



Florida International University Title IX Assessment Summary

Review Date: May 31-June 3, 2022

Submitted: September 12, 2022

UPDATE: Final Squad List – 5/2/2023

Submitted by:



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INTRODUCTION

The following report was prepared by **HELEN GRANT CONSULTING (HGC)**, for **FLORIDA INTERNATIONAL UNIVERSITY (FIU)** in Miami, Florida. The report addresses the compliance status of the athletic provisions of Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. Sections 1681 et. seq., and its implementing regulation at 34 C.F.R. Part 106. As a means of assessing compliance, **HGC.** followed the Policy Interpretation on Intercollegiate Athletics issued by the Office for Civil Rights (OCR) on December 11, 1979, 44 Fed. Reg. 71413 et. seq. (1979), subsequent policy clarifications, legal precedent (where applicable) and OCR practices. The findings were made for the AY2020-2021 and AY2021-2022, unless otherwise indicated. Preliminary to the review, **FIU** provided specific data requested by **HGC.** **FIU** athletic facilities were reviewed and head coaches, appropriate **FIU** administrators, support staff, and men and women student-athletes from each team were interviewed. The conclusions reached herein are based on these data alone.

FIU is a member of the National Collegiate Athletic Association (NCAA) Division I (FBS) and Conference USA (CUSA). **FIU** is subject to the rules and regulations of those organizations and as a recipient of federal financial assistance, **FIU** must comply with the requirements of Title IX.

The following is a summary analysis of **FIU's** current compliance with Title IX Gender Equity and an assessment of policies, procedures and protocol related to diversity, inclusion, and Title IX- Sexual Misconduct, Harassment and Discrimination. This assessment, summary of findings and recommended plans for improvement met the requirements for NCAA membership set forth in NCAA Bylaw 3.2.4.3 Equity, Diversity, and Inclusion Review. The legislation states “an active member institution shall complete and equity, diversity and inclusion review at least once every five years and provide written confirmation of completion to the national office.”

I. EFFECTIVE ACCOMMODATION OF STUDENT INTERESTS AND ABILITIES

TEST 1 – Male & Female Participation Rates Substantial Proportionality with Male and Female Full-Time Undergraduate Enrollment Rates

Test 1 “Whether intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments (proportionality).”

TABLE 1	TEST 1 - PARTICIPANT COUNT (DUPLICATED COUNT)			
	SPORTS	AY 2020-2021	AY 2021-2022	AY 2022-2023
MEN				
Baseball	46	42	40	
Basketball	16	15	15	
Football	109	119	110	
Soccer	31	30	30	
Track/Cross Country	11	7	7	
Track/Outdoor	28	21	24	
TOTAL	241	234	226	
WOMEN				
Basketball	17	13	10	
Beach	32	25	22	
Golf	7	7	7	
Soccer	30	34	29	
Softball	33	27	23	
Swimming/diving	31	34	29	
Tennis	9	9	7	
Track/Cross Country	14	12	17	
Track/Indoor	38	38	47	
Track/Outdoor	42	39	46	
Volleyball	21	19	20	
TOTAL	274	257	257	

Test - 1 Proportionality Participation Calculations

Proportionality calculations were summarized (Table 2) using the participation counts from Table 1 and enrollment information provided by FIU. The calculations provide male and female participation rate percentages and male and female enrollment rate for FIU. The following calculations provide a comparison of the enrollment rates and athletic participation rates as prescribed by OCR when determining compliance with Test 1 – Proportionality.

TABLE 2		TEST 1 – PROPORTIONALITY CALCULATIONS		
ENROLLMENT	AY 2020-2021	AY 2021-2022	AY 2022-2023	
Male Students	11,467 42.5%	10,707 42.1%	10,662 42.3%	
Female Students	15,489 57.5%	14,724 57.9%	14,551 57.7%	
TOTALS	26,956	25,431	25,213	
PARTICIPATION	AY 2020-2021	AY 2021-2022	AY 2022-2023	
Male Participants	241 46.8%	234 47.7%	226 46.8%	
Female Participants	274 53.2%	257 52.3%	257 53.2%	
TOTALS	515	491	483	
AY 2020-2021: 4.5% difference, approx. 50 participation opportunities, noncompliance.				
AY 2021-2022: 5.6% difference, approx. 65 participation opportunities, noncompliance.				
AY 2022-2023: Projected 4.5% difference, 50 participation opportunities, noncompliance.				

TEST 1 SUMMARY AND RECOMMENDATIONS

Recommendation: Roster Management Plan (RMP) – FIU should continue to implement the RMP and monitor female undergraduate enrollment rates. The trend is that female undergraduate enrollment rates continue to increase (approx..1% annually). If this is the case the RMP will need to be adjusted accordingly.

TABLE 3		
RECOMMENDED ROSTER TARGETS		
SPORTS	AY 2022-2023	Recommended
MEN		
Baseball	40	38
Basketball	15	15
Football	110	110
Golf/Tennis	NA	NA
Soccer	30	28
Track/Cross Country	7	8
Track/Outdoor	24	22
TOTAL	226	221
WOMEN		
Basketball	10	14
Beach	22	22
Golf	7	10
Soccer	29	32
Softball	23	24
Swimming/diving	29	35
Tennis	7	10
Track/Cross Country	17	18
Track/Indoor	47	50
Track/Outdoor	46	50
Volleyball	20	22
TOTAL	257	286
RMP:1.5% difference, arguably substantial proportionality. High roster sizes for women's teams.		

TABLE 5		
RMP CALCULATIONS		
Financial Aid	RECOMMENDED	ENROLLMENT
Men's Teams	221 43.6%	42.3%
Women's Teams	286 56.4%	57.7%
TOTALS	507	100%

TEST 2 - History and Continuing Practice of Program Expansion for the Underrepresented Sex (Women)

Test 2 - "Where the members of one sex have been and are underrepresented among intercollegiate athletes, whether the institution can show a history and continuing practice of program expansion which is demonstrably responsive to the developing interests and abilities of the members of that sex;"

FIU does not comply with the continuing practice of program expansion for the underrepresented sex part of Test 2.

Like most intercollegiate athletic programs, women's sports began intercollegiate competition in 1970's and continued to add and elevate club or intramural programs to varsity status. FIU has demonstrated a history of program expansion (adding women's sports); however, the criterion is that there also be a continuing practice of program expansion in addition to the established history. Evidence of a continuing practice is when a sport for the underrepresented sex has been added in the last 3-5 years or when there is a plan to add a sport with a date certain.

The last sport added for women at FIU was beach volleyball which was added in AY 2011-2012. At the time of the review there was discussion of possible sports to add, if needed, but there was not plan with a date certain to add another sport for women. Interest surveys have been conducted since AY 2009-2010 and have shown very little interest in any new sport for women. Additionally, there have been no formal request from club sports at FIU or in the area to elevate to varsity status. These two issues (Interest Survey and club sports) and other factors are discussed below in the updated Test 3 analysis.

TEST 2 SUMMARY AND RECOMMENDATIONS

FIU does not comply with Test 2- Program Expansion. The last sport added for women was beach volleyball in 2012. At the time of the review, there was no plan with a date certain to add a women's sport. FIU will need to assess the findings for Test 3 compliance to determine if, at some point in the future, a sport should be added. If that determination is made and a plan is in place to add the sport with a date certain for the start of competition for the new sport, FIU will show a continuing practice of program expansion and can argue compliance with Test 2 – History and Continuing Program Expansion for the underrepresented gender (females).

TEST 3 – Full & Effective Accommodation of Interest & Abilities of Underrepresented Sex (Women Students) with Current Sport Offerings

Test 3 - “Where the members of one sex are underrepresented among intercollegiate athletes and the institution cannot show a continuing practice of program expansion such as that cited above, whether it can be demonstrated that the interests and abilities of the members of that sex have been fully and effectively accommodated by the present program.”

