



FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE

FIU, Modesto A. Maidique Campus, Graham Center Ballrooms
To help prevent the spread of COVID-19, general public access via <http://webcast.fiu.edu/>

Tuesday, February 23, 2021
10:15 A.M.

Or
Upon Adjournment of Previous Meeting

Chair: Natasha Lowell
Vice Chair: Donna J. Hrinak
Members: Cesar L. Alvarez, Jose J. Armas – *Health Affairs liaison*, Dean C. Colson, Joerg Reinhold,
Marc D. Sarnoff, Roger Tovar – *Athletics liaison*, Alexandra Valdes

AGENDA

- | | |
|--|--------------------|
| 1. Call to Order and Chair's Remarks | Natasha Lowell |
| 2. Approval of Minutes | Natasha Lowell |
| 3. Action Items | |
| AP1. Tenure as a Condition of Employment Nominations | Kenneth G. Furton |
| AP2. Approval of Notice of Change to Approved Revised Regulation
FIU-105 Sexual Harassment (Title IX) & Sexual Misconduct | Carlos B. Castillo |
| AP3. Revisions to Regulation FIU-1103 Textbook Affordability | Elizabeth M. Bejar |
| AP4. New Program Proposal: Bachelor of Arts in Global Educational
Studies | Elizabeth M. Bejar |
| AP5. New Program Proposal: Bachelor of Arts in Global Sustainable
Tourism | Elizabeth M. Bejar |
| AP6. New Program Proposal: Master of Science in Research Design and
Analysis | Elizabeth M. Bejar |
| AP7. Placing the Name "Knight Foundation School of Computing and
Information Sciences" on a Portion of the Exterior of the Building
Housing the FIU School of Computing and Information Sciences
on the Modesto A. Maidique Campus. | Kenneth G. Furton |

4. Information and Discussion Items

4.1 Academic Affairs Regular Reports

- | | |
|---|--------------------|
| ▪ Academic and Career Success | Valerie Johnsen |
| ▪ Engagement | Saif Y. Ishoof |
| ▪ Enrollment Management and Services | Kevin B. Coughlin |
| ▪ Information Technology | Robert Grillo |
| ▪ Research and Economic Development/ University Graduate School | Andres G. Gil |
| ▪ Academic and Student Affairs | Elizabeth M. Bejar |

4.2 SACSCOC Reaffirmation of Accreditation

Elizabeth M. Bejar

4.3 Student Conduct and Honor Code

Elizabeth M. Bejar

5. Student Government Updates

Alexandra Valdes

6. Faculty Senate Updates

Joerg Reinhold

7. New Business *(If Any)*

Natasha Lowell

8. Concluding Remarks and Adjournment

Natasha Lowell

FIU Board of Trustees Academic Policy and Student Affairs Committee Meeting

Time: February 23, 2021 10:15 AM - 11:15 AM EST

Location: FIU, Modesto A. Maidique Campus, Graham Center Ballrooms | To help prevent the spread of COVID-19, general public access via <http://webcast.fiu.edu/>

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THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Academic Policy and Student Affairs Committee
February 23, 2021

Subject: Approval of Minutes of Meeting held on December 3, 2020

Proposed Committee Action:

Approval of Minutes of the Academic Policy and Student Affairs Committee meetings held on October 28, 2020 and December 3, 2020 via Zoom.

Background Information:

Committee members will review and approve the minutes of the Academic Policy and Student Affairs Committee meetings held on October 28, 2020 and December 3, 2020 via Zoom.

Supporting Documentation:	Minutes: Academic Policy and Student Affairs Committee Meeting, October 28, 2020 and December 3, 2020
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Facilitator/Presenter:	Natasha Lowell, <i>Academic Policy and Student Affairs Committee Chair</i>
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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE
MINUTES
OCTOBER 28, 2020**

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Academic Policy and Student Affairs Committee meeting was called to order by Committee Chair Natasha Lowell on Wednesday, October 28, 2020 at 9:23 AM via Zoom.

General Counsel Carlos B. Castillo conducted roll call of the Academic Policy and Student Affairs Committee members and verified a quorum. Present were Trustees Natasha Lowell, *Chair*; Donna J. Hrinak, *Vice Chair*; Cesar L. Alvarez; Jose J. Armas, *Health Affairs Liaison (joined after roll call)*; Dean C. Colson, *Board Chair*; Joerg Reinhold; Marc D. Sarnoff; Roger Tovar, *Board Vice Chair and Athletics Liaison*; and Alexandra Valdes.

Trustees Leonard Boord, Gerald C. Grant, Jr., Gene Prescott, and Claudia Puig, and University President Mark B. Rosenberg were also in attendance.

Committee Chair Lowell welcomed Trustees and University administrators participating via the virtual environment and explained that the University community and general public were accessing the meeting via the FIU webcast.

2. Action Items

AP1. Approval of Amendments to Regulation FIU-105 Sexual Misconduct (Title IX)

General Counsel Castillo pointed out that the United States Department of Education made changes to Title IX in May, adding that immediately thereafter and through the present, the University's Title IX work group convened to discuss necessary changes and training implementation relating to Regulations FIU-105 and FIU-2501. General Counsel Castillo acknowledged the work of various departments, namely, Academic Affairs, Employee and Labor Relations, the Office of Inclusion, Diversity, Equity, and Access (IDEA), Office of the General Counsel, Student Conduct and Academic Integrity, and the Victim Empowerment Program. He remarked on the July 27, 2020 Title IX panel discussion, adding that FIU relied on the Florida Board of Governors (BOG) Emergency Regulation Procedures to present the amendments to Regulation FIU-105 Sexual Misconduct (Title IX) to the Board of Trustees on August 12, 2020. General Counsel Castillo explained that the Board of Trustees, on an emergency basis, approved the revisions to FIU-105.

General Counsel Castillo commented on the September town hall in which revisions were discussed and questions were addressed. He presented the proposed amendments to FIU-105 Sexual Misconduct (Title IX) for Committee review, referring Trustees to the agenda materials, which contain previously approved changes and additional changes made subsequent to Board of Trustees approval. General Counsel Castillo described said additional changes: the name and contact information for the interim Title IX coordinator, Courtney D. McHenry; the addition of the Presidential Review Process that permits the President to review and make a determination on Sexual Misconduct and Sexual Harassment cases to meet the goals of the Regulation; and including a definition of Violation of Supportive Measure(s). Associate General Counsel Iris A. Elijah pointed out that, beginning in May through present, the Title IX work group has collaborated to develop procedures that address how IDEA, Student Conduct, and Employee and Labor Relations would handle any matter that fell under FIU-105. She added that said procedures also discuss the different communications as well as documents that would be provided to the complainant as well as the respondent in order to ensure consistency and compliance with what the federal government has required pursuant to the Title IX regulation.

Trustee Marc D. Sarnoff thanked Senior Vice President for Academic and Student Affairs Elizabeth M. Bejar and General Counsel Castillo for engaging with him in discussions regarding Regulations FIU-105 and FIU-2501 over the course of two (2) months. He voiced concerns in that, under the guidelines, an accused person may be found responsible by a written document without the benefit of cross examination or the ability to confront the accuser or witness(es), if any. He remarked on Supreme Court Justice Amy Coney Barrett's 7th U.S. Circuit Court of Appeals Title IX opinion regarding a case that involved the relationship between two Purdue University students. Trustee Sarnoff commented that, under the proposed FIU-105, the accused can be found responsible by a written statement with never having the opportunity to request information from the accuser or to cross examine the accuser. He also voiced concerns pertaining to instances in which a witness or witnesses do(es) not appear and instead provide a written submission and also regarding FIU advancing to a proceeding before the criminal proceeding. Trustee Sarnoff commented on FIU's Army Reserve Officer Training Corps (ROTC) and referred to FIU-105's hazing definition which states that hazing includes, but is not limited to, "forced physical activity (e.g., calisthenics, line-ups, walking or marching in formation)". He added that such forced physical activity by the ROTC would be in violation of the Regulation. Trustee Sarnoff urged caution when taking actions that would deprive an accused the opportunity of continuing with their education based on a written statement.

Board Vice Chair Roger Tovar inquired as to the available legal options for addressing Trustee Sarnoff's concern regarding cross examination. General Counsel Castillo pointed out that FIU does not provide for cross examination for either party, adding that the University's procedures have been upheld by the State court. He referred to two (2) published decisions that did not involve cross examination but involved the expulsion of students for academic misconduct, stating that the court and both opinions upheld the disciplinary decision by the University through the Code of Student Conduct to expel both students. General Counsel Castillo indicated that the lack of cross examination is not a failure of the procedures, noting that it is consistent with the law and the approach taken by institutions within the State University System. He remarked that FIU is an educational institution, not a court law, and as such, the University is not required to provide that

right. He explained that BOG regulation stipulates that universities cannot wait for the conclusion of criminal proceedings. He pointed out that the University comports with due process and FIU will continue to monitor developments in the law in addition to best practices. General Counsel Castillo explained that because there was a complete collapse of due process, the court did not reach the cross-examination issue in the Purdue case.

Trustees engaged in a substantive discussion regarding Trustee Sarnoff's comments on the accused's right to cross examination. In response to Trustee Cesar L. Alvarez, General Counsel Castillo described the provision in FIU-105 for Presidential review where, under appropriate circumstances, the President can determine to become involved in the appellate portion of the process. In response to Board Vice Chair Tovar, General Counsel Castillo suggested that FIU-105 is approved as is and that that Committee or workgroup of the Board can reconvene in 60 – 90 days to address the issues raised. Trustee Sarnoff concurred with the approach of revisiting FIU-105 within 60 – 90 days, adding that he would like to be part of the review process and offered to help write a cross examination standard in which the accused would have the ability to confront the accuser and witnesses, if any. Sr. VP Bejar remarked that a cross examination may not solve a very complex and complicated issue of which the courts across the United States have dissenting opinions, noting that the University upholds the educational opportunities of all students in the highest regard and that FIU has specially trained investigators to deal with the process and procedures that are afforded to both the accused and the accuser.

Board Chair Dean C. Colson urged the Board members to read Judge Barrett's opinion, noting that allowing for cross examination will change the nature of the student disciplinary proceedings. He commented that it is critical to understand how many proceedings are held per year at FIU and recommended that the Committee should work over the next several months in order to review options that enhance the protections for all. Trustee Leonard Boord commented on the value of a friendly proceeding that did not mimic a court and did not involve lawyers. Trustee Gerald C. Grant, Jr. remarked that FIU has investigators specialized in reviewing said types of cases and that decisions to expel a student are not taken without ample investigation and analysis in order to validate the information.

Board Chair Colson motioned that FIU-105 is approved as currently drafted only until the Board's February meeting, that a subcommittee of the Board be appointed to discuss and review the different issues Trustee Sarnoff raised, and that said subcommittee present its recommendation to the Full Board in February.

In response to Trustee Jose J. Armas, General Counsel Castillo indicated that the safest course of action would be to approve FIU-105 without a deadline, but if the deadline is ultimately the pleasure of the Board, the necessary arguments will be made.

A motion was made and unanimously passed that the FIU Board of Trustees Academic Policy and Student Affairs Committee recommend to the Florida International University Board of Trustees (1) the approval of the amendment of Regulation FIU-105 Sexual Misconduct (Title IX), including the renaming to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct, (2) that the revised Regulation will be in effect only until the Board of Trustees February meeting, (3) that a

subcommittee of the Board be appointed to discuss and review the different issues Trustee Marc D. Sarnoff raised, and (4) that said subcommittee present its recommendation to the Full Board in February.

AP2. Proposed Amendments to Regulation FIU-2501 Student Conduct and Honor Code

Sr. VP Bejar introduced Assistant Dean of Students and Director of Student Conduct and Academic Integrity Michelle R. Horvath. Ms. Horvath presented the proposed amendments to Regulation FIU-2501 Student Conduct and Honor Code for Committee review. She described the previously-approved changes, specifically editorial changes; expanding the amnesty provisions under the Code; expanding the interim measures under the Code; changing the restrictions related to probation to better align with the educational and developmental aims of the document; adding (and in some instances incorporating existing language from the Code) the following as distinct violations under the Code: assisting, failure to comply, harassment, and social host responsibility; and revising the length of the notation of suspension on an academic transcript. Ms. Horvath pointed out that the following changes are now presented for approval: clarifying that when a case is ceded to adjudication under FIU-105 because of an overlap of facts between Regulations 2501 and 105, such a case may be resolved by an informal resolution or formal proceeding; incorporating language to the hazing definition to ensure compliance with BOG Regulation 6.021; and fixing scrivener errors such as alphabetizing violations which were not in alphabetical order and replacing “charged student” with “respondent”.

