

## USF Title IX Committee Annual Report to the President, 2012-13

*Submitted: May 2013*

The Title IX Committee is formally charged with “advising the President of the University on matters relating to the University’s compliance with the Title IX Educational Amendments of 1972. These deal with nondiscrimination on the basis of sex in education programs and activities receiving or benefiting from federal financial assistance.” Specifically, the Committee is charged with monitoring, evaluating, and determining if gender equity exists in the areas of Financial Aid, Student Housing, Admissions, Intercollegiate Athletics, and Compensation.

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

Although Title IX legislation was intended to protect students, Title IX case law contains precedent for covering employees of educational institutions. Thus, employees of educational institutions may be protected under both Title VII of the Civil Rights Act and Title IX.

Regarding federal policy, the “3 prongs” suggest Title IX compliance may be achieved in three ways: (1) Participation opportunities for women and men are provided in numbers substantially proportionate to their respective enrollments. (2) An institution can show a continuing history of improvement and expansion in meeting the interests of the historically underrepresented sex. (3) Where neither of the first two conditions is met, the institution can demonstrate that it has fully accommodated the interests of the underrepresented sex.

In Athletics, review for Title IX compliance covers and accounts for 13 areas:

1. Scholarships
2. Participation opportunities
3. Equipment & supplies
4. Scheduling of games & practice times
5. Travel & per diem
6. Tutoring
7. Coaching
8. Locker rooms & practice/competition facilities
9. Medical & training facilities & services
10. Housing & dining facilities
11. Publicity
12. Support services & office space
13. Recruitment of student athletes

### Areas of Progress

1. **Comment on success of Policy 007, Gender Identity/Expression:** We appreciate that in July 2012 the University updated *USF Policy 0-007 Diversity and Equal Opportunity: Discrimination and Harassment* to prohibit discrimination based on gender identity and expression. We believe that this inclusion is an important step forward for our community.

2. **USF Domestic Partner Stipend Policy Update:** We are pleased that USF has revised its healthcare policy to allow employees in domestic partnerships with families to access the domestic partner stipend. According to the Human Resources website, “An eligible employee already receiving the state family coverage premiums benefit through USF will [now] be able to receive the [domestic partner] stipend.”
3. **Gender Equity Plan in Athletics:** The USF Athletics Gender Plan 2012-2017 was reviewed and discussed while in draft form by the Committee in Fall 2011. Athletics representatives explained how the plan was developed and sought feedback prior to finalizing the plan in December 2012. The finalized plan, as well as recent accomplishments in the area of gender equity initiatives within Athletics is attached.
4. **Policy on Creation of New Lactation Rooms:** In April 2013, USF Facilities Planning & Construction confirmed that they will include lactation rooms for new building construction (where appropriate) to their next update of the Guidelines and Facilities Programs document. They will operate under the guideline going forward. This will slowly improve USF’s Lactation accommodations.

### Recommendations

1. **Chief Diversity Officer Search and Diversity Office Structuring:** We are disappointed with two aspects of the Chief Diversity Officer Search: (1) there was a lack of gender diversity among the final candidates; and (2) information about the search process and its resolution has been generally lacking. We are also deeply concerned about the structuring of diversity and compliance programming at USF. Title IX concerns are both issues of compliance and prevention, as educational efforts can affect and improve institutional cultures within which discrimination may occur. We do not believe separation of these two interrelated aspects of our institutional response to Title IX obligations is in the best interests of the campus community. ***We recommend that communication between central administration and the Presidential Advisory Committees be strengthened to facilitate greater ongoing dialogue about important diversity goals and challenges for the University. We further recommend that Title IX efforts at USF continue to reflect both compliance and prevention strategies and sufficient personnel are dedicated to such purposes.***
2. **Women in STEM at USF:** After consultation with faculty and staff working to improve the recruitment, retention and advancement of women in the STEM disciplines at USF we note that women are

underrepresented in the STEM disciplines at USF-Tampa, particularly in the College of Engineering. There is also a significant dearth of senior women faculty in STEM at USF. Recognizing the importance of STEM and gender equity to our university, USF is taking some steps to address these issues at the department, college, and university levels, but these efforts are not necessarily integrated nor expansive.