In making the determination of compliance, three factors are considered. If all three factors are met, a team must be added or noncompliance results.

- (a) Unmet interest in a particular sport.
- (b) Sufficient ability to sustain a team in the sport.
- (c) A reasonable expectation of competition for the team.

1. Unmet interest in a particular sport.

- a. Requests by students that a sport be added – There have been no formal requests.
- b. All intramural and club sports offered for women:
 - Intramural Sports** – The intramural sports offered are already offered at the varsity level (i.e., basketball, softball, volleyball, etc.) or are recreational/fitness activities (i.e., flag football, kickball, etc.).
 - Club Sports** – There were **four women’s club sports (equestrian, fencing, lacrosse, and rugby)** that are also NCAA sports but not offered at FIU on the varsity level.
- c. Requests that an existing club sport be elevated to intercollegiate team status – There have been no formal request from a club to be elevated to varsity intercollegiate team.
- d. Interviews with student-athletes, coaches, administrators, and others regarding interest in a sport(s) – Potential varsity sports were discussed with the student-athletes, head coaches and most administrators interviewed. No sports were mentioned.
- e. Participation in interscholastic sports by admitted students – According to the National Federation of State High School Associations (NFHS) **there are three girls’ sports (bowling, competitive cheer (A&T), and lacrosse) offered at the interscholastic level in Florida that are not offered at the intercollegiate level at FIU.**

- f. Results of questionnaires of students and admitted students regarding interest in particular sports – FIU has conducted student interest surveys since AY 2009-2010. The survey was developed by the FIU Institutional Research Department based on the survey developed by OCR and previously recommended for all institutions by that federal agency. The University Gender Equity Committee initiated both. The surveys were sent to all students via electronic mail. In Table 3 below, there appears to be no significant interest in any one sport to be added for women. The most interest in participation in a sport was found in sports (not listed, e.g., basketball, softball) already offered by FIU. There is minimal interest from students with limited abilities in five NCAA sports (bowling, equestrian, gymnastics, lacrosse, and rowing). The students who indicated interest in competing at the varsity level in those five sports also indicated that they had limited experience and would need to learn the skills. Generally, student-athletes are recruited, chosen because of their current learned skill level, to participate at the varsity, intercollegiate level.

TABLE 3	FALL 2022 STUDENT INTEREST SURVEY RESULTS		
Sports	% Respondents	Students Interest	Varsity Ability
Bowling	5.51%	27	21
Equestrian	2.86%	14	13
Fencing	1.84%	9	9
Field Hockey	1.22%	6	6
Gymnastics	6.12%	30	24
Ice Hockey	1.22%	6	4
Lacrosse	2.65%	13	11
Rifle	1.22%	6	5
Rowing	2.24%	11	11
Rugby	0.61%	3	3
Skiing	1.22%	6	6
Squash	0.82%	4	4
Water Polo	1.43%	7	5
Total	100%	142	118

2. Sufficient ability to sustain a team in the sport.

The second factor in determining whether there is unmet interest in a sport is whether there is sufficient ability to sustain a team. Most sports for women originated from club sports, and those participants have higher level of ability. Because FIU recruits for student-athletes, if there is unmet interest, sufficient ability is presumed unless the normal recruitment area is insufficient to sustain a team. FIU's recruitment area for existing sports is predominantly regional or within the state of Florida and internationally. The AY 2021-2022 team rosters were reviewed, and as found in the previous review, FIU recruits nationally and internationally but a majority of the participants are from Florida. Approximately 60% of participants were from Florida and 20% were international. The remaining 20% of the participants were from 15+ different states nationwide. **There are three girls' interscholastic sports (bowling, competitive cheer, and lacrosse) offered at the interscholastic level in Florida (FIU's predominate recruiting area) that are not offered at the intercollegiate level at FIU.**

Note: Competitive Cheer is an interscholastic sport but not an intercollegiate, NCAA sport. Acrobatics and tumbling is a sport that was developed to provide intercollegiate competition for women who participated in competitive cheer/cheerleading in high school and college level and was also endorsed by the National Gymnastics Association. Acrobatics and tumbling is in the process of becoming an NCAA Emerging Sport for Women even though there are 48 NCAA Division I, II, and III institutions that sponsor the sport.

3. A reasonable expectation of competition for the team.

The third factor to be considered in determining unmet interest is whether there is reasonable expectation of competition for a particular team in FIU's normal competitive region or in the geographical area in which FIU is located. FIU's normal competitive region is primarily the C-USA footprint which includes Florida, Alabama, Texas, North Carolina, Kentucky, Tennessee, and Louisiana. CUSA conference schedules are provided for baseball, basketball, football, women's soccer, softball, and volleyball. The remaining sports compete against CUSA teams when possible and may travel to states for competition that are not within the CUSA footprint. **FIU has all women's sports offered by CUSA institutions and offered as CUSA Conference Championship teams. There are six sports for women (bowling, competitive cheer (A&T), equestrian, gymnastics, lacrosse, and rowing that are growing NCAA sports, NCAA Emerging Sports for Women and had some interest indicated on student interest surveys.**

TEST 3 SUMMARY AND RECOMMENDATIONS

Based on the following sport sponsorship in FIU’s geographical competitive region and geographical recruiting area and the indicated interest of currently enrolled female students in those sports listed, it could be argued that FIU meets the requirements of and complies with Test 3.

Table 4 indicates sports that are interscholastic girls’ sports in Florida and FIU’s recruiting area; have (minimal) competitive opportunities in FIU’s competitive region; received minimal interest from FIU students on the Interest Survey; and NCAA sports and/or FIU club sports.

TABLE 4	UNMET INTEREST NCAA/FIU Club	FIU Survey Interest	COMPETITION Geographical Competitive Region	RECRUITING Geographical Recruiting Area
	Bowling (NCAA Sport/NO)	Yes-5.51%	Florida/Region-Limited	HS teams AL, AR, LA, and MS-Limited
	Acrobatics & Tumbling (NCAA Emerging Sport)	Not on Survey	KY, TN, TX	A&T Not High School Sport (NFHS)
	Equestrian(NCAA Emerging Sport/Club)	Yes-2.86%	AL, GA, NC, TN, SC, TX-Limited	Not High School Sport (NFHS)/Club
	Gymnastics (NCAA Sport/YES)	Yes-6.12%	AL, FL, GA, LA, KY, NC-Limited	GA, LA/Club, or Individual Sport
	Lacrosse (NCAA Sport/YES)	Yes-2.65%	NC, SC, GA, FL, VA, TN-Limited	FL, GA
	Rowing (NCAA Sport/YES)	Yes-2.24%	AL, FL, SC, NC, TX-Limited	Not High School Sport (NFHS)

Recommendation: Due to the growth of current NCAA women’s sports, the addition of new NCAA Emerging Sports for Women, and growth of female undergraduate rates, it is recommended that FIU do the following:

- a. Continue to conduct Student Interest Surveys to determine if there is interest or no interest in sports in Table 4.
Note: The current survey should be updated to include new NCAA emerging sports (acrobatics & tumbling, triathlon, wrestling).
- b. Monitor the growth of current NCAA women’s sports and NCAA Emerging Sports for women – other institutions adding the sport; conferences sponsoring championships in those sports; and interscholastic participation in those sports.
- c. Monitor FIU Undergraduate enrollment rates for male and female students and continue to monitor sport squad sizes. Athletic Financial Assistance (Scholarships)

II. FINANCIAL ASSISTANCE (SCHOLARSHIPS)

Institutions must provide reasonable opportunities for awards of financial assistance for members of each sex in proportion to the number of students of each sex participating in athletics. [34 C.R.F. Section 106.37(c)]. On July 23, 1998, OCR issued a letter to the General Counsel of Bowling Green University in response to a request concerning allowable differences between the rates of participation and the rates of the awards of athletic financial assistance. OCR took the position in this letter that a difference in excess of 1% must be justified by nondiscriminatory reasons or a violation of 34 C.F.R. Section 106.37(c) resulted.