Trustee Sarnoff readopted a number of the comments he made pertaining to *AP1. Approval of Amendments to Regulation FIU-105 Sexual Misconduct (Title IX)*. He commented that FIU’s hazing definition includes compelling the performance of personal chores, errands, calisthenics, marching, or walking, and referenced its implication to the ROTC. Associate Vice President for Student Health and Wellness Brenezza D. Garcia pointed out that, in accordance with the BOG’s amended regulation, FIU-2501 defines that “Hazing does not include customary athletic events or similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective”, adding that groups such as the ROTC would fall under that statement. Associate General Counsel Elijah indicated that FIU’s hazing definition aligns with BOG Regulation and Florida statute.

Senior VP for Health Affairs and Dean, Herbert Wertheim College of Medicine (HWCOC) Robert Sackstein, MD, referred to the section pertaining to sanctions, commenting that academic misconduct at the graduate level has a significantly different impact than it does in other academic stages. He stated that language should be incorporated to reflect that the Student Conduct and Academic Integrity Committee should be in consultation with the deans and the Dean of the Graduate School to provide guidance on the sanctions. Associate General Counsel Elijah pointed out that all accrediting bodies require each of the colleges to be in compliance with university regulations, adding that the team has worked with each of the colleges that have licensure bodies or other agencies that license them, including HWCOC to delineate what is a behavioral matter which will fall under the student conduct and honor code and what is academic in nature or what falls into professional standards.

Board Vice Chair Tovar requested that Sr. VP and Dean Sackstein be included in the group that reviews FIU-2501.

A motion was made and unanimously passed that the FIU Board of Trustees Academic Policy and Student Affairs Committee recommend that the Florida International University Board of Trustees approve the revisions to Regulation FIU-2501 Student Conduct and Honor Code, and delegate authority to the University President to approve any subsequent non-material amendments based on comments to the Regulation received from the Florida Board of Governors (BOG) or as a result of the regulation-making process and revisit the approval in 120 days.

3. New Business

No new business was raised.

4. Concluding Remarks and Adjournment

With no other business, Committee Chair Natasha Lowell adjourned the meeting of the Florida International University Board of Trustees Academic Policy and Student Affairs Committee on Wednesday, October 28, 2020 at 10:44 AM.

There were no Trustee requests.

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**FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
ACADEMIC POLICY AND STUDENT AFFAIRS COMMITTEE
MINUTES
DECEMBER 3, 2020**

1. Call to Order and Chair's Remarks

The Florida International University Board of Trustees' Academic Policy and Student Affairs Committee meeting was called to order by Committee Chair Natasha Lowell on Thursday, December 3, 2020 at 9:55 AM via Zoom.

General Counsel Carlos B. Castillo conducted roll call of the Academic Policy and Student Affairs Committee members and verified a quorum. Present were Trustees Natasha Lowell, *Chair*; Donna J Hrinak, *Vice Chair*; Jose J. Armas, *Health Affairs Liaison*; Dean C. Colson, *Board Chair*; Joerg Reinhold; Marc D. Sarnoff; Roger Tovar, *Board Vice Chair and Athletics Liaison*; and Alexandra Valdes.

Trustee Cesar L. Alvarez was excused.

Trustees Leonard Boord, Gerald C. Grant, Jr., Gene Prescott, and Claudia Puig, and University President Mark B. Rosenberg were also in attendance.

Committee Chair Lowell welcomed Trustees and University administrators participating via the virtual environment and explained that the University community and general public were accessing the meeting via the FIU webcast.

At the request of Committee Chair Lowell, Trustee Marc D. Sarnoff provided an update on the ongoing discussions and work that he has been spearheading with the administration on the University's Title IX (105) and Student Code of Conduct (2501) Regulations, particularly as it pertains to due process inclusive of the ability to have some form of cross-examination. He pointed out that he has been working with the administration in order to closely examine the processes afforded by both of the revised Regulations, adding that based on the joint review, he was satisfied with the due process rights afforded by the revised Title IX Regulation that was approved by the Board of Trustees. Trustee Sarnoff indicated that focus now has shifted to the Student Code of Conduct, stating that later in the month, he and members of the administration will be running through a mock scenario/case study, which should help in the assessment of the Student Code. He commented that professional schools are his main focus given the considerable investments that are made in order to pursue degrees in the medical and legal fields.

Trustee Sarnoff extended his apologies to Committee Chair Lowell and Board Chair Dean C. Colson, commenting that he had not realized that the revised Title IX Regulation afforded a cross examination procedure. He mentioned that he would have supported the revised Title IX Regulation as revised. He commended Senior Vice President for Academic and Student Affairs Elizabeth M. Bejar and General Counsel Castillo for dedicating their time and effort in working with him to identify where there may be the possibility of cross examination. Chair Colson conveyed his appreciation of Trustee Sarnoff's work.

2. Approval of Minutes

Committee Chair Lowell asked that the Committee approve the Minutes of the meetings held on August 12, 2020 and September 9, 2020. A motion was made and unanimously passed to approve the minutes of the Academic Policy and Student Affairs Committee meetings held on August 12, 2020 and September 9, 2020.

3. Action Item

AP1. Tenure as a Condition of Employment Nominations

Provost and Executive Vice President Kenneth G. Furton presented the Tenure as a Condition of Employment (TACOE) nominations for Committee review, noting that TACOE is reserved for individuals who are under recruitment by FIU and have achieved highly prestigious academic careers at other institutions. He explained that the TACOE candidates either already have achieved tenure or are eligible for tenure at comparable institutions at the time of hire, adding that TACOE candidates understand that they will be hired with tenure pending a review by the department, the College, the Provost, the President, and finally, the Board of Trustees. Provost Furton briefly commented on each of the TACOE candidates.

A motion was made and unanimously passed that the FIU Board of Trustees Academic Policy and Student Affairs Committee recommend to the Florida International University Board of Trustees the approval of four (4) candidates for Tenure as a Condition of Employment (TACOE) as specified in the Board materials.

4. Information and Discussion Items

4.1 Academic Affairs Regular Reports

There were no questions from the Committee members in terms of the Academic Affairs regular reports included as part of the agenda materials.

5. Student Government Updates

Trustee Alexandra Valdes, President of the Student Government Council at the Modesto A. Maidique Campus, commended student government leaders for playing a critical role in promoting a healthy campus environment. She remarked on student government's priority of creating innovative and exciting initiatives to make remote learning a memorable experience. She mentioned the establishment of a women empowerment series, adding that said series will showcase women all over the country, specifically FIU alumni and their paths to success while providing University students the opportunity to engage and create new relationships to enhance their professional development. Trustee Valdes indicated that student government also created a virtual program, SGA Speaks, focused on engagement, with the purpose of bringing together a community to speak on

education and advocacy grassroot opportunities, highlighting student success, and creating overall affinity. She stated that student government, in collaboration with the Center for Leadership and Service, launched an awareness campaign for the University's food pantry. She noted that she signed an executive order establishing three new cabinet positions, a secretary of diversity and inclusion, secretary of international student affairs, and secretary of online and remote learning. She stated that student senators passed momentous legislation, including the establishment of Juneteenth as a commemoration date by FIU, a resolution to redesign the student perceptions of teaching surveys, and a resolution supporting the unification of the FIU student government councils.

6. Faculty Senate Updates

Trustee Reinhold, Faculty Senate Chair, commented on the Faculty Senate's September 29, 2020 meeting where the Faculty Senate approved a temporary policy regarding the Graduate Record Examinations (GRE) requirement for graduate admissions. He explained that said temporary policy affords programs the option of waiving their GRE requirement, without further Senate review. He commented that peer institutions have already waived the GRE requirement and that the temporary policy responded to how the health and safety concerns stemming from the COVID-19 pandemic have affected access to GRE testing in many countries. Trustee Reinhold remarked that, at its October 13, 2020 meeting, the Faculty Senate removed "spring break" from the 2020-2021 Academic Calendar and, that, as a result of a comprehensive review, the Faculty Senate also approved the deletion of several courses from the University's core curriculum. He mentioned that, at its October 27, 2020 meeting, the Faculty Senate continued to review proposed changes to the Tenure and Promotion Manual, adding that the revised Manual was approved at the November 17, 2020 Meeting.

7. New Business

Sr. VP Bejar commented that the University is currently undergoing the comprehensive 10-year review of accreditation with the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC). She explained that a reaffirmation process is a multi-step process with an off-site review, adding that the off-site review occurred during the months of October and November and that FIU's 10-year review culminates with an on-site review scheduled for March 2021. She indicated that the University has recently received preliminary findings resulting from the comprehensive off-site review, stating that while said review was successful, there were several findings and the University has a brief window of opportunity to respond to the findings in writing before the scheduled on-site review.

Sr. VP Bejar pointed out that the preliminary off-site report from the SACSCOC Reaffirmation Committee found that FIU's Mission Statement is clearly defined, comprehensive, and appropriate for higher education and in compliance with SACSCOC Standard 2.1: Mission. She remarked that the preliminary report also found that there was insufficient documentation with respect to SACSCOC Standard 4.2.a: Mission Review, which requires that the Board of Trustees ensure the regular review of the University's Mission Statement. She highlighted examples of the Board's affirmation of the Mission over the last year via the strategic planning process that is memorialized in Minutes of meetings, as well as the University's Accountability Plan. Sr. VP Bejar mentioned that in order to comply with this finding of the preliminary report and to provide sufficient documentation, the University is seeking the reaffirmation of the Mission Statement.

A motion was made and unanimously passed that the FIU Board of Trustees Academic Policy and Student Affairs Committee recommend that the Florida International University Board of Trustees reaffirm the Florida International University Mission Statement.

8. Concluding Remarks and Adjournment

With no other business, Committee Chair Natasha Lowell adjourned the meeting of the Florida International University Board of Trustees Academic Policy and Student Affairs Committee on Thursday, December 3, 2020 at 10:20 AM.

DRAFT

THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Academic Policy and Student Affairs Committee
February 23, 2021

Subject: Tenure as a Condition of Employment Nominations

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees the approval of three (3) candidates for Tenure as a Condition of Employment (TACOE).

Background Information:

Pursuant to Florida Board of Governors Regulation 1.001(5)(a), each board of trustees shall provide for the establishment of the personnel program for all the employees of the university, including but not limited to tenure.

The TACOE nominees hold tenure at their previous institutions and have been selected to receive TACOE based on the caliber of their work.

Supporting Documentation:	Tenure as a Condition of Employment Nominee Overview
	Tenure as a Condition of Employment Nominee Bios
	Tenure as a Condition of Employment Nominees Curriculum Vitas

Facilitator/Presenter:	Kenneth G. Furton
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Florida International University
Tenure as a Condition of Employment Nominations - February 2021

Name	College	Department	Proposed Rank
Haiwei Gu	Robert Stemple College of Public Health and Social Work	Environmental Health Sciences	Associate Professor
Mark Myring	College of Business	Accounting	Professor
Tong Zhou	Robert Stemple College of Public Health and Social Work	Biostatistics	Associate Professor

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Haiwei Gu
Environmental Health Sciences
Robert Stemple College of Public Health and Social Work

Dr. Gu received his doctoral degree from Purdue University in 2008. He is currently an Assistant Professor at Arizona State University.

Dr. Gu's research interests focus on MS-based metabolomics and its applications in early disease diagnosis, drug metabolism, and biological sciences. He has published 99 peer-reviewed papers and 5 book chapters. He is a co-inventor of two patents. His research has been funded by multiple funding agencies, including NIH and foundations. He has significant extramural research support serving as either principal investigator or co-investigator on multiple active grants. Dr. Gu's research productivity is excellent.

Dr. Gu has taught undergraduate, graduate, and post-graduate levels at his current and previous institutions on a wide range of subjects related to his metabolomics expertise. Dr. Gu has also mentored post-doctoral fellows. Overall, Dr. Gu has experience in teaching and mentoring.

Dr. Gu has provided extensive services to his institution and external agencies. He provides substantial professional service by serving as a reviewer for numerous journals and grant review panels. He is a member of editorial boards on two scientific journals in the field of metabolomics. He also provides service at the university and community levels. Dr. Gu has an outstanding service record.

Mark Myring
School of Accounting
College of Business

Dr. Mark Myring joined Ball State University's Miller College of Business as an Assistant Professor in 2000, subsequently earning tenure and a promotion to the rank of Associate Professor in 2005 and then Professor in 2010. He currently serves as Associate Dean of Strategic Programs and Alumni Initiatives and holds the Alumni Distinguished Professor of Accounting chair. Dr. Myring received his doctorate in accounting and Master of Business Administration from Kent State University.

Dr. Myring produced some 47 publications over the course of his career with some five in top tier outlets, including, Issues in Accounting Education, the Journal of Accounting and Public Policy, the Journal of Business Ethics, the Journal of Business Finance and Accounting, and the International Journal of Accounting. In addition, his work appears in two premier journals, Contemporary Accounting Research and The Accounting Review. Dr. Myring also published a book review in a top tier journal as well as a book chapter, and he also has several research papers under review.