*We recommend that USF support a centralized office and/or personnel to bring together activities to increase faculty diversity in STEM disciplines, concentrating USF's efforts more efficiently and effectively.* Such centralization may work under the guidance of Sponsored Research, Academic Affairs, or Diversity and Inclusion.

3. **DEO responses to Title IX and Policy 004 (Sexual Misconduct/Sexual Harassment) complaints:**

Our conversations with DEO this year have increased our concern about faculty, staff and student knowledge about sexual misconduct and USF's policy to address sexual misconduct. Knowing the effects of victimization and the processes of reporting is crucial to protect victims and to ensure USF personnel appropriately respond to incidents.

*We recommend more widely implementing training, particularly targeting individuals in key administrative positions or in orientation programs.*

Trainings should address the mandatory reporting required of most USF employees as well as the importance of mitigating the negative impact on individuals who disclose an incident that falls under Title IX. *We understand this recommendation may require additional resources and personnel.*

4. **USF Lactation Accommodation for Pregnant/Parenting Students & Staff:**

After an eighteenth-month long study and numerous meetings throughout the year, the Committee determined that the three biggest barriers to improving lactation accommodation at USF for breast-feeding students, staff and faculty are space in campus buildings for dedicated rooms, planning for space, and funds for publicizing and developing viable lactation spaces.

*We recommend Human Resources revisit the current lactation policy to review its language and improve its visibility on their website. We further recommend increasing awareness about the need for lactation accommodation among supervisors and faculty by publicizing the current policy and available lactation rooms in the Marshall Center and in the College of Public Health, which also hosts the USF Health Interdisciplinary Breastfeeding Collaborative (IBC).* We suggest all publicity efforts should be coordinated through USF Communications.

5. **Title IX Committee budget:** Our Committee currently has no funding, which means we do little

publicizing of our activities or the importance of Title IX to the USF community. 2012, for instance, was the 40<sup>th</sup> Anniversary of Title IX, an anniversary that was not celebrated at USF widely. We would like to change this by raising awareness in support of USF's Title IX activities to a broader audience, in support of the efforts of the Office of Diversity & Inclusion. *We recommend Title IX be granted a small budget to be used for awareness purposes.* We would be happy to submit a budget proposal to illustrate our recommendation.

**Ongoing Issues and Concerns related to Title IX**

**1. Title IX Compliance and Gender Equity Goals in Athletics and Campus Recreation:**

The 2011-12 EADA report was similar to last year, with women 56.6% of USF students, 54.5% of duplicated athletic participants, and 48.4% of unduplicated athletic participants, putting USF in compliance with Title IX proportionality for participation. *We appreciate the Athletics Department's close control of roster management to manage equity issues.* The EADA report also shows differences between male and female sports in terms of revenues, recruitment expenditures, coach salaries, and athletically related student aid. Of these issues Title IX would particularly encourage the Athletic Department to continue to strategize ways to increase the marketing and revenue from women's sports and to consider diverse recruitment strategies for female athletes. *We recommend that marketing efforts for athletics- particularly women's athletics- should continue to be reviewed to ensure they honor the values of our university, including non-discrimination.*

In addition to the EADA report, Campus Recreation gender statistics indicate higher male participation in the Campus Recreation Center (entrance), Intramural Sports, and Sport Clubs. Conversely, the data indicate higher female participation in the Adventure Trip program and Group Fitness classes. *We support Campus Recreation's ongoing efforts to assess gender utilization of their facilities and services, and we encourage them to continue to enact gender-responsive strategies to address any equity concerns.*