TABLE 5		ATHLETICS FINANCIAL AID CALCULATIONS		FINDINGS
Financial Aid	AY 2022-2023			
Men's Teams	\$3,350,121	51.4%	<ul style="list-style-type: none"> • 1.6% Difference, favoring women, between participation rate and Athletic financial assistance awarded. • 1.6% is 0.6% above the allowable 1% but can be explained, for men's sports, by nondiscriminatory reasons. • FIU complies with the Financial Assistance component. 	
Women's Teams	\$3,165,246	48.6%		
TOTALS	\$6,515,367	100%		
Participants	AY 2022-2023			
Male Participants	219	53%		
Female Participants	194	47%		
TOTALS	413	100.0%		

Summer School

Summer school athletic aid is not a part of the above comparison of the award of athletic aid to student-athletes for the regular academic year but is considered under this section. The only criterion for compliance in this area is that **access** to summer school be equal. That does not mean the same number, or a specific proportion is to attend, but it does mean that the same opportunity to attend be granted to both sexes. FIU has a summer school application process. The review/approval process and criteria are nondiscriminatory, and the distribution of aid is to participants from all men's and women's teams as needed. **Access to Summer School aid is equivalent.**

SPORTS	SUM 2021	SUM 2022
Men Participants	143	117
Women Participants	91	98

III. EQUAL OPPORTUNITY AND THE EQUIVALENCE STANDARD

Regulatory Requirement [34 C.F.R. Section 106.41(c)]

Institutions must provide equal athletic opportunities for members of both sexes. Equality of opportunity is assessed by comparing the availability, quality and kinds of benefits, opportunities and treatment of both sexes under each factor or component. If the Components are found to be equivalent, then the institution will be in compliance. Equivalence means equal or equal in effect; identical benefits, budgets, opportunities, or treatment are not required, provided the overall effect of any difference does not have a disparate impact on one sex.

Policy Interpretation

Institutions must provide equal athletic opportunities for members of both sexes. In determining whether an institution is providing equal opportunity, several factors must be considered. “Unequal aggregate expenditures for members of each sex or unequal expenditures for male and female teams ... will not constitute noncompliance..., but the Assistant Secretary (for Civil Rights of the U. S. Department of Education) may consider the failure to provide necessary funds for teams for one sex in assessing equality of opportunity for members of each sex.”¹

The Factors/Components (The Laundry List)

- Equipment and Supplies
- Scheduling of Games and Practices
- Travel and Per Diem Allowances
- Opportunity to Receive Coaching and the Assignment and Compensation of Coaches
- Opportunity to Receive Tutoring and the Assignment and Compensation of Tutors
- Provision of Locker Rooms, Practice and Competitive Facilities
- Provision of Medical and Training (Sports Performance) Facilities and Services
- Provision of Housing and Dining Facilities
- Publicity (Sports Information/Communication and Marketing & Promotions)

¹ The Title IX regulation at 34 C.F.R. Section 106.41(c).

OPERATING BUDGET COMPONENTS

1. The Provision of Equipment and Supplies [34 C.F.R. Section 106.41(c)(2)]. EQUIVALENT

Student-athletes were asked if they were provided with all equipment, apparel and shoes needed for practice and competition. They all stated that they did receive needed equipment, apparel, and shoes. Head coaches stated that budgets were limited and that the Adidas contract helped significantly. There were no complaints and appeared to be no discrepancies found with the quantity and quality of equipment, apparel, and shoes for men's and women's teams.

2. Scheduling of Games and Practice Times [34 C.F.R. Section 106.41(c)(3)]. EQUIVALENT

All teams schedule the NCAA maximum number of competitions allowed, or 1-2 less. Because of FIU's location, most teams, especially outdoor teams, schedule a lot of home competitions. CUSA provides schedules for baseball, basketball, beach volleyball, women's soccer, softball, and volleyball. The remaining sports attempt to schedule meets/tournaments where other CUSA teams are scheduled but complete their schedule with nonconference competition.

Practice times are scheduled based on student-athlete class schedules and facility availability. There were no complaints regarding practice times for teams that share a facility.

3. Travel and Per Diem Allowances [34.C.F.R. Section 106.41(c)(4)] EQUIVALENT

Men's and women's teams use the same modes of transportation. The policy is that within the state of Florida a bus or van, depending on the size of the team, is used. Flights are required for competition outside of Florida. All men's and women's coaches stated that the State of Florida daily meal per diem limit of \$36 per diem is not sufficient when traveling. The student-athletes stated that meals when traveling was sufficient except the \$6 - \$10 per diem given at airports. There were no complaints about the quality or quantity of food provided. Hotel accommodation was of good quality and two participants were assigned to each room.

4. Provision of Housing and Dining Facilities and Services [34 C.F.R. Section 106.41(c)(9)] EQUIVALENT.

Housing and meals provided for student-athletes during semester breaks, holidays, and pre- or post-season training and competition appears to be equivalent for men's and women's teams. Housing (dorm or off campus) is the same during those times as it is when classes are in session. Per diem or meals are provided on and off campus during that time and student-athletes stated that both were sufficient.

5. Recruitment of Student-Athletes [34 C.F.R. Section 106.41 (c)] EQUIVALENT.

Every head coach stated that the overall operating budget was not sufficient for team travel, meals, equipment and recruiting and that recruiting was limited because of that. Recruiting is primarily focused within Florida and internationally. International recruiting is mostly via internet and social media and seldom in-person and seldom involves an official visit. If coaches recruit out of state, they go to areas that have major high schools or club tournaments. The head coaches also stated that they have limited recruiting to put money into travel budgets and use fundraised monies for recruiting travel.

Official Visits: Official visits have been limited or totally restricted due to Covid since 2020. AY 2021-2022, the men’s teams provided 77 (51 football) official visits and women’s teams provided 57 officials visits. Overall, official visits are only limited by the limited funding for recruiting which is equivalent for men’s and women’s teams.

6. Support Services [34 C.F.R. Section 106.41(c)] EQUIVALENT.

Administrative Assistance: FIU had a new Director of Athletics and other administrative positions; however, it appears that the Department of Athletics will be organized in a way that Administrators have oversight and support for each of the men’s and women’s teams. The Administrators are assigned sports they meet with, to discuss, and plan all aspects of conducting their respective programs (i.e., budget, support area services).

Other Administrative Assistance: This area includes Directors of Operations, Directors of Player Services, Video Coordinator, or any other administrative personnel that assist coaches and student athletes with daily operations of the team. FIU has one team (football) that has additional administrative assistance working with the team.

SUPPORT SERVICES and STAFFING COMPONENTS

7. Opportunity to Receive Coaching and the Assignment and Compensation of Coaches [34 C.F.R. Section 106.41(c)(5)-(6)] EQUIVALENT.