During his tenure at Ball State, Dr. Myring developed and taught some nine different financial and international accounting classes at both the undergraduate and graduate levels, earning an average 4.5 out of 5.0 teaching evaluation score. Noteworthy, he established a student managed investment fund course that provides both undergraduate and graduate accounting and finance students the opportunity to manage a portfolio of endowed foundation funds currently exceeding \$1 million.

Dr. Myring's served five years as the Director of Graduate Studies in Accounting, five years as Chair of the Paul W. Parkison Department of Accounting, over two and half years as Associate Dean for Graduate Programs and Strategic Initiatives, and a year as the Interim Bryan Dean of the Miller College of Business. He possesses curriculum development experience redesigning an MBA program through the integration of stackable certificates targeted at working professionals. Dr. Myring pursued several external engagement initiatives, serving multiple terms as President of the Midwest Region of the American Accounting Association, a member of the Board of Directors, Chapter Advocate and Chair of the 2020 National Conference for Beta Alpha Psi. He also successfully raised \$3.1 million to name the Paul W. Parkison Department of Accounting.

Tong Zhou
Biostatistics
Robert Stemple College of Public Health and Social Work

Dr. Zhou came to FIU from the University of Nevada Reno where he was on a tenure track since 2016. His research interests focus on high throughput omics data analysis, translational and clinical informatics for precision medicine, development of computational tools for bioinformatics, and molecular evolution and modeling. He has a very successful research output when it comes to funding and publications. His curriculum vitae indicates that he has published 96 peer-reviewed papers, 24 as first author and 8 as a corresponding one. His research has been funded by multiple funding agencies, including NIH and NSF. He has significant extramural research support serving as either multiple principal investigator, core PI, subcontract PI, or co-investigator on multiple active grants. He is an MPI on NIH R01 grant, Core PI on P50 center grant, and subcontract PI or Co-I on five other NIH and NSF grants. Dr. Zhou's research productivity is excellent.

Dr. Zhou has taught undergraduate, graduate, and post-graduate levels at his current and previous institutions on various subjects related to his bioinformatics expertise. Dr. Zhou has also mentored graduate students and visiting scholars. Overall, Dr. Zhou has experience in teaching and mentoring.

Dr. Zhou has provided service nationally and internationally appropriate with rank and experience. He provides substantial professional service by serving as a reviewer for numerous journals and NIH grant review panels. He is a member of editorial boards on two scientific journals in the field of bioinformatics. Dr. Zhou has an appropriate service record.

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CURRICULUM VITAE

Haiwei Gu, Ph.D.

Education:

- 1999-2003 University of Science and Technology of China, Hefei, Anhui Province, P. R. China
B.S., Applied Physics
- 2003-2008 Purdue University, West Lafayette, IN, US
Ph.D., Chemical Physics/Bioanalytical Chemistry; Advisor: Dr. Daniel Raftery
Research Interests: NMR- and MS-based Metabolomics and Its Applications in Disease Diagnosis and Biological Sciences

Postgraduate Training:

- 2009-2011 University of Minnesota, Minneapolis, MN, US
Postdoctoral Research Associate, Analytical Chemistry; Advisor: Dr. Peter W. Carr
Research Interests: Two Dimensional Liquid Chromatography and Its Applications in Metabolomics

Faculty Position Held:

- 2012-2015 Acting Assistant Professor, Northwest Metabolomics Research Center, Department of Anesthesiology and Pain Medicine, University of Washington, Seattle, WA, US
- 2015-2017 Research Assistant Professor, Northwest Metabolomics Research Center, Department of Anesthesiology and Pain Medicine, University of Washington, Seattle, WA, US
- 2017- Assistant Professor, College of Health Solutions, Arizona State University, Phoenix, AZ, US
Research Interests: My research interests focus on MS-based metabolomics and its applications in early disease diagnosis, drug metabolism, and biological sciences. I am working closely with a number of clinical researchers and practitioners in various studies for identifying metabolic markers, investigating metabolic mechanisms, etc.

Honors:

- 2000-2002 Excellent Student Scholarship, University of Science and Technology of China
- 2003 Excellent Undergraduate Student with First Honor, University of Science and Technology of China
- 2007 ENC Student Stipend Award, Experimental Nuclear Magnetic Resonance Conference
- 2008 ASMS Student Assistantship, American Society for Mass Spectrometry
- 2013 ITHS Award, Institute of Translational Health Sciences
- 2015 Rising Stars, Institute of Translational Health Sciences
- 2016 Investigator Award, Agilent
- 2018 Rookie of the Year (2017), College of Health Solutions, Arizona State University
- 2019-2020 Young Investigator Educational Award, Mass Spectrometry Applications to the Clinical Lab

Professional Organizations:

- 2006-2007 Member, Experimental Nuclear Magnetic Resonance Conference
- 2007- Member, American Chemical Society
- 2007- Member, American Society for Mass Spectrometry
- 2008- Member, Metabolomics Society
- 2010 Member, Minnesota Chromatography Forum
- 2015-2018 Committee Member, Cascadia Proteomics Symposium
- 2016-2018 Organizing Committee Member, International Conference of the Metabolomics Society

Research Funding:**Active at ASU:**

1. Source: NIH R01
Title: Developmental PBDE exposure, gut microbiome, and diabetes
Major goal: We hypothesize that early life PBDE exposure causes acute and persistent dysbiosis, which upsets the balance between endogenous PXR activation (by indoles) vs. xenobiotic PXR activation (by PBDEs), leading to the delayed onset of diabetes. We seek to establish a causal relationship between developmental PBDE exposure, a change in gut microbiome, selective PXR modulation (sPXRm), and diabetes later in life using humanized PXR-transgenic (hPXR-TG) mice.
Period: 1/1/2019-12/31/2023
Total Amount: \$3,110,318
Role: Multi-PI (Gu/Cui/Mani)
2. Source: NIH P01
Title: Metabolic Reprogramming and Pulmonary Vascular Disease in Congenital Heart Disease
Major goal: 1) High resolution imaging of mitochondria. 2) Bioenergetics: oxygen consumption, rate of glycolysis, fatty acid oxidation, measurement of cellular ATP kinetics, ETC complex analyses in mechanical stress challenged cells. 3) The analysis of PTMs in biological samples. 4) Metabolomic analyses of individual metabolites in cultured cells, lung tissue, and plasma from animals and children born with congenital heart disease that results in changes in pulmonary blood flow (PBF).
Period: 08/10/2020-07/31/2025
Total Amount: \$11,884,298
Role: subcontract PI (Core B co-I; PI: Steven Black)
3. Source: Brander Beacons Cancer Research
Title: Early Diagnosis of Stage I and II Triple Negative Breast Cancer
Major goal: The overall objective of this collaborative study is to use state-of-the-art metabolomics profiling methods and a well-characterized biorepository to identify and validate plasma metabolite markers associated with early occurrence of TNBC.
Period: 12/2/2019-12/1/2020
Total Amount: \$25,000
Role: PI
4. Source: Autism Research Institute
Title: Identifying Metabolic Differences During Pregnancies in Mothers of Children Later Diagnosed with ASD
Major goal: Measure the levels of key metabolites in maternal blood during pregnancies where the children developed ASD or were typically-developing (TD).
Period: 10/1/2019-9/30/2020
Total Amount: \$50,000
Role: co-I (PI: Adams)
5. Source: ASU-Mayo Seed
Title: Characterizing Leading Risk Factors Contributing to the Racial Disparity of Gallbladder Cancer Incidence Rate in Maricopa County, Arizona
Major goal: Our primary objective is to identify the actionable targets in reducing GbCa burden among high-risk individuals.
Period: 1/1/2020-12/31/2020
Total Amount: \$50,000
Role: co-I (PI: Yang/Dinu)

Completed at ASU:

1. Source: ASU-Mayo Seed
Title: Quantifying mitochondrial metabolites to define the role of mitochondria in stem cell function and fate

Major goal: Using nuclear reprogramming of differentiated cells back to an induced pluripotent stem cell state as a model system, we propose to quantify the metabolites found specifically within the mitochondria matrix ("MITObolome") during this process.

Period: 1/1/2019-12/31/2019

Total Amount: \$50,000

Role: Multi-PI (Gu/Folmes)

2. Source: Jumpstart, College of Health Solutions, Arizona State University
Title: Metabolic Reprogramming Regulated by Epigenetic Mutations in Cancer
Major goal: In this proposal, we aim to use the metabolomics approach to study how SETD2 dysregulation alters cancer metabolism, which provides numerous opportunities to identify therapeutic targets from a metabolic point of view.
Period: 12/1/2018-11/30/2019
Total Amount: \$10,950
Role: PI
3. Source: Friends for an Earlier Breast Cancer Test
Title: Metabolic Biomarkers for Breast Cancer: Discovery and Initial Cross-Validation
Major goal: In this proposal, we will use state-of-the-art metabolomics profiling methods and well-characterized biorepositories; also this collaborative study seeks to identify and initially validate plasma metabolite markers associated with BC.
Period: 7/1/2018-6/30/2019
Total Amount: \$40,000
Role: PI
4. Source: Minnesota Ovarian Cancer Alliance (MOCA)
Title: Metabolomics Diagnosis of Ovarian Cancer
Major goal: Our goal is to develop clinical-grade biomarker assays with significant impact on reducing morbidity and mortality associated with serous ovarian cancer (SOC).
Period: 6/1/2018-5/31/2019
Total Amount: \$50,000
Role: PI
5. Source: Autism Research Institute
Title: Metabolomics Analysis of Autism-Related Alterations and Connections in Children
Major goal: The overall objective in this proposal is to achieve a better understanding of metabolic reprogramming associated with ASD in children and their mothers.
Period: 6/1/2018-5/31/2019
Total Amount: \$25,000
Role: PI

Previously Completed:

6. Source: Royalty Research Foundation, University of Washington
Title: Novel Multi-Platform to Enable Quantitative Metabolomics
Period: 06/15/2017-06/14/2018
Total Amount: \$40,000
Role: PI
7. Source: Agilent
Title: Globally Optimized Targeted Mass Spectrometry (GOT-MS): Reliable Metabolomics Analysis with Broad Coverage
Period: 01/2016-01/2017
Total Amount: \$100,000
Role: co-PI (PI: Dr. Daniel Raftery)
8. Source: Institute of Translational Health Sciences
Title: Breast Cancer Metabolite Biomarker Discovery Using Global Profiling Multiple Reaction Monitoring Transitions

Period: 06/2015-05/2017

Total Amount: \$15,000

Role: PI

9. Source: NIH

Title: Glucose and BCAA Metabolism in the Heart

Period: 04/2014-03/2019

Total Amount: \$84,177 (sub-award)

Role: Co-Investigator (PI: Dr. Tian)

10. Source: NIH

Title: Unraveling the Link of Sleep to IBS: A Metabolomics Approach

Period: 08/2014-05/2017

Total Amount: \$60,495 (sub-award)

Role: Co-Investigator (PI: Dr. Heitkemper)

11. Source: NIH

Title: Advanced Methods in NMR-Based Metabolomics

Period: 06/2012-04/2016

Total Amount: \$200,000

Role: Key Personnel (PI: Dr. Daniel Raftery)

12. Source: NIH

Title: Insulin Resistance in Chronic Kidney Disease

Period: 09/2013-07/2014

Total Amount: \$100,000 (sub-award)

Role: Key Personnel (PI: Dr. de Boer)

13. Source: NIH

Title: Metabolite Biomarkers in the Development of Esophageal Adenocarcinoma

Period: 09/2013-08/2015

Total Amount: \$93,525 (sub-award)

Role: Key Personnel (PI: Dr. Vaughan)

14. Source: NIH

Title: Breast and Ovary Cancer Clinical Validation Center

Period: 07/1/2013-06/30/2014

Total Amount: \$85,933 (sub-award)

Role: Key Personnel (PI: Dr. Li)

15. Source: Institute of Translational Health Sciences

Title: Metabolomics Analysis of Isolated Mitochondria for Breast Cancer Diagnosis

Period: 01/2013-12/2013

Total Amount: \$10,000

Role: PI

16. Source: Purdue Research Foundation, Graduate Research Assistantship

Title: Metabolomics-Based Screening for Colorectal Cancer

Period: 08/2007-12/2008

Total Amount: \$50,000

Role: co-PI (PI: Dr. Daniel Raftery)

BIBLIOGRAPHY

Manuscripts in Refereed Journals:

Overall Statistics: Dr. Gu has published 99 papers by September 2020, with an *h*-index of 34. The papers have been cited 3,789 times by September 2020. Since joining ASU in 2017, Dr. Gu published 27 papers, in 13 of which Dr. Gu served as the (co-)Corresponding/First Author.