**2. Faculty Salaries Comparison by Sex:** We reviewed the 2012 AAUP salary data for USF but found it incomplete: for example, at the Tampa campus the number of faculty was 625, including lecturers, instructors and professorial faculty at all ranks. USF Infomart suggests over 2000 faculty on the Tampa campus. Despite this discrepancy, we are concerned that the AAUP data indicate lower salaries for women faculty at all levels, most apparent on the Tampa campus. Such a disparity reflects national trends, yet is a USF concern that the Committee intends to investigate further. *We suggest USF complete a gender equity salary analysis to*

*assess the significance of any gender pay gap on our campuses.*

**3. Female Faculty Concentration in Contingent Positions and Lower Ranks:** Also based on our review of the AAUP data, we are concerned about the apparent dearth of women at the full professor level as well as the concentration of women in contingent faculty positions, such as instructors. We intend to investigate this issue further next year, across both STEM and non-STEM disciplines.

#### **Goals for 2013-2014**

1. **Equity in Recruitment and Hiring:** We intend to meet with Human Resources to learn more about recruitment strategies within STEM and non-STEM disciplines for faculty, staff and student workers.
2. **Gender Salary Equity:** We intend to review results of the salary gender equity analysis we recommended above. We also will be requesting data on staff salaries.
3. **Promotion of Faculty to Full Professor:** We hope to meet with Academic Affairs to discuss strategies to increase the number of women faculty at the full professor level within STEM and non-STEM fields.
4. **Committee Membership:** We intend to continue to diversify and expand our committee membership.

#### **2012-13 Committee Activity**

**September 21, 2012:** The committee reconvened after summer hiatus, introduced new members, and planned goals for 2012-2013. We also reviewed USF activities since May and noted with pleasure USF's approval of Policy 007 on Gender Identity/Expression, a policy we had recommended the university approve in our last Annual Report.

**October 19, 2012:** The committee heard about efforts to improve the recruitment, retention and advancement of women in STEM at USF from Drs. Chrystal Smith, Grisselle Centeno, Yu Zhang, and Kathryn Borman. We also heard from Amy Perkins about efforts to develop a 5-yr Gender Equity Plan for Athletics.

**November 16, 2012:** Dr. Ted Williams, Bill Havens and Rhonda Ferrell-Pierce discussed DEO's responsibilities and activities related to Title IX with the Committee. Michelle Hughes Miller reported that revisions to the Domestic Partner Stipend health insurance program to acknowledge domestic partnerships with children discussed in last year's Annual Report is proceeding toward approval by USF. She also noted that the Athletics Council had developed a USF Athletics Council Recognition Award.

**Also in November** the Committee sent a Letter of Support to Drs. Centeno and Zhang in support of their PAID grant application to improve advancement opportunities for women faculty in STEM.

**December 14, 2012:** At the request of DEO, the Committee met as a working group to review intake documents for Title IX complaints to identify data that would be helpful to the Committee to review to improve our understanding of the scope of Title IX issues at USF and our institutional response. A report from this conversation was forwarded to Bill Havens from DEO.

**January 24, 2013:** Beverly Douglas, Special Assistant to the Vice-President, met with the Committee to discuss lactation accommodations and plans at USF. Bill Havens and Rhonda Ferrell-Pierce presented to the Committee data from DEO on complaints addressed by the office and the processing of such complaints.

**February 15, 2013:** Committee member Chris Marks presented on gender data from Campus Recreation. Ashley Leko and Amy Perkins discussed the EADA report with the Committee.

**March 21, 2013:** The Committee discussed our concerns about the search for the new Chief Diversity Officer for USF. We also reviewed the 2011-12 Title IX Self Evaluation Data, the 2012 AAUP Salary Data, and data on STEM and non-STEM faculty at USF.

**April 12, 2013:** During this meeting the Committee discussed our final report.

**Also during April:** Members participated in the 10<sup>th</sup> Annual Diversity Summit, where the Title IX Committee provided information at a table during the Diversity Expo. The Committee continues to liaise with CISOGI and WSC as relevant.