FIU teams are provided the maximum number of coaches allowed by NCAA Bylaw 11.7.6 with the exception of the Men's and women's Track & Field/Cross Country program. Men's and women's cross country/track and field are allowed six coaches but FIU funds four coach positions. These positions can be filled with full-time, part-time, intern, graduate assistant coaches. There were two women's teams (golf and soccer) with paid assistant coach positions that were vacant at the time of the review. The assistant coaches resigned during the summer and the head coaches did not feel they had the time to do a thorough search for candidates and at that time candidates would be limited because classes and seasons would start in August/September. A candidate search for both sports will take place in Spring 2023 and positions filled by the beginning of Summer 2023. **Because FIU provides funding for assistant coach positions for all men's and women's teams, coaching is equivalent.**

In order for there to be a violation of Title IX with respect to coaching salaries, there must be a difference in the availability of coaches or the qualifications of coaches, and the difference must be shown to have a disparate impact on women student-athletes. **There is not a problem with the availability of coaches.** If there is a problem with the delivery of coaching services to student-athletes, Title IX jurisdiction can be asserted. **There were no complaints about the delivery of coaching services.** Otherwise, coaching salaries would fall under federal laws: Equal Pay Act, Fair Labor Standards Act and Title VII of 1964 Civil Rights Act.

8. Opportunity to Receive Tutoring and the Assignment and Compensation of Tutors [34 C.F.R. Section 106.41(c)(5)-(6)] EQUIVALENT.

The Director of Student Athlete Academic Center oversees the academic support services, and she is assisted by nine full-time Academic Coordinators, Reading/Writing Specialist. The Academic Coordinators are assigned teams which makes the ratio of student-athletes to coordinator approximately 50:1.

There is a Tutor Coordinator and Tutor Leadership Team that provides tutoring for student-athletes. Funding is in process for a position for a vacant position in Student-Athlete Development. The Student-Athlete Development Coordinator oversees Panther Gold, a plan that provides education in personal development, professional development and community service and includes a Senior Transition Program (STP). The STP prepares student-athletes for the transition from college to the next phase of their lives-career focused workshops, resume writing, interviewing skill workshops, financial literacy, business suit and LinkedIn

Profile. The Director also oversees the Learning Enhancement Academic Program (LEAP) which is an interactive bridge program for new-student-athletes to develop skills for easy transition to FIU. **The staff and SAAC were rated good to excellent by student-athletes and coaches.**

9. Provision of Medical and Training Facilities and Services [34 C.F.R. Section 106.41(c)(8)] EQUIVALENT

Sports Medicine and Medical Staff and Facilities

Athletic Training and Medical Services

The Head Athletic Trainer oversees the Sports Medicine area, and she was assisted by six full-time, and six graduate assistant (GA) certified Athletic Trainers, and Insurance Coordinator. The full-time and GA trainers are assigned to teams. This is a ratio of approximately 40:1 which is manageable. GA positions nation-wide are being phased out and eliminated as NATA has implemented educational reforms. FIU has an Athletic Training Doctorate program that provides BOC NATA, State licensed and certified athletic trainers. FIU works with numerous medical entities that provide Orthopedic & Sports Medicine, Primary Healthcare Physicians, FIU Student Health Service, and other specialist (i.e., Dental, Diagnostic Imaging, Cardiology, Vision, Orthotics) services for student-athletes. **Coaches and student-athletes rated athletic training and availability of medical personnel good to excellent and EQUIVALENT.**

Student-Athlete Mental Health

Athletics has a working agreement with the FIU Counseling and Psychological Services (CAPS). Athletic trainers are responsible for the coordination of visits with the CAPS staff. Athletics is in discussions with CAPS to hire a Mental Health Counselor/Psychologist half-time assigned to see student-athletes. Mental health needs are currently being met by BetterMynd, a virtual therapy platform, that is available to all our student-athletes for appointments at their convenience and is an invaluable resource.

Recommendations:

- A. Staffing** - To ensure continued excellent service and equivalency, FIU should consider the following:
 - 1. Plan to Convert 2-3 GA's to full-time staff and hire additional Doctorial Students. ***Outlined in FIU Strategic Plan***
- B. Facility** – Several men's and women's participants complained about cold tubs not working in the Athletic Training Room. This may be in the Strategic Plan, but FIU should consider updating the training room equipment where needed. UPDATE: Athletic Training Room Hydrotherapy area renovation will start at the end of the spring semester.

Strength and Conditioning Staff and Facilities

Strength and Conditioning Services

The Director of Strength and Conditioning (SCCC certified) oversees the strength and conditioning program, and he is assisted by four full-time (CSCS certified) and one GA/intern assistant coach (GA will convert to full-time AY 2023-2024). This is a ratio of approximately 70:1 which is manageable. Coaches and student-athletes rated strength and conditioning services good to excellent, except for the Head Women's Basketball Coach. The women's basketball strength coach position is vacant and a search will begin at the end of the Spring Semester. The baseball indoor hitting facility has free weights and weight machines, but the baseball team uses the main weight room for the majority of its workout sessions.

Student-Athlete Nutrition

FIU has Sports Nutritionist/Dietician. She provides nutrition and dietician consulting for all sports teams and travels with football. She provides individual counseling (includes medical nutrition therapy), team presentations, guidance on pre-game/post-game meals, dietary supplement reviews, body composition review and analysis, and stocks and runs the fueling station. The fueling station is in the weight room and provides snacks, chocolate milk, yogurt, string cheese, and protein bars for all student-athletes. Additional drinks or snacks are left to the discretion of the head coaches and paid for out of their team's budget. For Example: Football- Gatorade Nutrition Shakes, Muscle Milk shakes, and tart cherry juice. Women's soccer, beach volleyball and swimming/diving coaches purchase protein powder to make protein shakes.

Recommendations:

- A. Nutrition** – The nutrition budget should be sufficient to provide protein shakes/powder for all teams at the fueling station. Student-athletes complained that some teams received protein shakes but they did not. FIU should consider the addition of 2 Dietetic Interns or Graduate Assistants to increase availability for team and individual consultation.
- B. Facility** – There is one weight room, and it is located at the Landon Field House and used by all men's and women's teams. **UPDATE:** The design plans for converting racquet ball courts in the Ocean Bank Center into a weight room are completed and funding has been identified.

10. **Publicity [34 C.F.R. Section 106.41(c)(10)] EQUIVALENT.**

Athletic Communications (Sports Information)

The Assistant AD/Athletic Communications oversees athletic communications, and he is assisted by Director/Communications, two Assistant Directors, the Assistant Director Communications & Broadcasting, and Graphic Designer. This area has experienced a significant amount of staff turnover which has led to poor ratings by coaches and student-athletes related to sport coverage, website maintenance and, especially, Social Media coverage. However, a new Communications staff and Sr. Associate AD, Brand Advancement have been hired and a Creative Content staff added that includes Live Video Coordinator, two Social Media Specialist, and a Creative Video Coordinator. This area should significantly improve for all men's and women's teams in AY 2022-2023.

Marketing and Promotions

The Director of Marketing (FT) oversees this area and is assisted by the Assistant Director (FT), a Marketing Assistant (PT), four Marketing Interns, and two Marketing Fellows. The staff provides promotional plans for baseball, men's and women's basketball, football, men's and women's soccer, and volleyball. These plans include in-game promotions, schedule cards, roster cards, residence hall posters, and poster cards for those sports. In addition, beach, swimming, and tennis receive residential hall posters and poster cards. Beach also receives in-game promotions. Baseball, men's and women's basketball, men's and women's soccer, softball, and volleyball games are live streamed. Social Media accounts are provided for all teams and used to promote events; however, as mentioned above, social media has been limited but should improve. The recently hired Sr. Associate AD, Brand Advancement will be instrumental in the use of social media for marketing and promotions for all teams.

Recommendations/Comments:

1. Social Media – Provide a list of basic postings that will be provided for each sport that reports on the season, promoting upcoming competition, signing day postings and special event post (birthdays, special recognition, etc.) should be developed by the Social Media staff and include templates, graphics, photos/video and content to post for each occasion.
2. Posters (printed or digital) should be provided for all men's and women's teams regardless of home competition or not.
3. Develop promotional plans for beach and tennis with in-game promotions.
4. The Director of Athletics and Sr. Associate AD, Brand Advancement should conduct a year-end review with head coaches and SALC to gauge improvements, especially with social media, and plan for the next year.