Note: In the fields of metabolomics and analytical chemistry, it is customary that the first author should be the student/postdoc who performs lab work and provides significant intellectual input. In addition, co-corresponding authorship is often required, especially when the contribution from both the PIs/groups is of similar importance to make the publication possible.

At ASU: (* denotes corresponding author; ‡ denotes student/postdoctoral fellow/visiting scholar mentored by Dr. Gu; + denotes co-first author).

1. X. Shi‡, B. Xi, P. Jasbi‡, C. Turner‡, Y. Jin‡, and H. Gu*, "Comprehensive Isotopic Targeted Mass Spectrometry (CIT-MS): Reliable Metabolic Flux Analysis with Broad Coverage", *Anal. Chem.*, 92, 11728-11738, 2020. PMID: 32697570
5-year Impact Factor: 6.337; Dr. Gu is the Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they developed and optimized an innovative targeted MS approach, comprehensive isotopic targeted mass spectrometry (CIT-MS), which can perform reliable metabolic flux analysis with broad coverage.
2. R. Eghlimi‡, X. Shi‡, J. Hrovat‡, B. Xi, and H. Gu*, "Triple Negative Breast Cancer Detection Using LC-MS/MS Lipidomic Profiling", *J. Proteome Res.*, 19, 2367-2378, 2020. PMID: 32397718
5-year Impact Factor: 4.268; Dr. Gu is the Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they developed a panel of lipid biomarkers for detecting triple negative breast cancer.
3. H. He‡, X. Shi‡, A. Lawrence‡, J. Hrovat‡, C. Turner‡, J.Y. Cui*, and H. Gu*, "2,2',4,4'-tetrabromodiphenyl Ether (BDE-47) Induces Wide Metabolic Changes Including Attenuated Mitochondrial Function and Enhanced Glycolysis in PC12 Cells", *Ecotoxicol. Environ. Saf.*, 201, 110849, 2020. PMID: 32559690
5-year Impact Factor: 4.710; Dr. Gu is the co-Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they found that BDE-47 induces wide metabolic changes including attenuated mitochondrial function and enhanced glycolysis in PC12 Cells.
4. Z. Dvořák, F. Kopp, C. M. Costello, J. S. Kemp, H. Li, A. Vrzalová, M. Štěpánková, I. Bartoňková, E. Jiskrová, K. Poulíková, [...], H. Gu, [...], S. Mani*, "Targeting the pregnane X receptor using microbial metabolite mimicry", *EMBO Mol. Med.*, 12: e11621, 2020, PMID: 32153125
5-year Impact Factor: 10.293; Dr. Gu worked within a multidisciplinary team and was in charge of measuring a new drug to target the PXR receptor.
5. J. Lim, X. Li, H. J. Lehmler, D. Wang, H. Gu, and J. Y. Cui*, "Gut Microbiome Critically Impacts PCB-induced Changes in Metabolic Fingerprints and the Hepatic Transcriptome in Mice", *Toxicol. Sci.*, ASAP, 2020. PMID: 32544245
5-year Impact Factor: 4.081; Dr. Gu was in charge of measuring metabolic profiles induced by PCB.
6. J. L. Mangal, S. Inamdar, Y. Yang, X. Shi‡, M. Wankhede, H. Gu, K. Rege, M.D. Green, M. Curtis, and A. Acharya*, "Metabolite releasing polymers control dendritic cell function by modulating their energy metabolism", *J. Mater. Chem. B.*, 8, 5195-5203, 2020. PMID: 32427266
5-year Impact Factor: 5.047; Dr. Gu studied metabolic effects of polymers using cell models.
7. A. J. Basile, P. Jasbi‡, W. Clark, X. Shi‡, H. Gu, P. Deviche, and K. L. Sweazea*, "A four-week white bread diet does not alter plasma glucose concentrations, metabolic or vascular physiology in mourning doves, *Zenaidura macroura*", *Comp. Biochem. Physiol. A. Mol. Integr. Physiol.*, 247, 110718, 2020. PMID: 32376459
5-year Impact Factor: 1.966; Dr. Gu studied metabolic changes in the plasma of mourning doves that went through a four-week white bread diet treatment.
8. D. Gutierrez, A. Weinstock, V. C. Antharam, H. Gu, P. Jasbi, X. Shi, B. Dirks, R. Krajmalnik-Brown, J. Maldonado, J. Guinan, and S. Thangamani*, "Antibiotic-induced gut metabolome and microbiome alterations increase the

susceptibility to *Candida albicans* colonization in the gastrointestinal tract", *FEMS Microbiol. Ecol.*, 96, f187, 2020. PMID: 31769789

5-year Impact Factor: 3.675; Dr. Gu and the team showed that cefoperazone-induced metabolome and microbiome alterations favor the growth and morphogenesis of C. albicans, and potentially play an important role in the GI colonization of C. albicans.

9. X. Shi†, S. Wang†, P. Jasbi†, C. Turner†, J. Hrovat†, Y. Wei†, J. Liu†, and H. Gu*, "Database Assisted Globally Optimized Targeted Mass Spectrometry (dGOT-MS): Broad and Reliable Metabolomics Analysis with Enhanced Identification", *Anal. Chem.*, 21, 13737-13745, 2019, PMID: 31556994

5-year Impact Factor: 6.337; Dr. Gu is the Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they developed and optimized an innovative targeted MS approach, database-assisted globally optimized targeted (dGOT)-MS, which utilizes the HMDB and METLIN databases to significantly improve both identification and metabolite coverage.

10. P. Jasbi†, O. Baker, X. Shi†, L. Gonzalez, S. Wang†, S. Anderson, B. Xi, H. Gu*, C. Johnston*, "Daily red wine vinegar ingestion for eight weeks improves glucose homeostasis and affects the metabolome but does not reduce adiposity in adults", *Food Funct.*, 10, 7343, 2019. PMID: 31647087

5-year Impact Factor: 3.241; Dr. Gu is the co-Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they studied metabolism related to vinegar intake using human plasma samples.

11. X. Wang+†, H. Gu+, S. Palma-Duran, A. Fierro, P. Jasbi†, X. Shi†, W. Bresette†, N. Tasevska*, "Influence of Storage Conditions and Preservatives on Metabolite Fingerprints in Urine", *Metabolites*, 9, 203, 2019. PMCID: PMC6836253

5-year Impact Factor: 3.303; Dr. Gu is the co-First Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they studied the effect of storage conditions on metabolic profiles in urine.

12. D. Scoville, C. Y. Li, D. Wang†, J. L. Dempsey, D. Raftery, S. Mani, H. Gu*, J. Y. Cui*, "Polybrominated Diphenyl Ethers and Gut Microbiome Modulate Metabolic Syndrome-Related Aqueous Metabolites in Mice", *Drug Metab Dispos.*, 47, 928-940, 2019. PMID: 31123037

5-year Impact Factor: 3.633; Dr. Gu is the co-corresponding author and is responsible for all metabolomics activities in this project. The goal of this project is to use the metabolomics approach to test the hypothesis that PBDEs reduce host-beneficial intermediary metabolites in an intestinal microbiome-dependent manner.

13. P. Jasbi†, N. M. Mitchell, X. Shi†, T. E. Grys, Y. Wei†, L. Liu†, D. F. Lake, H. Gu*, "Coccidioidomycosis Detection Using Targeted Plasma and Urine Metabolic Profiling", *J. Proteome Res.*, 18, 72791-2802, 2019. PMID: 31244214

5-year Impact Factor: 3.917; Dr. Gu is the corresponding author and is responsible for all metabolomics activities in this project. The goal of this project is to use the metabolomics approach for the accurate diagnosis of valley fever.

14. J. Liu†, P. D. Hanavan, K. Kras, Y. W. Ruiz, E. P. Castle, D. F. Lake, X. Chen, D. O'Brien, H. Luo, K. D. Robertson, H. Gu*, T. H. Ho*, "Loss of SETD2 Induces a Metabolic Switch in Renal Cell Carcinoma Cell Lines toward Enhanced Oxidative Phosphorylation", *J. Proteome Res.*, 18, 331-340, 2019. PMID: 30406665

5-year Impact Factor: 3.917; Dr. Gu is the co-Corresponding Author and responsible for all metabolomics studies, including experimental design, data collection, data analysis, and manuscript preparation. They studied the alterations in central carbon metabolism due to SETD2 mutation.

15. P. Jasbi†, D. Wang†, L. Cheng, Q. Fei†, Y. Cui, L. Liu, Y. Wei†, D. Raftery, H. Gu*, "Breast cancer detection using targeted plasma metabolomics", *J. Chromatogr. B*, 1105, 26-37, 2019. PMID: 30562627

5-year Impact Factor: 2.751; Dr. Gu is the Corresponding Author and responsible for all activities in this project. The goal of this project is to use the metabolomics approach for the accurate diagnosis of breast cancer.

16. Q. Fei†, D. Wang†, P. Jasbi†, P. Zhang†, G. A. Nagana Gowda, D. Raftery*, H. Gu*, "Combining NMR and MS with Chemical Derivatization for Absolute Quantification with Reduced Matrix Effects", *Anal. Chem.*, 91, 4055-4062, 2019. PMID: 30801179

5-year Impact Factor: 6.337; Dr. Gu is the co-Corresponding Author and responsible for all experimental design, data collection, data analysis, and manuscript preparation. In this study, they developed a novel method combining NMR and MS for quantitative metabolomics.

17. D. Bearden, D. Sheen*, Y. Simon-Manso, B. Benner, W. Rocha, N. Blonder, K. Lipka, R. Beger, L. Schnackenberg, J. Sun, K. Mehta, A. Cheema, H. Gu, R. Marupaka, G. Gowda, D. Raftery, "Metabolomics Test Materials for Quality Control: A Study of a Urine Materials Suite", *Metabolites*, 9, 270, 2019. PMCID: PMC6918257

5-year Impact Factor: 3.303; Dr. Gu worked within a multidisciplinary team and conducted an interlaboratory study (ILS) in which seven National Institute of Standards and Technology (NIST) urine Standard Reference Material@s (SRM@s) were analyzed using GC-MS. The results show that a urine suite such as that used in this ILS could be employed for testing and harmonization among different metabolomics platforms.

18. G. Kurgan, L. Kurgan, A. Schneider, M. Onyeabor, Y. Rodriguez-Sanchez, E. Taylor, R. Martinez, P. Carbonell, X. Shi†, H. Gu, X. Wang*, "Identification of major malate export systems in an engineered malate-producing *Escherichia coli* aided by substrate similarity search", *Appl Microbiol Biotechnol.*, 103, 9001, 2019. PMID: 31641813

*5-year Impact Factor: 3.670; Dr. Gu is responsible for detecting TCA cycle substrates in engineered malate-producing *E. Coli* using GC-MS.*

19. S. Navarro, A. Tarkhan, A. Shojaie, T. Randolph, H. Gu, D. Djukovic, K. Osterbauer, M. Hullar, M. Kratz, M. Neuhauser, P. Lampe, D. Raftery, J. Lampe*, "Plasma metabolomics profiles suggest beneficial effects of a low-glycemic load dietary pattern on inflammation and energy metabolism", *Am J Clin Nutr.*, 110, 984, 2019. PMCID: PMC6766441

5-year Impact Factor: 6.77; Dr. Gu is responsible for measuring metabolic profiles in plasma that are related to a low-glycemic load dietary pattern.

20. J. Dempsey, D. Wang†, G. Siginir, Q. Fei†, D. Raftery, H. Gu, J. Y. Cui*, "Pharmacological Activation of PXR and CAR Downregulates Distinct Bile Acid-Metabolizing Intestinal Bacteria and Alters Bile Acid Homeostasis", *Toxicol Sci.*, 168, 40-60, 2019. PMID: 30407581

5-year Impact Factor: 4.132; Dr. Gu is responsible for developing mass spectrometry methods for measuring bile acids in this project.

21. D. Wang†, S. Cheng, Q. Fei†, H. Gu, D. Raftery, B. Cao, X. Sun, J. Yan, C. Zhang, J. Wang*, "Metabolic profiling identifies phospholipids as potential serum biomarkers for schizophrenia", *Psychiatry Res.*, 272, 18-29, 2019. PMID: 30579177

5-year Impact Factor: 2.67; Dr. Gu is responsible for metabolomics data analysis using advanced multivariate statistical analysis methods in this project.

22. X. Zhang, X. Xie, B. Heckmann, A. Saarinen, H. Gu, R. Zechner, J. Liu*, "Identification of an intrinsic lysophosphatidic acid acyltransferase activity in the lipolytic inhibitor G0/G1 switch gene 2 (G0S2)", *FASEB J.*, 33, 6655-6666, 2019. PMID: 30802154

5-year Impact Factor: 5.421; Dr. Gu is responsible for measuring lipid data using advanced mass spectrometry methods.