#### **Respectfully Submitted, 2012-13 Committee Members**

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#### **Attachments:**

USF Athletics Gender Plan 2012-2017  
Athletics Gender Equity Initiatives for 2012

# USF Athletics Gender Equity Plan 2012-2017

Effective December 2012

Program Area	Opportunity Goals	Steps to Achieve Goals	Planned Action
<b>Participation</b>	Increase female participation opportunities	Analyze budget, facilities, competition, conference and resource impact for female sports not currently sponsored	Review potential sports to sponsor with the goal of selecting a sport by spring 2013. SWA to present to Senior Staff
<b>Athletics Scholarships</b>	Maximize female scholarship opportunities	Annual analysis of recruiting patterns, tracking budgets prior to enrollment to maximize award potential	Increase female equivalencies to within 1-3% of NCAA maximums by academic year 2014-2015. Managed by Sport Administrators and Coaches.
<b>Equipment &amp; Supplies</b>	Provide quality equipment and supplies consistent with comparably competitive BCS institutions	Annual sport-by-sport analysis to include: 1) equipment & safety trends 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Scheduling of Games &amp; Practices</b>	Provide every opportunity for teams to practice and compete at their desired times	Annual sport-by-sport analysis to include: 1) RPI/ opponents 2) student & coach feedback 3) fans/marketing 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Travel &amp; Per Diem Allowance</b>	Provide the best and most appropriate student travel experience possible	Annual sport-by-sport analysis to include: 1) modes and location of travel 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Academic Support &amp; Tutoring</b>	Provide academic support services to maximize each individual's academic potential	Annual sport-by-sport analysis to include: 1) NCAA Flag/GRO analysis 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA

<b>Coaching</b>	Provide the best and most appropriate coach for the individual sport's development	Annual sport-by-sport analysis to include: 1) market 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Facilities</b>	Continue to offer students top rate facilities	Annual sport-by-sport analysis to include: 1) comparable sports and comparable institutions 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA

<b>Program Area</b>	<b>Opportunity Goals</b>	<b>Steps to Achieve Goals</b>	<b>Planned Action</b>
<b>Medical Facilities &amp; Services</b>	Continue to offer students top rate facilities and services	Annual sport-by-sport analysis to include: 1) comparable sports and comparable institutions 2) student & coach feedback 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Publicity</b>	Provide timely and appropriate coverage and publicity for teams and students	Annual sport-by-sport analysis to include: 1) comparable sports and comparable institutions 2) student & coach feedback 3) department market needs 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Recruitment</b>	Provide the opportunity for a coach to recruit the best team possible	Annual sport-by-sport analysis to include: 1) trip expenses 2) recruiting philosophy 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA
<b>Housing &amp; Dining</b>	Continue to offer students top rate facilities	Annual sport-by-sport analysis to include: 1) meal plans 2) housing assignments 3) budgets 4)specific team/student needs	Annual review by Coach, Sport Administrator and SWA

## **USF Department of Athletics Achievements in the Area of Gender Equity for 2011-2012**

- **New dining facility/training table designed for nutritional needs of student-athletes was opened**
- **Brand new state of the art dedicated practice facilities for men's and women's Basketball were opened**
- **The Sun Dome arena went through a 30+ million dollar renovation to be able to provide a quality competitive environment for our Men's and Women's Basketball programs as well as our Volleyball Program**
- **New facility opened specifically for women's basketball training. Includes state-of-the-art lockers, training room, lounge and meeting space.**
- **The Volleyball program moved into newly redone locker rooms that include team lounge and media room.**
- **Women's Volleyball Coaches moved into newly redone offices, doubling the space they previously occupied.**
- **Women's Softball opened their brand new competition venue and was immediately chosen to host both Big East Championships and NCAA Championship rounds due to its outstanding quality.**
- **Participation opportunities for Women's Cross Country were enhanced to include an annual home meet in which participation opportunities are available to all**
- **A concentrated effort has been made to increase coverage of women's sports, inclusive of feature stories as well as photos, on the USF Athletics website.**