PRACTICE AND COMPETITIVE FACILITIES

11. Provision of Locker Rooms, Practice and Competitive Facilities [34 C.F.R. Section 106.41(c)(7)].

Locker Rooms

Overall, the provision of locker rooms is equivalent. All teams that practice and compete on campus have a locker room including men's and women's track (practice and compete off campus). Two women's teams (golf and swimming & diving) do not have a locker room on campus and men's track shares a general men's locker room. Women's golf and swimming & diving practice and compete off campus and use restroom and dressing rooms at those facilities.

FIU set a high standard for locker room/team room quality, amenities, and branding with the renovation of the football, men's and women's basketball locker rooms, addition of the clubhouse for baseball and softball, and upgrades to the tennis locker room. It is important this standard is reached by all teams with locker rooms. Currently, there are three women's teams (beach, volleyball, and track) and one men's team (track) that have locker rooms that do not meet the same standards. **This is a Title IX concern and should be included in the facilities needs part of the FIU Athletics Strategic Plan/Athletic Facilities and the FIU Campus Master Plan Update 2020-2030.**

Comments/Recommendations

- A. **Softball** – FIU should be commended for the construction of the FIU Softball Clubhouse that provides a locker room, coaches' offices, and satellite training area that is equivalent to the baseball clubhouse. The clubhouse also includes an office for the Head Golf Coach, the coach's locker rooms, and spectator restrooms.
- B. **Tennis** – Tennis remained in the building that they shared with softball. The locker room and team room were upgraded for tennis when softball moved to the new facility.
- C. **Volleyball, Beach, Track (Title IX Implications)** – These three team locker rooms have had some renovation and updating recently, but need branding, amenities (couches, TV, refrigerator, etc.) added. Volleyball and beach should be addressed first. The track participants stated that they did not use the locker room because they practice and compete off campus. If there is a real possibility of having a track on campus, it is recommended that the update is in the plans for both men's and women's track.

Practice and Competitive Facilities

FIU is developing an Athletics Strategic Plan that includes an Athletics Facilities Master Plan and the University is updating the FIU Campus Master Plan for 2020-2030. In the process of developing these plans, facility needs are being identified that will, not only, update and upgrade current new and aging athletic facilities, but will include new facility needs and goals. The following is a summary of facility needs that have or could eventually have Title IX compliance implications. Again, these facility needs should be a part of the Athletics Strategic Plan and the FIU Campus Master Plan 2020-2030 with priority given to those needs that have Title IX implications.

Athletics Facility Needs and Title IX Implications

- A. **Softball** – As stated above, the construction of the FIU Softball Clubhouse provided the softball team with a clubhouse that is equivalent to baseball. In addition, fencing and pads have been upgraded along with other field work. However, several differences remain that need to be addressed.

Priority 1 Dugouts – The current dugouts are too small and need to be updated. Plan is in place to extend the dugouts and connect the home dugout to the clubhouse.

Priority 1A Video Scoreboard - The baseball stadium has a video board used for player introductions, game replays/highlights and game promotions. The softball stadium has an electronic score board, but it does not have video capabilities.

Priority 2 Hitting Facility - The softball team has a covered outdoor hitting facility and baseball has an outdoor and an indoor hitting facility. FIU should enclose the current facility for softball with roll-up garage doors that gives the team both an indoor (for inclement weather) and open, outdoor facility.

Priority 3 Grandstand/Stadium Entrance - The softball stands, and press box area is not a true “grandstand” facility (functionally or aesthetically) comparable to baseball. There are no permanent concession areas or a ticket booth. There are schematic plans for a façade that will remedy this concern once the projects are complete.

***NOTE:** The most Title IX complaints to OCR are related to differences in baseball and softball stadiums. As far as OCR is concerned, baseball and softball stadiums must be mirroring images of each other with softball being on a smaller scale. This includes clubhouses.*

- B. **Swimming** – On campus pool with a team locker room. The FIU Campus Master Plan Update 2020-2030 includes the

development of plans and some available funding for an outdoor pool with restrooms for campus use and a locker room for the swimming & diving teams' exclusive use. The swimming and diving team will have priority access and use of the pool also.

C. **Tennis** - A new lighted 6 tennis court facility was under construction at the time of the review.

Athletics Facility Needs – Impact Men’s and Women’s Teams Equally

D. **Men’s and Women’s Soccer** – The stadium for the soccer teams is old and in need of a restroom facility, press box and new stands and there are field drainage issues. This is a competitive and a recruiting issue for these two teams and FIU.

E. **Men’s and Women’s Track** – No indoor or outdoor track. This is not a Title IX issue but puts these participants and coaches at a competitive and recruiting disadvantage in Division I track.

Additional Upgrades Identified

NOTE: The following projects include men’s and women’s teams which means there should be no Title IX implications. However, there could be Title IX implications if the projects are completed for men’s teams and not for the women’s teams with the same needs. This could happen if, for example, a donor comes forth to pay for the improvements for the men’s teams. It is the responsibility of the University to secure funding to complete the projects for the women’s teams.

F. **Field/Turf Replacements** – softball, baseball, and soccer

G. **Stadium Lighting** – football, softball, and soccer

H. **Practice Facilities – Practice Gym** - men’s and women’s basketball and volleyball

Indoor Practice Facility – football

IV. DIVERSITY AND INCLUSION

LEADERSHIP

For Diversity and Inclusion to be accepted, leadership must provide visible and consistent messaging about the importance of diversity.

UNIVERSITY EQUITY, DIVERSITY & INCLUSION

Vision: FIU will achieve exceptional student-centered learning and upward economic mobility, produce meaningful research and creative activities, and lead transformative innovations locally and globally, resulting in recognition as a Top-50 public university.

Mission: FIU is an urban, multi-campus, public research university serving its students and the diverse population of South Florida. We are committed to high-quality teaching, state-of-the-art research and creative activity, and collaborative engagement with our local and global communities.

Values

- Truth — in the pursuit, generation, dissemination, and application of knowledge
- Freedom — of thought and expression
- Respect — for diversity and the dignity of the individual
- Responsibility — as stewards of the environment and citizens of the world
- Excellence — in intellectual, personal, and operational endeavors

The Division of Diversity, Equity, and Inclusion

The Vice Provost for DEI oversees the Division and is assisted by the DEI Team and the Civil Right Compliances and Accessibility Team.

DEI Team: Nine full-time staff and faculty including designated staff for education and learning, budget director, marketing and communications, faculty fellows, data analyst, and assistant directors.

Office of Civil Rights Compliance and Accessibility – Seven full-time staff including Senior Director OCRCA/Title IX Coordinator, two assistant/associate directors, Equal Opportunity Program Specialist, and three Title IX, EEO Investigators.

DEI Advocates – FIU academic colleges and divisions who take leadership on matters of equity, diversity, inclusion, and belonging within their colleges, schools, or divisions to ensure DEI and institutional goals are met.

Diversity Council - The mission of the diversity council is to drive strategy toward increasing ethnic diversity and inclusion and promoting understanding within the campus community and beyond. The Council was established in 202 and consists of faculty, staff, and students who make policies and recommendations that includes timelines and measurable outcomes that reflect continuous improvement of campus climate, diversity, and inclusion.

Institutional Goals - DEI has developed a multi-year plan to elevate diversity, equity, inclusion, and belonging at FIU. This plan is cemented on achieving excellence in three institutional goals: recruit, retain and develop a diverse community; Improve systems, policies, and procedures to facilitate diversity; and to cultivate an inclusive and equitable campus climate.