23. B. Zhu, H. Cao, G. Li, W. Du, G. Xu, J. Santo Domingo, H. Gu, N. Xu, S. Duan, J. Lu*, "Biodiversity and dynamics of cyanobacterial communities during blooms in temperate lake (Harsha Lake, Ohio, USA)", *J. Harmful Algae*, 82, 9-18, 2019. PMID 30928013

5-year Impact Factor: 4.27; Dr. Gu is responsible for all metabolomics studies using optimized mass spectrometry methods in this project.

24. C. Li, J. L. Dempsey, D. Wang†, S. Lee, K. M. Weigel, Q. Fei†, D. K. Bhatt, B. Prasad, D. Raftery, H. Gu*, J. Y. Cui*, "PBDEs Altered Gut Microbiome and Bile Acid Homeostasis in Male C57BL/6 Mice", *Drug Metab. Dispos.*, 46, 1226-1240, 2018. PMCID: PMC6053593

5-year Impact Factor: 3.633; Dr. Gu is the co-Corresponding Author and responsible for bile acid detection, metabolism analysis, and manuscript preparation. In this study, they showed that PBDEs, environmental contaminants, induced wide metabolism changes in gut microbiome in mice.

25. D. Wang†, X. Sun, J. Yan, B. Ren, B. Cao, Q. Lu, Y. Liu, J. Zeng, N. Huang, Q. Xie, H. Gu*, J. Wang*, “Alterations of eicosanoids and related mediators in patients with schizophrenia”, J Psychiatr. Res., 102:168-178, 2018. PMID: 29674269

5-year Impact Factor: 4.475; Dr. Gu is the co-Corresponding Author and responsible for data analysis and manuscript preparation. The goal of this project is to use the metabolomics approach for the accurate diagnosis of schizophrenia.

26. P. Lohavanichbutr, Y. Zhang, P. Wang, H. Gu, G. A. N. Gowda, D. Djukovic, M. Buas, D. Raftery, C. Chen*, “Salivary metabolite profiling distinguishes patients with oral cavity squamous cell carcinoma from normal controls”, PLoS One, e0204249, 2018. PMCID: PMC6147497

5-year Impact Factor: 3.337; Dr. Gu is responsible for collecting metabolomics data from saliva samples for oral cancer diagnosis.

27. B. Roshanravan, L. Zelnick, D. Djukovic, H. Gu, J. Alvarez, T. Ziegler, J. Gamboa, K. Utzschneider, B. Kestenbaum, J. Himmelfarb, S. Kahn, D. Raftery, I. de Boer*, “Chronic kidney disease attenuates the plasma metabolome response to insulin”, JCI Insight, 3, e122219, 2018. PMCID: PMC6141172

5-year Impact Factor: 6.014; Dr. Gu is responsible for metabolomics data collection and data analysis using blood samples.

Prior to ASU:

28. L. Deng, F. Guo, K. Cheng, J. Zhu, H. Gu, D. Raftery*, J. Dong*, “Identifying Significant Metabolic Pathways Using Multi-Block Partial Least-Squares Analysis”, J. Proteome Res., 19, 1965-1974, 2020. PMID: 32174118
29. E. Quarles, N. Basisty, Y. Chiao, G. Merrihew, H. Gu, M. Sweetwyne, J. Fredrickson, N. Nguyen, M. Razumova, K. Kooiker, F. Moussavi-Harami, M. Regnier, C. Quarles, M. MacCoss, P. Rabinovitch*, “Rapamycin persistently improves cardiac function in aged, male and female mice, even following cessation of treatment”, Aging Cell, e13086, 2019. PMID: 31823466
30. R. Burr, H. Gu, K. Cain, D. Djukovic, X. Zhang, C. Han, N. Callan, D. Raftery, M. Heitkemper*, “Tryptophan Metabolites in Irritable Bowel Syndrome: An Overnight Time-course Study”, J Neurogastroenterol Motil., 25, 551, 2019. PMCID: PMC6786437
31. A. Pilon, H. Gu, D. Raftery, V. Bolzani, N. Lopes, I. Castro-Gamboa, F. Neto*, “Mass Spectral Similarity Networking and Gas-Phase Fragmentation Reactions in the Structural Analysis of Flavonoid Glycoconjugates”, Anal. Chem., 91, 10413, 2019. PMID: 31313915
32. R. Centini, M. Tsang, T. Iwata, H. Park, J. Delrow, D. Margineantu, B. Iritani, H. Gu, H. Liggitt, J. Kang, L. Kang, D. Hockenbery, D. Raftery, B. Iritani*, “Loss of Fnip1 alters kidney developmental transcriptional program and synergizes with TSC1 loss to promote mTORC1 activation and renal cyst formation”, PLoS One, e0197973, 2018. PMCID: PMC5999084
33. D. Shao, O. Villet, Z. Zhang, S. Choi, J. Yan, J. Ritterhoff, H. Gu, D. Djukovic, D. Christodoulou, S. Kolwicz, D. Raftery, R. Tian*, “Glucose promotes cell growth by suppressing branched-chain amino acid degradation”, Nat. Commun., 9, 2935, 2018. PMCID: PMC6062555
34. B. N. R. Ginos, S. L. Navarro, Y. Schwarz, H. Gu, D. Wang, T. W. Randolph, A. Shojaie, M. A. J. Hullar, P. D. Lampe, M. Kratz, M. L. Neuhouser, D. Raftery, J. W. Lampe, “Circulating bile acids in healthy adults respond differently to a dietary pattern characterized by whole grains, legumes and fruits and vegetables compared to a diet high in refined grains and added sugars: A randomized, controlled, crossover feeding study”, Metabolism, 83, 197-204, 2018. PMCID: PMC5960615
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Patents:**At ASU:**

1. J. Adams, J. Hahn, H. Gu, "Diagnostic for Childhood Risk of Autism Spectrum Disorder", submitted.
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21. L. Deng, H. Gu, J. Zhu, G. A. N. Gowda, D. Djukovic, D. Raftery: Detecting Colorectal Cancer and Polyps using Nuclear Magnetic Resonance Spectroscopy and Mass Spectrometry based Metabolomics, American Association for Cancer Research, 2015.
22. P. Carroll, D. Diolaiti, P. Cheng, H. Gu, D. Raftery, D. Ayer, C. Muller, R. Eisenman: Transcriptional Regulation of Metabolism by Mlx and Its Binding Partners is Essential for Tumor Cell Survival and Spermatogenesis, American Association for Cancer Research, 2015.
23. H. Gu, D. Djukovic, R. Ballas, N. Shanaiah, G. A. N. Gowda, F. Waldman, B. Handy, D. Raftery: Detection of Recurrent Breast Cancer by Metabolite Profiling: Initial Validation Results, American Society for Mass Spectrometry, 2014.
24. H. Gu, J. Du, F. Carnevale Neto, P. Carroll, S. Turner, E. G. Chiorean, R. Eisenman, D. Raftery: Comprehensive Analysis of Amino Acids in Different Domains: An Application for Detecting Colon Cancer, American Society of Clinical Oncology, 2014.
25. M. Buas, H. Gu, D. Djukovic, J. Zhu, N. Urban, D. Raftery, C. Li: Identification of Novel Candidate Plasma Metabolite Biomarkers for Distinguishing between Serous Ovarian Carcinoma and Benign Serous Ovarian Tumors, NIH Common Fund Annual Meeting, 2014.
26. M. Afkarian, L. Zelnick, H. Gu, G. A. N. Gowda, D. Djukovic, J. Zhu, G. Barding, D. Raftery, I. de Boer: Metabolomics of Chronic Kidney Disease and Insulin Resistance, NIH Common Fund Annual Meeting, 2014.
27. H. Gu, D. Djukovic, J. Zhu, F. Carnevale Neto, G. A. N. Nagana, D. Raftery: Development of a Metabolite Profile for Colorectal Cancer Detection, American Society of Clinical Oncology, 2013.
28. G. A. N. Gowda, H. Gu, F. Tayyari, D. Raftery: Improved Unknown Metabolite Identification by Combining Smart Isotope Tags and Ratio Analysis MS and NMR Heterospectroscopy, American Society for Mass Spectrometry, 2013.
29. H. Gu, D. Margineantu, D. Djukovic, G. Rogers, D. Hockenbery, D. Raftery: Metabolic Alterations in Breast cancer cells and Mitochondria, American Society for Mass Spectrometry, 2013.

30. V. Asiago, H. Gu, Z. Pan, B. Xi, B. Musselman, D. Raftery: Principal Component Directed Partial Least Squares Analysis for Combining NMR and MS Data in Metabolomics: Application to the Detection of Breast Cancer, Pittsburgh Conference on Analytical Chemistry, 2010.
31. Y. Huang, H. Gu, W. Fan, P. W. Carr: Experimental Support for a Simple Approximate Equation for Peak Capacity Estimation in Two-Dimensional Liquid Chromatography, High Performance Liquid Chromatography, 2010.
32. H. Gu, Y. Huang, M. Filgueira, P. W. Carr: Effect of First Dimension Phase Selectivity in Online Comprehensive Two Dimensional Liquid Chromatography (LCxLC), Pittsburgh Conference on Analytical Chemistry, 2010.
33. Y. Huang, H. Gu, M. Filgueira, P. W. Carr: Effects of Sampling Time on the Resolving Power of On-line LCxLC, Pittsburgh Conference on Analytical Chemistry, 2010.
34. H. P. Bailey, S. C. Rutan, H. Gu, Y. Huang, P. W. Carr: Chemometric Analysis of Beverages Following Separation by Comprehensive Two Dimensional Liquid Chromatography with Diode Array Detection, Pittsburgh Conference on Analytical Chemistry, 2010.
35. H. Gu, S. Yang, H. Chen, Y. Yang, B. Hu, X. Zhang, Y. Zhou, L. Zhang: Imaging Melamine in Egg Samples by Surface Desorption Atmospheric Pressure Chemical Ionization Mass Spectrometry, American Society for Mass Spectrometry, 2009.
36. J. Ding, H. Gu, B. Hu, Z. Wu, Y. Ren, H. Chen: In Vivo Detection of Intramuscular Injected Ephedrine in Breath by EESI-MS, American Society for Mass Spectrometry, 2009.
37. H. Gu, Z. Pan, B. Xi, B. E. Hainline, N. Shanaiah, G. A. N. Gowda, D. Raftery: ^1H NMR Metabolomics Study of Age Profiling in Children, Metabolomics Society Conference, 2008.
38. H. Gu, H. Han, Y. Sun, Z. Pan, J. Zhang, S. A. Mcluckey, D. Raftery: Application of Nano-Electrospray Tandem Mass Spectrometry for Direct Fingerprinting of Rat Urine in Metabolomics, American Society for Mass Spectrometry, 2008.
39. H. Gu, Z. Pan, D. Raftery: Combining NMR and MS in Metabolomics Characterization of Breast Cancer, Pittsburgh Conference on Analytical Chemistry, 2008.
40. D. Raftery, Z. Pan, H. Gu, N. Shanaiah, S. C. Zhang, G. A. N. Gowda, N. Talaty, A. Jackson, R. G. Cooks: Advanced NMR and MS Methods and Their Combination in Metabolomics, American Society for Mass Spectrometry, 2007.
41. H. Gu, Z. Pan, C. Duda, D. Mann, C. Kissinger, C. Rohde, D. Raftery: ^1H NMR Study of the Effects of Sample Contamination in the Metabolomics Analysis of Mouse Urine, Pittsburgh Conference on Analytical Chemistry, 2007.
42. H. Gu, Z. Pan, Y. Sun, B. Xi, B. E. Hainline, N. Shanaiah, G. A. N. Gowda, D. Raftery: ^1H NMR-Based Metabolomics Study on Age-Related Biochemical Variations in Human Urine, Experimental Nuclear Magnetic Resonance Conference, 2007.
43. Z. Pan, H. Gu, H. Chen, A. Jackson, N. Talaty, B. Xi, C. Kissinger, C. Duda, D. Mann, D. Raftery, R. G. Cooks: Monitoring Diet Effects from Biofluids and Their Implications for Metabolomics Studies, Pittsburgh Conference on Analytical Chemistry, 2007.
44. R. G. Cooks, N. Talaty, H. Chen, A. Jackson, Y. Song, Z. Pan, H. Gu, D. Raftery: Rapid and Quantitative Metabolomics Using New Techniques in Ambient Mass Spectrometry and Nuclear Magnetic Resonance Spectrometry, Pittsburgh Conference on Analytical Chemistry, 2007.
45. C. J. Murphy, H. Gu, D. Raftery: Hyperpolarized ^{129}Xe NMR Studies of Low Surface Area Solids, Pittsburgh Conference on Analytical Chemistry, 2007.
46. A. Jackson, N. Talaty, H. Gu, S. Werner, H. Chen, J. Morgan, D. Raftery, R. G. Cooks: Ambient Mass Spectrometry Applications to Targeted Metabolic Pathway Analysis, Pittsburgh Conference on Analytical Chemistry, 2007.
47. Z. Pan, H. Gu, X. Huang, G. H. J. Park, F. E. Regnier, D. Raftery: Combining GCxGC-MS and NMR in Metabolomics: Towards the Early Detection of Colon Cancer, American Society for Mass Spectrometry, 2007.
48. Z. Pan, H. Chen, H. Gu, N. Shanaiah, R. G. Cooks: Diagnosis of Inborn Errors of Metabolism Using NMR Spectroscopy, Experimental Nuclear Magnetic Resonance Conference, 2006.

