr. Abdol Moabery, Mrs. Mary Beth McDonald, Mr. Robert Stilley, Dr. Kevin Wagner, and Mr. Thomas Workman.

The following university officials participated: Dr. John Kelly, University President; Dr. Daniel Flynn, Vice President for Research; Mr. David Kian, Vice President of Legal Affairs and General Counsel; Dr. Corey King, Vice President of Student Affairs; Ms. Danita Nias, Vice President for University Advancement; Ms. Stacy Volnick, Vice President for Administrative Affairs & Chief Administrative Officer; and Mr. Andrew LaPlant, BOT Director and Chief Aide.

**Roll was taken and a quorum was present.**

**I. Public Comment**

There were no public comments.

**II. Information Items**

Housing Feasibility Study: Dr. Corey King led a presentation on a planned Invitation to Negotiate (ITN) for a public-private partnership between the University and a developer to design, finance, construct, and operate housing on the Boca Raton and Jupiter campuses.

Dr. King was accompanied by officials from Brailsford & Dunleavy, the student housing financial consulting firm that is assisting the University with the project. The ITN will call for proposals to demolish Algonquin Hall and University Village Apartments on the Boca Raton campus and replace them with 500-bed and 1000-bed units, respectively, and to construct two new 150-bed units on the Jupiter campus.

These developments will be phased in over a five- to seven-year period. Dr. King noted that we have significant demand for new on-campus housing, particularly for students returning after their freshman year. Dr. Wagner asked about the cost to the students; the consultants replied that the project would look for savings opportunities at every step. They further explained that the reason for seeking to develop the projects as a public-private partnership was to shift the risk and associated costs of finance, construction, and operations and maintenance to a private developer. Several trustees commented that the concept made sense.

Capital Projects Update: President Kelly gave an overview of five pending or contemplated capital projects: (1) the Schmidt Family Complex for Academic and Athletic Excellence; (2) the Boca Raton Student Union renovation; (3) the A.D. Henderson School renovation; (4) the Jupiter campus science building; and (5) a new facility for the College of Medicine.

### **III. Review of Metrics**

Dr. Kelly reviewed the University's performance in the latest round of Board of Governors' metrics. He noted that four- and six-year graduation rates remain a challenge, largely due to the quality of students admitted in the 2010-13 cohorts. Many of those students left FAU after one year and have long since lost contact with the University. He reviewed the significant efforts being made to improve graduation rates and note the partial success we've had. He also described the BOG's new standards for Emerging Preeminent status and declared his intention for FAU to pursue that status.

### **IV. Hurricane Irma Update**

Ms. Stacy Volnick provided a brief review of the damage caused to FAU's campuses by Hurricane Irma, and FAU's response. She reported that the storm caused more than \$2M in damages to FAU's campuses. We have submitted appropriate claims for compensation from the State of Florida and FEMA.

### **V. Spring Retreat**

Chair Barbar stated that the 2018 BOT calendar would include BOT retreat in the spring, so that items that were intended to have been discussed at the canceled September retreat could be reviewed. The date would be included in the calendar at next month's BOT meeting.

### **Action Items**

#### **a. Student Mental Health Proposal**

Dr. King presented a proposal to expend \$1.5M of Student Health fee funds to hire 16 new mental health therapists. A motion was made and seconded to approve the request. With no further discussion or amendments, the motion passed unanimously.

#### **b. Public Safety Three-Year Plan**

Ms. Volnick presented a proposed FAU Public Safety Three-Year Plan submission to the Board of Governors. It included a request for \$1.1M to hire 11 new security officers and equipment. A motion was made and seconded to approve the plan. With no further discussion or amendments, the motion passed unanimously.

#### **c. Naming of University Elements: The Cane Institute for Advanced Technologies**

Ms. Danita Nias presented a request to approve naming a program for advanced technologies within the ADHUS/FAU High School Complex "The Cane Institute for Advanced Technologies." The naming is in grateful recognition of and appreciation for a One Million Dollar (\$1,000,000) donation from Trustee Daniel Cane to assist with the planning, financing, constructing and equipping of the ADHUS/FAU High School Complex and to create The Cane Institute for Advanced Technologies within ADHUS/FAU High School. The Cane Institute for Advanced Technologies will encompass all of the current and future S.T.E.M. programs, activities, and initiatives within ADHUS/FAU High School and will provide recognition opportunities on the local, state, national and international stages. Upon completion of Ms. Nias's presentation, the Trustees gave Trustee Cane a standing ovation. A motion was made and seconded to approve the request.

With no further discussion or amendments, the motion passed unanimously, with Trustee Cane abstaining from the vote.

## **VI. 2016-17 Presidential Review and 2017-18 Presidential Goals**

Chair Barbar summarized his written evaluation of President Kelly's performance in the 2016-17 fiscal year, emphasizing the BOG Chair's effusive praise of Dr. Kelly and Dr. Kelly's strong relationships with the Florida Legislature and the Governor. He noted several milestone accomplishments by Dr. Kelly and the administration. Trustees Lawless, Dorman, Moabery, Davis, Cane, Stilley, McDonald, and Workman each added their assessments of Dr. Kelly's performance, all of which were extremely positive. Trustee Wagner also praised Dr. Kelly's performance, though he noted that administration sometimes has an attenuated relationship with the faculty, which he felt should be improved because the faculty are the engine of the University. He noted Dr. Kelly is exceptionally accessible and always listens carefully.

A motion was made and seconded to approve Chair Barbar's evaluation of the President. With no further discussion or amendments, the motion passed unanimously.

Chair Barbar then moved to amend Dr. Kelly's employment agreement to provide an annual executive physical exam as a benefit. The motion was seconded. Trustee Wagner asked whether other university presidents receive executive physicals. Mr. Kian responded that the presidential compensation survey that they Board commissioned last year showed that several other presidents did indeed receive such a benefit. Trustee McDonald asked whether it was a common executive benefit. Trustee Moabery responded absolutely. With no further discussion or amendments, the motion passed unanimously.

Chair Barbar then moved to award Dr. Kelly a performance bonus of 20% of his base salary, the maximum amount allowed under his employment agreement. The motion was seconded. Trustee Wagner asked the Board to consider the public perception of such a bonus. Trustee Moabery responded that it is critical that FAU compensate Dr. Kelly adequately, since it would be expensive to replace him and virtually impossible to replace his performance level. Trustee Stilley noted that the Board gave Dr. Kelly its highest possible evaluation, and therefore under his employment agreement he should be entitled to the highest possible performance bonus. With no further discussion or amendments, the motion passed unanimously.

Chair Barbar then moved to approve Dr. Kelly's proposed 2017-18 Goals and Objectives, with the addition of focusing on strategies to achieve Emerging Preeminent status under his third goal. The motion was seconded. With no further discussion or amendments, the motion passed unanimously.

## **Adjournment**

A motion was made and seconded to adjourn the meeting. The motion passed unanimously and the meeting was adjourned.