Phase 1: The Foundation – Listen, Assess, and Awareness AY 2020 - 2023

Phase 2: Advancing DEI – Implementation of Recommendations AY 2022 – 2025

Phase 3: Monitor & Evaluate – Monitor, Evaluate, and Develop Long-term Objectives AY 2024 – 2027

DEI Priorities

1. **Representation:** Recruit, Retain, and Develop a Diverse Community
2. **Policy, Practice & Performance Measures:** Improve systems, polices, and procedures to facilitate diversity, inclusion, transparency, and accountability.
3. **Institutional Learning:** Cultivate an inclusive and equitable campus climate, culture, and community.

DEI Statements

1. **Diversity Statement:** FIU embraces and strives to ensure that a diversity of cultures, races and ethnicities, genders, political and religious beliefs, physical and learning differences, sexual orientations and identities is thriving on our campus and within our community.
2. **Anti-Racist Statement:** We commit to affirm explicitly and in united solidarity our identity as an anti-racist academic institution and commit to personal and institutional exploration and examination of implicit bias and systemic advantage/oppression.
3. **Anti-Harassment Statement:** FIU affirms its commitment to ensure the University community shall be permitted to work or study in an environment free from any form of illegal discrimination (race, color, sex, pregnancy, religion, age, disability, national origin, marital status, veteran). FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct and FIU-106 Nondiscrimination, Harassment and Retaliation (Title VI) - standards of equity, collegiality, respect, and grievance process.
4. **Land Acknowledgement:** "We acknowledge that our university is located on the ancestral homelands of sovereign Native nations, including the Tequesta, the Calusa, and today, the Seminole Tribe of Florida, and the Miccosukee Tribe of Indians of Florida. We pay our respects to the traditional custodians, the Elders past and present, by fully recognizing Indigenous sovereignty as well as the historical and contemporary relationship between Indigenous peoples and their traditional homelands.

DEI Badges – Created badges (online Micro-Credential) to promote the development and education of diversity, equity, and inclusion competencies are met.

Fundamentals of Justice Badge – Office of Social Justice and Inclusion: Will enable individuals to develop self, group, and societal values which lead to a commitment to change.

- Demonstrate understanding of social injustices and inequities;
- Identify proposed approaches toward remediation and/or resolution;
- Create an understanding across cultural differences;
- Address social injustices and inequities in innovative, integrative, analytical, and ethical ways;
- Engage independently and reflectively in life-long learning;
- Identify personal biases and develop techniques on how to mitigate them; and
- Serve, collaborate, and lead our FIU community as an advocate for positive change.

Women as Empowered Learners and Leaders (WELL) Badge – FIU Women’s Center: Provide students who demonstrate the burgeoning aptitude and continued development towards empowerment and equity with recognition for career aspirations.

- Cultivate Interpersonal and Essential Life Skills to Enable Effective Relationships with Others
- Facilitate Experiences that Improves the Educational Relevance, Quality and Learning Environment for All Genders; Particularly for Women
- Transform Gender Norms & Practices to Be Agents of Social Change or Create Awareness & Solutions Around Stereotypes and Inequality
- Advocacy for Gender-Equitable Policies

Diversity, Inclusion and Belonging for All: Manager Learning Series Badge – Provide FIU leaders with real, inclusive connections about diversity, equity, and inclusion (DEI) and its importance and value at FIU. A four-week learning series teaches managers about the challenges and opportunities inherent in working at a diverse organization.

- Session 1 – DEI: Understanding the Role You Play
- Session 2 – Thriving Across Our Differences with Inclusive Conversations
- Session 3 – Communicating with a Culturally Sensitive Lens
- Session 4 – Inclusive Leadership: Change Starts with YOU

DEI Publications

Affirmative Action Plan – Plan for recruitment, selection, and retention.

Florida Equity Report – Review of Academic Programs, Student Services, Gender Equity in Intercollegiate Athletics.

Equity Action Initiative – described below.

DEI Partners:

Office to Advance Women. Equity & Diversity develops and manages programs to promote faculty equity, diversity, and inclusion,

Office of Social Justice & Inclusion - Empower social change; Advocate for diversity and inclusion; Educate for justice and equity; and Act with empathy and impact.

Center for Women's & Gender Studies intellectual exchange, creative pursuits, social justice advocacy, and global perspectives.

Women's Center - programs and services related to intellectual, professional, and personal growth by collaborating and coordinating with other University departments and student organizations.

Veteran & Military Affairs delivers and facilitates comprehensive “military-friendly” services and programs for veteran and military-affiliated learners, including active duty, reservists, eligible dependents, spouses, and a successful transition to college life.

Pride Center works to create an environment of Empowerment, Affirmation, and Inclusion for LGBTQA+ students, faculty, and staff at FIU through education, advocacy, and celebration.

FIU After-School All-Stars provides year-round, school-based, free comprehensive after-school programs that include academics, enrichment activities and health & fitness to middle-school aged students.

Student Access & Success improves student learning and success by engaged learning experiences with meaningful and strategic programming and services that facilitate successful transitions between pre-collegiate, undergraduate, and graduate education.

FIU Embrace is a university-wide initiative that promotes health, wellness, and overall functioning for adults with developmental disabilities, such as autism spectrum disorder (ASD), intellectual disabilities (ID), and other neurodevelopmental disorders (OND)

Women of CEC gathers the college's programs and activities geared towards enriching the academic careers of female engineering and computer science students and faculty at FIU.

Center for Diversity and Student Success in Engineering & Computing provides quality services and programs to ensure students succeed and reach their full potential during their academic journey and in their future careers.

Herbert Wertheim College Office of Diversity and Inclusion supports the college of medicine's education, healthcare, service, and research missions by promoting programs and services designed to enhance the diversity of the student body, faculty, and staff.

Center for Advancement of Teaching endeavors to cultivate and sustain a university culture that values and engages in inclusive/culturally responsive, evidence-based teaching practices to promote intellectual and personal growth.

Office of Global Learning Initiatives enables every student to engage with others to find connections among divergent Perspectives. These connections are the bedrock upon which we all learn to create innovative, equitable, and sustainable solutions for our interconnected human and natural communities.

Summer 2020 University leadership commissioned the Equity Action Initiative (EAI). A call to action to help improve the climate for and reality of equality, dignity, inclusion and belonging.

- Creating an Executive level diversity, equity, and inclusion structure
- Reforming hiring, promotional, and performance management practices
- Campus Climate Survey – launched Belonging Survey October 2021
- Police Reform
- Micro Credentials – terms and definitions to understand concepts of social justice.
- Tenure process review and restitution – review recruitment, retention, and promotion processes.
- Destination FIU: Expanding Pathways for Black Faculty and Student – Mentor Professor Program
- Mentoring & Advocacy – Doctoral cohort for underrepresented minority students - @FIUCASE Mentor Collective.
- SAT? Standardized Test Reform
- DEI in the Classroom: A Holistic Vision for Change
- Enhancing the African and African Diaspora Studies Program
- Juneteenth Celebrations – FIU Freedom Day Celebration
- Community Initiative: People, processes/procurement & property
- Establishing a Black Faculty Association – established January 2021
- Green Library Equity Action Initiative - Brings together units sharing common goals (Wolfsonian Public Humanities Lab, African and African Diaspora Studies Prog., Dept. of History, and Center for the Humanities in an Urban Environment)
- Jewish Museum of Florida – Presents “BLACK LIVES IN A JEWISH CONTEXT”
- COMPASS - Increase admission, student retention, and degrees awarded for the minority of the minority.
- FIU Intergroup dialogue for social justice
- Equitable Panther Procurement Initiative – diversity specific infrastructure to engage with Black-owned business.
- Campus Climate Support Team (CCS) – Facilitates campus climate assessments and education, review bias-related incidents, and proactively address these occurrences on campus.