Talks:

1. *Daily red wine vinegar ingestion for eight weeks improves glucose homeostasis and affects the metabolome but does not reduce adiposity in adults*, Metabolomics Association of North America, Atlanta, 2019.
2. *Development and Applications of Advanced Mass Spectrometry in Metabolomics*, Department of Medicine, University of Arizona, Tucson, 2019.
3. *Development and Applications of Advanced Mass Spectrometry in Metabolomics*, Department of Molecular Pharmacology and Experimental Therapeutics, Mayo, Rochester, 2019.
4. *Mass Spectrometry-Based Metabolomics in Autism*, ASD Translational Team Mini-Conference, Phoenix, 2019.
5. *Development and Applications of Advanced Mass Spectrometry in Metabolomics*, Arizona Alzheimer's Retreat, Tucson, 2019.
6. *CAREER: System Development and Data Analysis in Mass Spectrometry to Enable Reliable and Broad Metabolic Flux Analysis*, NSF Career Workshop, Alexandria, 2019.
7. *Loss of SETD2 Induces a Metabolic Switch in Renal Cell Carcinoma Cell Lines Toward Enhanced Oxidative Phosphorylation*, Mass Spectrometry Applications to the Clinical Lab, Palm Springs, 2019.
8. *Recent Development and Applications in Mass Spectrometry-based Metabolomics*, AML Metabolomics Symposium, Scottsdale, 2019.
9. *Recent advances of targeted mass spectrometry in metabolomics*, Targeted Mass Spectrometry and Skyline Workshop, Metabolomics Society Conference, Seattle, 2018.
10. *Metabolomics Analysis of Hypoxic Preconditioning in C. elegans*, Metabolomics Society Conference, Seattle, 2018.
11. *Development and Application Studies in Arizona Metabolomics Laboratory*, AML Metabolomics Symposium, Scottsdale, 2018.
12. *Development and Applications of Advanced Mass Spectrometry in Metabolomics*, Immunotherapy, Vaccines and Virotherapy, Biodesign, Arizona State University, Tempe, AZ, 2018.
13. *Advanced Mass Spectrometry in Metabolomics*, Mitochondria and Metabolism Interest Group Meeting, Seattle, WA, 2017.
14. *Metabolism is Widely Altered in C. elegans Under Hypoxic Preconditioning*, Cascadia Proteomics Symposium, Seattle, WA, 2017.
15. *Variable Selection for Combining NMR and MS in Metabolomics*, Cascadia Proteomics Symposium, Seattle, WA, 2016.
16. *Identification of Plasma Metabolite Biomarkers for Serous Ovarian Carcinoma*, Mass Spectrometry Seminar on Lipidomics (AB-Sciex), Seattle, WA, 2015.
17. *Cellular Metabolism Studies of the Extended Myc Network*, Mitochondria and Metabolism Interest Group Meeting, Seattle, WA, 2015.
18. *Methods Development for Unknown Identification and Colon Cancer Detection*, NWMRC Metabolomics Symposium, Seattle, WA, 2013.
19. *Method Development and Application Studies in the NW-MRC*, Cascadia Proteomics Symposium, Seattle, WA, 2013.
20. *Development and Initial Validation of a Metabolite Profile for the Early Detection of Breast Cancer Recurrence*, American Society for Mass Spectrometry, Vancouver, CAN, 2012.
21. *Differentiation of Maturity and Quality of Fruit Using Noninvasive Extractive Electrospray Ionization Quadrupole Time-of-Flight Mass Spectrometry*, American Society for Mass Spectrometry, Denver, CO, 2011.

22. *Considerations Involved in Choosing the 1st Dimension Column for Comprehensive 2DLC*, Minnesota Chromatography Forum, Minneapolis, MN, 2010.

Teaching Responsibilities:

At ASU:

Course	Semester	Enrollment
NTR 598-Nutrition and Food Metabolomics	Spring 2018	8
NTR 499-Individualized Instruction	Summer 2018	3
NTR 499-Individualized Instruction	Fall 2018	1
NTR 492-Honors Directed Study	Fall 2018	1
NTR 493-Honors Thesis	Spring 2019	1
NTR 499-Individualized Instruction	Spring 2019	1
NTR 599-Exercise and Nutritional Science	Spring 2019	1
EXW 501-Research Statistics	Spring 2019	17
NTR 499-Individualized Instruction	Fall 2019	3
MBB 495-Undergraduate Research	Fall 2019	1
NTR 599-Thesis	Fall 2019	3
NTR 692-Research	Fall 2019	1
EXW 501-Research Statistics	Fall 2019	20
HCD 300-Biostatistics	Fall 2019	59
HCD 300-Biostatistics	Spring 2020	72
EXW 501-Research Statistics	Spring 2020	13
MBB 495-Undergraduate Research	Spring 2020	2
NTR 499-Individualized Instruction	Spring 2020	1
EXW 501-Research Statistics	Fall 2020	14
MBB 495-Undergraduate Research	Fall 2020	1
NTR 499-Individualized Instruction	Fall 2020	1

Prior to ASU:

2003-2006	Teaching Assistant, Department of Physics, Purdue University
Fall 2010	Separation Sciences, Department of Chemistry, University of Minnesota

Mentorship:

At ASU:

Student/Postdoc	Degree	From Date	To Date
Yan Jin	Postdoc	Spring 2020	On-going
Xiaojian Shi	Postdoc	Spring 2018	Spring 2020
Paniz Jasbi	PhD	Fall 2018	On-going
Jeffrey Patterson	MS	Fall 2018	On-going
William Bresette	BS	Spring 2018	Spring 2019
Brandon Chow	BS	Spring 2018	On-going
Jonathan Hrovat	BS	Spring 2018	Spring 2019
Cassidy Turner	BS	Spring 2018	Spring 2020
Sarah Atlas	BS	Fall 2018	Fall 2019
Keelin Murphy Riepe	BS	Fall 2018	Spring 2019
Keelin Murphy Riepe	MS	Fall 2019	On-going
Ryan Eghlimi	BS	Fall 2018	On-going
Alex Lawrence	BS	Spring 2019	Spring 2020
Maria Shen	BS	Spring 2020	On-going

William Bresette graduated from ASU with the **Moeur Award** and the **Outstanding Dietetic Student Award** from ASU College of Health Solutions and the Arizona Academy of Nutrition and Dietetics, respectively, for his excellent achievements with the highest academic standing. He is currently a PhD student in the University of Arizona.

Keelin Riepe graduated from ASU with a BS degree, and she was admitted to the MS program at ASU College of Health Solutions, with the **Susan Coleman Scholarship in Nutrition**.

Paniz Jasbi won the **Outstanding Research Award** from the Graduate & Professional Student Association (GPSA) at ASU, for his excellent achievements in metabolomics research.

Student Committee Member:

Student	Degree	Mentor	From Date	To Date
Carmen Ortega	PhD	Dr. Corrie Whisner	Spring 2018	On-going
Natalie Kopplin	MS	Dr. Carol Johnston	Fall 2019	On-going
John Son	BS	Dr. Christos Katsanos	Fall 2018	Spring, 2019
Hamza Ghannam	BS	Dr. Christos Katsanos	Spring 2019	On-going

Prior to ASU:

2012-2013	Fausto Carnevale Neto, Visiting Student from Sao Paulo State University, Araraquara, Brazil
2013-2014	Lingli Deng, Visiting Student from Xiamen University, Xiamen, Fujian Province, P. R. China
2014-2015	Ping Zhang, Visiting Student from China Agricultural University, Beijing, P. R. China
2015-2017	Renke Zhang, Visiting Student from China Agricultural University, Beijing, P. R. China
2016-2017	Dongfang Wang, Visiting Student from Peking University, Beijing, P. R. China

SERVICE TO ASU

University Level:

2018-present	OKED Mass Spectrometry Facility
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School/College Level:

March 2018-present	Arizona Metabolomics Laboratory Metabolomics Symposium, College of Health Solutions, Arizona State University
October 2018	Student Research Fair, College of Health Solutions, Arizona State University
Fall 2018-present	Graduate Student Recruitment Committee, College of Health Solutions, Arizona State University
Fall 2018-present	Undergraduate Student Recruitment Committee, College of Health Solutions, Arizona State University
Fall 2018-present	CHS Research Council
Fall 2018-present	Faculty Recruitment Committee, College of Health Solutions, Arizona State University
Fall 2019-present	ENS Executive Committee, College of Health Solutions, Arizona State University
Fall 2019-present	CHS Tenure Track ad hoc Review Committee

SERVICE TO THE COMMUNITY:

2018	Connect2STEM program
2016-2018	Organizing Committee Member, International Conference of the Metabolomics Society
Spring 2018-	Scholarly Project Mentor, University of Arizona College of Medicine
Spring 2018	Scientific Peer Advisory and Review Services Division, the American Institute of Biological Sciences (AIBS)
April 2019	Judge for the American Society for Biochemistry and Molecular Biology (ASBMB) Undergraduate Poster Competition
Fall 2019	Florida Department of Health Biomedical Research Program Review
April 2020	Autism Research Institute ad hoc Review Committee

Editorial Responsibility:

2013- Current Metabolomics
2018- Metabolites

Ad-hoc Journal Reviewer:

Analytical Chemistry
Analyst
Metabolites
Scientific Reports
Molecular Carcinogenesis
Metabolomics
Journal of the American Society for Mass Spectrometry
The Anatomical Record
Journal of Proteome Research
Analytica Chimica Acta
Journal of Pharmaceutical and Biomedical Analysis
Journal of Chromatography B
RSC Advances
Frontiers Pharmacology
Cancer Medicine
Oncotarget
Analytical Methods

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Mark Myring, PhD

Associate Dean for Graduate Programs and Strategic Initiatives

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Academic Experience – Leadership Roles

Miller College of Business, Ball State University: *Associate Dean for Graduate Programs and Strategic Initiatives* (September 2017 – June 2018; July 2019 – present) and *Interim Bryan Dean* (July 2018 – June 2019)

While serving as Interim Bryan Dean, I oversaw the operations of the Miller College of Business. The Miller College houses six academic departments, six centers and includes more than 125 faculty members, 45 professional/administrative staff members and has an operating budget of \$18 million. Several programs in the college are nationally ranked, including the MBA program (ranked in *US News and World Report*), Entrepreneurship program (ranked in *Princeton Review*) and Accounting programs (ranked in *Public Accounting Report*). As Associate Dean, I guide all aspects of strategic planning for the Miller College and oversee the college's graduate and executive education programs.

Strategic Planning/Direction:

- Worked with faculty and stakeholders to revise the Miller College of Business mission and vision statements. Developed a strategic plan with measurable outcomes, along with a dashboard to track progress toward achievement of these initiatives.
- Led the 2019 – 20 AACSB reaccreditation efforts. Headed the preparation of the Miller College's Continuous Improvement Report. Developed mechanisms to capture engagement, innovation and impact activities.
- Served as a member of eight AACSB Continuous Improvement Review visit teams, chairing two, as well as engaging other colleges of business in a consultative capacity to facilitate their preparation for Continuous Improvement Reviews.
- Enhanced the college's external and internal communications.
 - Launched the college's new magazine, *Ball State Business*, which was distributed to all alumni and friends of the college.
 - Established the college's internal newsletter, *Miller News*. This newsletter served as a summary of faculty and student accomplishments and was used as an effective communication mechanism to highlight college accomplishments for external placement in popular press.

External Funding and Engagement:

- During academic year 2018-2019, completed a \$1.5 million naming campaign for the Oz Nelson Logistics and Supply Chain Management Center; Worked to secure a \$1.0 million gift for accounting excellence and \$100,000 in funding for internship support.
- Enhanced support for the college's nationally ranked Entrepreneurship program. Worked with the program's advisory board to establish a pre-seed grant fund for students; this fund offers resources to facilitate development of student business plans.
- Re-established the Miller College Alumni Awards Dinner. The 2018 event, which brought more than 200 alumni and friends to campus, provided an opportunity to recognize seven alumni for their career success and engagement with the college.
- Hosted the Miller College's annual Dialogue Days, a two-day alumni experience which features career, professional and major-driven topical panel discussions for the college's students. This year's event brought more than 100 alumni to campus.

Curriculum Development and Student Success:

- Led the redesign of the MBA program. The revised curriculum consists of three stackable certificates that be completed by working professionals without business degrees in two years. Established six new graduate certificates to complement the program.
- Enhanced support for Miller College students by establishing the Student Success Center, an integrated student support facility. The Center provides a consolidated location for course-specific tutoring as well as skill building sessions on topics critical to academic success (e.g., effective studying techniques).
- Expanded our first-year student engagement program. The engagement program consists of on-boarding/business orientation events which include introductions to majors offered in the college. Additional programming focused on the development of academic and professional skills.
- Significantly expanded executive education programs in the college. Reorganized and enhanced resources allocated to the Graduate Programs Office to facilitate and promote executive education. Worked with faculty to develop almost 30 executive education modules.

External Service and Leadership Roles:

- Served as Chapter Advocate and on the Board of Directors of Beta Alpha Psi, the scholastic and professional fraternity for financial information professionals. Chaired the 2020 Beta Alpha Psi Annual Meeting.
- Member of the American Accounting Association Notable and Distinguished Contributions to Accounting Literature Award Screening Committee.

Academic Experience – Department Leadership

Paul W. Parkison Department of Accounting Miller College of Business, Ball State University
Chair and Alumni Distinguished Professor (2011 – 2016) and **Director of Graduate Studies in Accounting** (2006-2011).

The Chair of the Paul W. Parkison Department of Accounting oversees operations of the department's undergraduate and master's program, which hold separate accounting AACSB accreditation. In 2015, the department became the first named department in the university following the completion of a \$3.1 million naming campaign. While serving as Chair, the Department was nationally ranked by the *Public Accounting Report*.

Strategic Planning/Direction:

- Headed the successful AACSB re-accreditation efforts in 2014-2015. The department is one of less than 220 accounting programs worldwide that hold this accreditation.
- Led the development and implementation of a strategic plan for the department.
- Created an Executive Professor in Residence position. This individual provides a direct connection to current practice and trends and increases student's access to internships, speakers and employment opportunities.
- Recruited faculty from highly-regarded PhD programs. Several of these faculty have published in the discipline's top journals.

Fundraising/Engagement:

- Collaborated with the former Dean to facilitate a successful naming campaign for the Department of Accounting. The \$3.1 million campaign was completed in 18 months and was recognized with a CASE Silver Award.
- Secured funding for the Chuck Allen/Crowe Leadership Lecture Series. The series brought nationally recognized leadership speakers to campus and provided an opportunity for students to interact with the CEO of the firm.
- Obtained funding from accounting firm Katz, Sapper, and Miller (KSM) for a classroom named in its honor. The classroom provides a branded, flexible learning space for accounting students.
- Established the department's external newsletter which is sent to 5,000 alumni, deans and accounting chairs annually.
- Hosted annual Accounting Alumni Awards dinner. The event is typically attended by over 150 alumni and friends and provides an effective means for both students and faculty to engage with alumni and industry partners.

Student Success and Curricular Advancement:

- Developed the Accounting Boot Camp and Career Preparation Workshop Series in partnership with the department's alumni boards. These events enhance the professional preparedness and acumen of accounting students.
- Led revision of the Master's of Accounting curriculum. The streamlined curriculum resulted in growth in enrollment and improved CPA exam pass rates.

External Service and Leadership Roles:

- Founded the Mid-American Conference (MAC) Accounting Research Symposium. The event provides a unique opportunity for MAC Accounting Faculty to receive feedback about in-progress research from their colleagues at MAC schools. The initial event featured keynote speakers from the University of Chicago and Northern Illinois University.
- Co-President of the Midwest Region of the American Accounting Association.
- President, North-Central Indiana Chapter, Institute of Management Accountants.

Summary of Scholarship: Published more than 45 articles in basic, applied and teaching/learning journals, including four publications in FT 50 journals and nine in journals ranked as A*/A journals on the ABDC rankings list. Research presented at more than 50 academic conferences, including the European Accounting Association Annual Congress and American Accounting Association Annual Meeting. Invited presentations include those at the AACSB Continuous Improvement Conference and the National Association of State Boards of Accounting Western and Eastern Regional Meetings. Total citations of published work: 907 (Google Scholar).

Publications

Danvers, K., R. Larson, M. Myring and G. Stevens. 2020. In Memoriam: Professor Ran Barniv. *Journal of International Accounting, Auditing and Taxation* 38. – B

Ayres, D., S. Huang, and M. Myring. 2017. Fair value accounting and analyst forecast properties. *Advances in Accounting* 37: 68-70. – B

Hoag, M., M. Myring, and J. Schroeder. 2017. Did the association between audit quality and analyst earnings forecast properties change after the Sarbanes-Oxley Act of 2002? *American Journal of Business* 32(1) 2-23. – NR

Athavale, M., J. P. Bott, M. Myring and L. Richardson. 2017. Dean' perceptions of published rankings of business programs. *Journal of Education for Business* 92(2): 81-88. – C

- Myring, M. and R. Barniv. 2015. How would the differences between IFRS and U.S. GAAP affect U.S. analyst performance. *Journal of Accounting and Public Policy* 34(1): 28-51. – A
- Myring, M., J. P. Bott, R. Edwards. 2014. New approaches to online accounting education. *The CPA Journal* 84(8): 66-71. – NR
- Ledbetter, J., C. Luchs, M. Myring and L. Van Alst. 2014. An examination of factors affecting forecast accuracy in Japan. *Journal of Finance and Accountancy* 15(1): 1-16. – NR
- Harp, N., M. Myring and R. Shortridge. 2013. Do variations in the strength of corporate governance still matter? A comparison of the pre- and post-regulation environment. *Journal of Business Ethics* 122(3): 361-373 – A
- Athavale, M. M. Myring and R. Groeber. 2013. Analyst earnings forecasts in BRIC countries. *Journal of Applied Business and Economics* 14(5): 71-82. – C
- Bloom, R. and M. Myring. 2013. Using sustainability reporting to develop a competitive advantage. *Tennessee CPA Journal* 58(2): 17-20. – NR
- Luchs, C. K., M. Myring and S. Maheshwari, S. 2012. An examination of future firm performance and fundamental analysis. *The Journal of Finance and Accountancy* 9: 1-12. – NR
- Luchs, C., M. Myring and S. Maheshwari. 2011. An empirical test of fundamental analysis in India. *DIAS Technology Review - The International Journal for Business and IT* 16: 1-18. – NR
- Barniv, R., O. Hope, M. Myring and W. Thomas. 2010. International evidence on analyst stock recommendations, valuations, and returns. *Contemporary Accounting Research* 27(4): 1131-1167. – A*
- Athavale, M., M. Myring, A. Truell and R. Davis. 2010. Factors influencing the success of integrating the business curriculum. *Delta Pi Epsilon Journal* 52(1): 4-16. – NR
- Myring, M and R. Shortridge. 2010. Corporate governance and the quality of financial disclosures. *International Business & Economics Research Journal* 9(6): 103-110. – NR
- Barniv, R., O. Hope, M. Myring and W. Thomas. 2009. Do analysts practice what they preach and should investors listen? Effects of recent regulations. *The Accounting Review* 84(4): 1015-1039. – A*
- Myring, M., C. Luchs and R. Bloom. 2009. What's ahead for internal auditors. *Strategic Finance*

September: 46-52. (Certificate of Merit winner). – NR

Myring, M and W. Wrege. 2009. Analysts' earnings forecast accuracy and activity: A time-series analysis. *Journal of Business & Economics Research* 7(5): 87-95. – C

Athavale, M., R. Davis and M. Myring. 2008. The state of curriculum integration in colleges of business. *Journal of Education for Business* 83(5): 295-301. – C

Myring, M. and R. Bloom. 2008. Charting the future of the accounting, finance and auditing professions. *The CPA Journal* 76(6): 65-67. – NR

Myring, M., W. Wrege and L. Van Alst. 2008. Accounting boot camp for college juniors. *Journal of College Teaching and Learning* 4(3): 13-22. – NR

Bloom, R. and M. Myring. 2008. An analysis of the IFAC's Financial Reporting Supply Chain. *Tennessee CPA Journal* 53(6): 23-25. – NR

Myring, M. and R. Bloom. 2007. Complexity in financial reporting. *Today's CPA* 53(3): 24-28. – NR

Myring, M. and R. Bloom. 2007. International transfer pricing and intellectual property: The PrimeCo case. *Issues in Accounting Education* 22(4): 769-744 (case), 168-176 (teaching notes). – A

Myring, M., R. Shortridge, W. Wrege and A. Chester. 2007. The market valuation of earnings in Germany, the United Kingdom and the United States. *International Business and Economics Research Journal* 6(7): 19-28. – NR

Myring, M. and R. Bloom. 2007. Global capital markets and the global economy: A vision from the CEOs of the international audit networks – analysis and commentary. *The Catalyst* July: 74-76. – NR

Brown, C., D. Brickner and M. Myring. 2007. Using fundamental analysis of financial information to explain unexpected market behavior. *Global Business and Economics Review* 9(4): 366-380. – C

Myring, M. 2006. The relationship between returns and unexpected earnings: A global analysis by accounting regimes. *Journal of International Accounting, Auditing and Taxation* 15(1): 92-108. – B

Barniv, R. and M. Myring. 2006. An international analysis of historical and forecast earnings in accounting-based valuation models. *Journal of Business, Finance and Accounting* 33 (7-8): 1087-1109. – A

- Myring M. and W. Wrege. 2006. Investigation into the general acceptance of AACSB ethics standards. *Journal of Business and Economic Research* 4(6): 1-7. – NR
- Bloom, R. and M. Myring. 2005. Ideas on globalizing the intermediate accounting courses. *Advances in Accounting Education* 7: 355-379. – NR
- Benkato, O., M. Myring and C. Luchs. 2006. Determinants of capital structure: Common law verses civil law countries. *Review of Business Research* 6(1): 63-71. – NR
- Myring, M., R. Bloom and R. Shortridge. 2005. The effect of accounting internships on subsequent academic performance. *The Journal of Accounting and Finance Research* 13(1): 169-175. – NR
- Brown, C. and M. Myring. 2005. Multivariate time-series prediction of cash flows: Regulated vs. non-regulated firms. *Journal of Corporate Communications* 5: 1-24. – NR
- Wrege, W., M. Myring and J. Schroeder. 2005. Accounting for stock-based employee compensation: A continuing controversy. *Journal of Business and Economic Research* 3(4): 31-38. – NR
- Barniv, R., M. Myring and W. Thomas. 2005. The association between the legal and financial reporting environments and forecast performance of individual analysts. *Contemporary Accounting Research* 22(4): 1-33. – A*
- Shortridge, R. and M. Myring. 2004. Principles-based accounting standards: What, why and when. *The CPA Journal* 74(8): 34-37. – NR
- Myring, M., R. Shortridge and R. Bloom. 2003. The impact of Statement of Financial Accounting Standard No. 123 on equity prices of computer software companies. *Research in Accounting Regulation* 16: 121-144. – B
- Myring, M., R. Shortridge and L. Van Alst. 2003. The relationship between returns and unexpected earnings: A comparison of Australia and the United States. *Journal of Business and Economic Research* 1(8): 69-78. – NR
- Bloom, R. and M. Myring. 2003. Focusing on the true value: Improving accounting for intangibles. *Tennessee CPA Journal* 48(3): 5-9. – NR
- Myring, M. and R. Bloom. 2003. Independence standards board staff report: A conceptual framework for auditor independence. *The CPA Journal* 73(1): 30-35. – NR

Brown, R. and M. Myring. 2002. A novel approach to accounting education. *The CPA Journal* 72(3): 10-13. – NR

Bloom, R. and M. Myring. 2002. GAO's new auditor independence rules. *The Journal of Government Financial Management* 51(3): 44-48. – NR

Van Alst, L. and M. Myring. 2002. Know the degree alternatives for accounting students. *Pennsylvania CPA Journal* 72(4): 22-23. – NR

Myring, M. and C. Brown. 2001. An inter-industry comparison of earnings response coefficients. *Journal of Business and Information Technology* 1(1): 20-29. – NR

Brown, R. E., M. Myring and C. G. Gard. 1999. Activity-based costing in government: Possibilities and pitfalls. *Public Budgeting and Finance* 19(2): 3-21. – C

Bloom, R., J. Fuglister and M. Myring. 1998. The state of accounting in Armenia. *The International Journal of Accounting* 33(5): 633-654. – A

Book Reviews

Myring, M. 2006. International Accounting by Choi and Meek. *Journal of International Accounting Research* 5(2): 88. – A

Book Chapters

Brown, R. E., M. Myring and C. G. Gard. Activity-based costing in government: Possibilities and pitfalls. *Government Budgeting: Theory, Process and Politics* (third edition, 2002) by Albert C. Hyde. Reprint of *Public Budgeting and Finance* Article.