UNIVERSITY TITLE IX EQUITY AND SEXUAL MISCONDUCT AND HARASSMENT

Office of Civil Rights Compliance & Accessibility (OCRCA)

Seven full-time staff including Senior Director OCRCA/Title IX Coordinator, two assistant/associate directors, Equal Opportunity Program Specialist, and three Title IX, EEO Investigators. OCECA is the unit tasked with preventing and addressing all forms of harassment and discrimination, including sexual harassment and sexual misconduct, across the FIU community. This is accomplished through the enforcement of FIU-105: Sexual Harassment (Title IX) and Sexual Misconduct and FIU-106: Nondiscrimination, Harassment, and Retaliation (Title VII) regulations. CRCA houses the university's American's with Disabilities Act (ADA), Title VII, Title VI, and Title IX functions.

Statement: FIU affirms its commitment to ensuring that each member of the university community shall be permitted to work or study in an environment free from any form of illegal discrimination, including race, color, sex (including gender, gender expression, gender identity and sexual orientation), pregnancy, religion, age, disability, national origin, marital status, and veteran status. Discrimination based on sex encompasses sexual misconduct, sexual harassment, gender-based harassment, domestic violence, dating violence and stalking. The university recognizes its obligation to work toward a community in which diversity is valued and opportunity is equalized.

Title IX Resources

Americans with Disabilities Act (ADA) & Accessibility – OCARA Accessibility Team is a resource for employees who have documented qualified disability and need reasonable accommodations to perform essential job functions. The Disability Resource Center (DRC) supports students with disabilities throughout their college experience.

Sexual Misconduct, Sexual Harassment and Title IX – FIU developed Regulation FIU-105: Sexual Harassment (Title IX) and Sexual Misconduct, which prohibits discrimination based on sex, applicable to the entire University community with provisions of the Violence Against Women Reauthorization Act of 2013 (VAWA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crim Statistics Act (Clery Act).

Harassment and Discrimination – FIU-106 Regulation on Nondiscrimination, Harassment, and Retaliation (Title VII); online Discrimination, Harassment, and Retaliation Reporting process and form.

Equal Employment Opportunity (EEO) Statement – FIU is firmly committed to Equal Employment Opportunity (EEO) and to compliance with all federal, state, and local laws that prohibit employment discrimination on the basis of age, race, color, gender, national origin, religion, disability, protected veteran status, pregnancy discrimination and other protected classifications.

Title IX Coordinator who has designated Deputy Title IX Coordinators including the Sr. Associate Athletic Director for Compliance.

Reporting – Sexual Harassment and Sexual Misconduct Reporting Form and Ethical Panther Hotline

Training – Developing training materials for departments to train and prepare team members on Title IX roles and process. MATERIALS: FIU-105 Regulations & Title IX Guidelines; FIU Hearing Body Training; FIU Title IX Coordinator Training; and FIU Appellate Officer Training. Education includes prohibited conduct, mandated reporters, consent is, Title IX jurisdiction, how to respond, where to report, the process once reported, and on and off campus resources.

Student Conduct Institute (SUNY) FIU is a member of the SCI-SUNY, which provides Title IX training for Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process.

Confidential Resources – Confidential assistance and/or making a report can be facilitated with a professional (e.g., licensed mental health professional) who cannot share the information.

On-Campus Resources

- Victim Empowerment Program
- Counseling and Psychological Services (CAPS)
- Student Health Services
- Office of Employee Assistance

Off-Campus Resources

- Roxy Bolton Rape Treatment Center at Jackson Memorial Hospital
- Florida Council Against Sexual Violence Information Line
- Florida Domestic Violence Hotline
- Florida Victim Assistance
- Mami Coordinated Victim Advocacy Center (CVAC)

ATHLETICS EQUITY, DIVERSITY & INCLUSION

It appears that Athletic Administration provides visible and consistent messaging about the importance of diversity and inclusion but gives the head coaches the autonomy to manage specific situations with their respective teams. This message is stated by the Director of Athletics and echoed by other administrators and coaches. The athletic staff engages the Division of Diversity, Equity, and Inclusion in education and diversity initiatives. Student-athletes are encouraged to take part in campus celebrations and all DEI initiatives.

Mission: Initiate, stimulate and continually improve the athletic and recreation programs for students by (1) promoting academic excellence and educational leadership, (2) striving to obtain athletic distinction at the Division I level, **(3) assuming gender equity and cultivating diversity**, (4) fostering and promoting personal integrity among its participants, (5) encouraging activities and experiences which instill the value of lifelong participation and total well-being, and (5) providing an avenue for the social development of the student through participatory interaction within and outside athletic and campus community.

Athletic Diversity Officer - The Senior Associate AD for Compliance was appointed as the FIU Athletics Diversity, Equity, and Inclusion designee (Athletic Diversity Officer). He is a member of the university's Diversity, Equity, and Inclusion (DEI) Taskforce. Athletics and the Athletic Diversity Officer are considered in the following University plans and initiatives:

Affirmative Action Plan – Plan for recruitment, selection, and retention.

Florida Equity Report – Review of Academic Programs, Student Services, Gender Equity in Intercollegiate Athletics.

Equity Action Initiative – described in Leadership section.

Student-Athlete Leadership Council (SALC)

Mission: We strive to provide a forum for student-athletes to express ideas, concerns, and opinions relating to NCAA and Conference legislation as well as other issues that affect their welfare. Maintain a positive environment that fosters a healthy relationship between athletic administration and student-athletes and provide an environment that values cultural diversity and gender equity among student-athletes and community service.

The Athletic Diversity Officer works with SALC in developing diversity and inclusion educational programming, events, celebrations and will use the DEI Task Force as a resource. SALC and individual teams have had Inclusion night activities; “What does DEI mean to men” athlete profile; social media campaign for DEI (CUSA resource); and, celebrating/participating in National focused events (i.e., National Hazing Prevention week, Black History Month).

FIU Student-Athlete Handbook

The Handbook addresses Sexual Violence Prevention Educational Initiatives including required programming for all student-athletes.

Panther Gold - Student-Athlete Life Skills, Career and Personal Development Program

Mission: Prepare student-athletes for life after college through the CHAMPS/Life Skills program. In order to accomplish this mission, quality programs and services that facilitate graduation and promote the overall development of student-athletes are provided throughout the academic year. The focus of these programs is to promote the personal, educational, and professional development of student-athletes.

Panther Gold Game Plan – Life Skills, Career and Personal Development Program – This program provides a game plan for student-athlete development during each year of attendance. Currently this plan is being overhauled and will include inclusion related topics.

Resources:

CHAMPS/Life Skills Challenge Cup and Newsletter

Student-Athlete Academic Center (SAAC)

Career Development – Career Services, Career Athletes, Senior Transition Program

Personal Development – Life Skills Seminars/Workshops and Athletic Academy of Leaders (AOL)

Community Service and Dr. Paul D. Gallagher Community Service Award

Other Athletic Initiatives

NCAA Resources: Academics, Well-Being, and Fairness- With so much change in college sports, rule changes are focused on improving the student-athletes experience. The NCAA is committed to providing a fair, inclusive, and fulfilling environment for student-athletes and giving them a voice in the decision-making process.

CUSA Resources: CUSA Student Athlete Advisory Committee - Mission Statement: To provide a forum for student-athletes to express ideas, concerns, and opinions relating to NCAA and Conference legislation as well as other issues that affect their welfare. Maintain a positive environment that fosters a healthy relationship between athletic administrators and student-athletes. Provide an environment that values cultural diversity and gender equity among student-athletes and community service.

CUSA Social Action Committee and Diversity Inclusion Postgraduate Intern program.

ATHLETICS TITLE IX SEXUAL MISCONDUCT AND HARASSMENT

FIU Athletics collaborates with and requires that student-athletes, coaches, and staff take part in programming, education, training, reporting, and other resources provided by Office of Civil Rights Compliance and Accessibility (OCRCA) and Title IX Coordinator. The student athlete handbook also addresses sexual harassment, misconduct, and discrimination along with drug and alcohol abuse education. See the University Title IX section for more information and description of those initiatives and resources.

The Senior Associate Athletic Director for Compliance is also a Deputy Title IX Coordinator and is trained by and works closely with the OCRCA and the Title IX Coordinator to provide training, reporting, investigating, and hearing processes for student-athletes and Athletics staff. OCRCA provides in-person training, Zoom meeting, and online training (first year students) for student-athletes and Athletic staff. The Leadership section has a detailed explanation of OCRCA programming and resources.

INFRASTRUCTURE

For Inclusive environments to be sustained, policies and systems must be implemented that support the long-term goals of the department.

Athletic Department and University Recruitment and Hiring: The climate of the Athletic Department is that coaches and staff are hired based on their career performance and experience. FIU Athletics follows and collaborates with the Office of Human Resources for employment searches and the hiring process. Athletics will provide additional posting outlets when looking specifically for coaches and other specialized athletic staff. Recruitment of Student-Athletes is at the discretion of the head coaches and based on athletic ability. The Athletic Department, much like the University, has an extremely diverse population of student-athletes and staff.

Director of Finance and Human Resources – FIU Athletics designated Human Resources Liaison is charged with oversight for all matters related to Athletic employment and FIU hiring policies and procedures.

FIU is a member of the State University System of Florida and an Equal Opportunity, Equal Access Affirmative Action Employer. FIU is considered a Federal contractor which means FIU is responsible for implementing an annual affirmative action plan as part of the Federal contract. The responsibility for EEO and annual affirmative action plans lies with the Division of Diversity, Equity, and Inclusion (DEI) and FIU Human Resources. DEI includes Diversity/Equity/EEO Coordinator, Civil Rights Compliance, Title IX Coordinator, ADA Coordinator, and Accessibility Officer. FIU was being audited by the Office of Federal Contract Compliance Programs (OFCCP) that includes FIU recruitment, selection, and retention process.

NOTE: The OFCCP enforces the obligations for recruitment, selection, and retention for three laws:

1. Executive Order 112346- Women and Minorities
2. Vietnam Era Veterans Readjustment Assistance Act (VEVRAA) – Veterans
3. Section 503 of the Rehabilitation Act of 1973 – Individuals with Disabilities

The hiring process is standard including approval of replacing vacant positions, posting job announcements, candidate pool evaluations, interviewing candidates, and making offers of employment. DEI reviews the postings and candidate pools to ensure diversity and compliance with the EEO/Affirmative Action Plan. Chosen candidates to interview will be reviewed also to ensure applicants received consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability or protected veteran status.

If a search committee is established, members of the committee are required to receive Search and Screen Training before they can sit on the committee. This training includes education on diversity considerations in the search process and the Florida Sunshine Laws.

EVALUATION & ASSESSMENT

Continuous assessment and reflection about the needs, strategies and goals ensures attention to changing dynamics within the department.

HGC conducting an assessment of Title IX, Equity, Diversity, and Inclusion policies, procedures, and compliance for FIU Athletics. The review included interviews with student-athletes, coaches and College and Athletic staff. The interview questions were used to gather information regarding programming, education/training, support services, resources, and compliance with federal laws and reporting guidelines. The information is used to determine the commitment of Athletics to having a diverse population of student-athletes and staff and how that is accomplished and once the commitment is established, how is that diverse population supported.

FIU was being audited by the Office of Federal Contract Compliance Programs (OFCCP) that includes FIU recruitment, selection, and retention process. It is known that all areas of a university are subject to internal audits by university compliance and internal auditors' offices. It is also standard for each university administrative and academic unit to conduct self-audits that could be performed by internal or external auditors. Additionally, FIU Athletics conducts the NCAA mandated program assessments and operating reports annually. Student-athlete interviews that ask exiting student-athletes to provide an assessment of their overall experience while attending the University and participating in intercollegiate athletics.

EDUCATION

Diversity and inclusion efforts can be enhanced by creating and supporting programs aimed at increasing cultural and practical competencies for all individuals who have a role in the department's success.

Education and training for student-athletes and Athletic staff is outlined in the sections above. DEI and Title IX office provide Athletics with various training opportunities (Search Committee, Sexual Misconduct management, Sexual Violence) online and in person. Through the SALC, Athletic Administrators provide support and guidance. Head coaches are also sensitive to the needs and social impact on student-athletes and have discussions or team events that allow student-athletes to feel safe and supported in their participation in FIU Athletics.

NCAA Programing and Speakers – The NCAA provides resources for educating students and athletics staff on defining and working toward a diverse and inclusive environment.

COLLABORATION

The athletics department both influences and is influenced by the campus and community environments that it is embedded within. Collaboration with individuals and organizations outside of the department that have shared goals around inclusion can increase that success and impact of those programs.

As explained in the Leadership section, FIU is an extremely diverse university (students and staff) and diversity has been the mission and foundation of the University. FIU Administration has established an intentional focus on support and services for that diverse population. The Division of Diversity Equity and Inclusion, Office of Civil Rights Compliance and Accessibility and Human Resources were the primary charges in developing, implementing and education of equity, diversity, inclusion, and Title IX-Discrimination & Sexual Misconduct programs and resources. The FIU Athletics Department is included and engaged in the development of policies and procedures and are a part of the continued growth and monitoring. Athletics developed some education programming related to diversity, inclusion, and Title IX Sexual Misconduct specifically for student-athletes and athletics coaches and staff and continue to grow that area.

There appears to be open lines of communication and collaboration between the University offices involved and Athletics. Student-athletes, coaches and athletic staff complete the education/training as students, faculty, and staff in general. They have access to and are encouraged to use all resources provided by the University. The University offices are engaged in Athletic education/training efforts and participate in annual meetings with student-athletes.

The FIU Athletic Department in collaboration with the FIU Administration are making a concrete effort and commitment to supporting and maintaining an already diverse population of student-athletes, coaches, and athletic staff. Additionally, there is a commitment to providing an environment of inclusion through intentional programming, education, and training. The student-athletes and athletics staff interviewed recognized the commitment and the tone or strength of the commitment was set by the Director of Athletics in concert with the Athletic Administrators, Coaches and University Administration.

FINDINGS AND RECOMMENDATIONS

Overall, in my assessment FIU and FIU Athletics have established, developed, and continue to grow Title IX, equity, diversity and inclusion policies, procedures, support, reporting, and education. Administrators, Coaches, Staff are engaged, supportive and committed to an equitable, diverse, and inclusive academic and athletic environment.

Again, FIU hosts an extremely diverse enrollment, faculty, and staff. Enrollment is 78% Hispanic, Black or African American, Asian, Pacific Islander, and American Indian or Alaska Native representing 140+ countries and 13 religions. Student groups: 4,000 students engaged with the Pride Center, 1,038 veteran and military affiliated students, and 2,800 students with Disability Resource Center. Faculty is 50% Hispanic, Black or African American, Asian, Pacific Islander, American Indian or Alaska Native and is 47% female. The Administration and Staff 70% Hispanic, Black or African American, Asian, Pacific Islander, American Indian or Alaska Native and 63% female. Because FIU was built on the premise of a diverse (international and domestic) institution, support programming, education, and celebration of a multi-cultural population has historically been an intricate part of the FIU fabric.

Recommendations:

1. Continue the growth of diversity and inclusion programming through SALC and individual sports teams and including Panther Gold initiatives related to inclusion and social justice.
2. FIU should review the Student-Athlete Handbook (and staff handbook if needed) and include or add the diversity and inclusion initiatives.