Work Under Review

Barniv, R., M. Myring and Tiffany Westfall. Does IFRS experience affect analyst's forecasting performance?
Status: 2nd round of review at *Journal of International Accounting, Auditing and Taxation*.

Myring, M. and T. Westfall. Are voluntary internal control weakness disclosures in initial public offerings associated with management's disclosure credibility?
Status: Revise and resubmit at *Advances in Accounting*

Larson, R. and M. Myring. U.S. comment letter writing to the IASB during its first decade: A case of leaders without enough followers?
Status: Revise and resubmit, *Accounting in Europe*

Academic Conference and Research Workshops

2018: European Accounting Association Annual Congress

2017: American Accounting Association Annual Meeting, North American Accounting Society.

2016: American Accounting Association Ohio Regional Meeting, American Accounting Association Midwest Regional Meeting, American Accounting Association Western Regional Meeting, American Accounting Association Mid-Atlantic Regional Meeting

2015: American Accounting Association Midwest Regional Meeting, University of Akron Research Workshop Series.

2014: American Accounting Association Midwest Regional Meeting

2013: European Accounting Association Annual Congress, American Accounting Association Annual Meeting, American Accounting Association Ohio Regional Meeting, National Association of State Boards of Accounting Western and Eastern Regional Meetings.

2012: American Accounting Association Annual Meeting.

2011: American Accounting Association International Section Meeting, American Accounting Association Annual Meeting.

2010: American Accounting Association International Section Meeting, American Accounting Association Annual Meeting.

2009: American Accounting Association Ohio Regional Meeting, International Business and Economic Research Conference.

2008: American Accounting Association International Section Meeting, American Accounting Association Annual Meeting, American Accounting Association Ohio Regional Meeting.

2007: American Accounting Association Ohio Regional Meeting

2006: International Academy of Business and Economics.

2005: Midwest Finance Association, International Business and Economic Research Conference.

2004: American Accounting Association Southeast Regional Meeting, The American Academy of Accounting and Finance, International Business and Economic Research Conference.

2003: American Accounting Association Annual Meeting, American Accounting Association Ohio Regional Meeting, American Academy of Accounting and Finance, Southwest Decision Sciences Institute Meeting.

2002: American Accounting Association Annual Meeting, American Accounting Association International Section Meeting, Midwest Finance Association Meetings.

2001: American Accounting Association Annual Meeting, American Accounting Association International Section Meeting, American Accounting Association Ohio Regional Meeting, Conference on Emerging Issues in International Accounting.

2000: American Accounting Association International Section Meeting, American Accounting Association Northeast Regional Meeting, American Accounting Association Ohio Regional Meeting.

1996: Academy of Accounting Historians Annual Conference, Cleveland, OH.

Grants

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|------------|--|
| 2012 | National Association of State Boards of Accountancy (NASB), Accounting Education Research Grant to explore the use of learning analytics in online accounting education (\$5,000). |
| 2010-2012 | U.S. Department of State Grant, Assist Tikrit University (Iraq) develop Accounting program (\$983,507), supporting role. |
| 2001-2009 | The George A. Ball and Wally T. Miller Distinguished Research Fellowships in Business Administration (\$10,000 per year). |
| 2002, 2008 | Fisher Research Fellowship (\$3,250). |
| 2001 | Lilly Corporation Grant to stimulate student interest in accounting and to retain current accounting majors, (\$15,850), supporting role. |

Awards

2015	Best Paper Award, Midwest Regional Meeting, American Accounting Association.
2011	Outstanding Research Award from the Miller College of Business
2010	Outstanding Research Award from the Miller College of Business
2009	Institute of Management Accountants Certificate of Merit for their outstanding contribution to accounting and finance literature
2008	Extraordinary Year Award from the Miller College of Business
2006	Outstanding Research Award from the Miller College of Business
2004	Outstanding Research Award from the Miller College of Business

AACSB Related Activities

Peer Review Team Participation: 2012, 2015, 2016, 2017, 2018, 2019 (2), 2021

University Service

University Committees

University Senate, Faculty Council, Governance and Elections Committee, Faculty Salary and Benefits Committee, Graduate Education Committee, Student Affairs Subcommittee (Chair), Graduate Education Committee Faculty Affairs Subcommittee, Graduate Education Committee Dean Search Committee, Miller College of Business, Graduate Education Committee Curricular Affairs Subcommittee, John W. Fisher Faculty Research Fellowship Committee

College Committees

Graduate Curriculum and Assessment Committee (Chair), Undergraduate Curriculum and Assessment Committee, Salary Committee, Tenure and Promotion Committee (Chair) Faculty Development Committee

Advisory Roles in Student Organizations

Advisor, Zeta Omega Chapter, Beta Alpha Phi, Founding Co-Advisor, Ball State Chapter, Alpha Kappa Psi, Co-Advisor, Financial Management Student Association

Teaching

Average teaching evaluation: 4.5. Courses Taught: Principles of Financial Accounting, Principles of Managerial Accounting, Intermediate Financial Accounting (I and II), Practicum in Financial Analysis and Decision Making, International Field Study, MBA Financial Accounting (Graduate), International Accounting (Graduate), Accounting Capstone (Graduate).

Academic Positions

2010-Present*	Professor and Alumni Distinguished Professor Paul W. Parkison Department of Accounting, Miller College of Business *On leave fall 2014
2005-2010	Associate Professor and Alumni Distinguished Professor Department of Accounting, Miller College of Business
2000-2004	Assistant Professor of Accounting Department of Accounting, Miller College of Business

Professional Positions

Consultant (litigation support)

Rosenthal Thurman, Cleveland, OH

Staff Accountant

C. J. Monastra, CPA and Company, Shaker Heights, OH

Education

PhD	Kent State University Major: Business Administration, Accounting; Minor: Statistics
MBA	Kent State University
BSBA	John Carroll University Major: Accounting

TONG ZHOU, PhD

Department of Physiology and Cell Biology
University of Nevada, Reno School of Medicine, Reno, NV 89557, US
1-775-784-4340 (o), 1-630-484-3215 (c), tongz@med.unr.edu

CHRONOLOGY OF EMPLOYMENT

Assistant Professor in Bioinformatics (tenure-track) Department of Physiology and Cell Biology University of Nevada School of Medicine, Reno, Nevada, US	02/2016 - present
Research Assistant Professor in Bioinformatics Department of Medicine University of Arizona, Tucson, Arizona, US	09/2013 - 01/2016
Research Assistant Professor in Bioinformatics Institute for Personalized Respiratory Medicine, Department of Medicine University of Illinois at Chicago, Chicago, Illinois, US	04/2010 - 09/2013
Postdoctoral Fellow in Computational Biology Center for Computational Biology and Bioinformatics University of Texas at Austin, Austin, Texas, US	10/2006 - 04/2010

CHRONOLOGY OF EDUCATION

Doctor of Philosophy in Bioinformatics Southeast University, Nanjing, Jiangsu, China	04/2006
Master of Science in Bioinformatics Southeast University, Nanjing, Jiangsu, China	03/2002
Bachelor of Science in Biomedical Engineering Southeast University, Nanjing, Jiangsu, China	06/2000

RESEARCH EXPERIENCE

- **High throughput omics data analysis**
 - ✓ Next-generation sequencing data analysis
 - ✓ Microarray data analysis
 - ✓ Microbiome data analysis
- **Translational and clinical informatics for precision medicine**
 - ✓ Development of RNA modification based biomarkers for complex human diseases (e.g. pulmonary hypertension and lung cancer)
 - ✓ Development of peripheral blood based diagnostic molecular signatures for pulmonary and cardiovascular diseases (e.g. sarcoidosis, pulmonary hypertension, asthma, tuberculosis, and diastolic dysfunction) and human cancers (e.g. lung cancer)
 - ✓ Development of prognostic molecular signature for pulmonary diseases (e.g. idiopathic pulmonary fibrosis) and human cancers (e.g. lung cancer, breast cancer, and glioma)
 - ✓ Identification of disease-associated genetic variants (e.g. sarcoidosis and ARDS)
 - ✓ Investigation of the role of non-canonical small non-coding RNAs (e.g. tsRNAs, rsRNAs, and ysRNAs) in transgenerational epigenetic inheritance

- **Development of computational tools for bioinformatics**
 - ✓ Development of model based computational framework for circular RNA quantification from RNA sequencing data (e.g. *Sailfish_cir*)
 - ✓ Development of computational framework for non-canonical small non-coding RNA annotation and quantification from small RNA sequencing data (e.g. *SPORTS1.0*)
 - ✓ Development of a continuous-time Markov model for gene substitution rate estimation
- **Molecular evolution and modeling**
 - ✓ Investigation of the impact of RNA structure on coding sequence evolution
 - ✓ Investigation of the role of RNA structure in microRNA-mediated gene regulation
 - ✓ Investigation of the role of RNA structure in protein translation initiation
 - ✓ Investigation of the relationship between protein structure and codon usage bias

TEACHING EXPERIENCE

- Served as instructor of “Translational bioinformatics for precision medicine” (CMPP 798), University of Nevada, Reno, 2020
- Served as lecturer on “Bioinformatics for biological experimentation” (CMB 710), University of Nevada, Reno, 2020
- Served as lecturer on “Bioinformatics for physiological experimentation” (PCB 711), University of Nevada, 2019
- Served as guest lecturer on “Introduction of R & R plotting” (BCH 709), University of Nevada, Reno, 2019-2020
- Served as advisory committee chair for one graduate student (CMB 795), University of Nevada, Reno, 2019
- Mentored one graduate student on bioinformatics, University of Nevada, Reno, 2016-2019
- Under my supervision, one of my students won the Berner Scholarship in the Outstanding Research Scholar category (\$10,000), University of Nevada, Reno, 2018.
- Served as lecturer on “Ion channel genomics” (CMB 710), University of Nevada, Reno, 2018
- Served as advisory committee member for one graduate student, University of Nevada, Reno, 2018
- Mentored one visiting scholar on omics data analysis and translational medicine, University of Nevada, Reno, 2017-2018
- Mentored one visiting undergraduate student on bioinformatics, University of Nevada, Reno, 2017-2018
- Organized journal club for the graduate students from the Cellular Molecular Pharmacology Physiology program, University of Nevada, Reno, 2017-2018
- Served as guest lecturer for the graduate students from the Division of Epidemiology and Biostatistics, University of Arizona, 2015
- Mentored one graduate student on analyzing high-throughput genomic and genetic data for cancer biomarker identification, University of Arizona, 2015
- Mentored one undergraduate student on gene expression microarray data analysis, University of Illinois at Chicago, 2011
- Supervised two graduate students on analyzing protein structure related coding sequence evolution, University of Texas at Austin, 2009
- Taught Fundamental Theory of Electrical Engineering for undergraduate students, Southeast University, China, 2002

SERVICE/OUTREACH

Service:

- 2020 NIH reviewer - Genetic Variation and Evolution Study Section (GVE)
- 2018 Technical Committee - 8th International Conference on Bioscience, Biochemistry and Bioinformatics (ICBBB 2018), Tokyo, Japan
- 2017 Program Committee - 2nd International Workshop on Knowledge Discovery in Translational Biomedical Informatics (KDTBI 2017), Kansas City, MO, USA

Editorial activity:

- 2019-2020 Associated Editor - *BMC Medical Genomics*
- 2019-2020 Editorial Board - *Frontiers in Genetics*

Refereeing activity:

New England Journal of Medicine, Nature Biotechnology, Nature Communications, JCI Insight, Cancer Research, Nucleic Acids Research, Molecular Biology and Evolution, PLOS Medicine, American Journal of Respiratory and Critical Care Medicine, Drug Discovery Today, Bioinformatics, PLoS Computational Biology, PLoS ONE, BMC Cancer, BMC Medical Genomics, BMC Evolutionary Biology, BMC Genomics, Scientific Reports, Physical Review Letters, Physical Review E, PeerJ, iScience, BBA Biomembranes, Journal of Theoretical Biology, Translational Research, Biosystems, Pulmonary Circulation, Evolutionary Bioinformatics

RESEARCH SUPPORTS

Pending:

- NIH/ NICHD R01HD099209 CHEN, ZHOU (PI)
Mechanical and molecular cues in early mouse embryo symmetry breaking and development
Role on project: Multiple-PI

Ongoing:

- NIH/NIEHS R01ES032024 CHEN, ZHOU (PI) 09/01/2020 - 06/30/2025
Decoding the signature of sperm RNA & RNA modification of environmental stressors on the intergenerational transmission of metabolic phenotypes
Role on project: Multiple-PI
- NIH/NICHD P50HD098593 ZHOU (Epigenomics Core) 05/01/2019 - 03/31/2024
Center for male reproductive epigenomics
Role on project: Core director
- NIH/NHLBI R01HL142212 BLACK, ZEMSKOV (PI) 08/01/2018 - 05/31/2022
PKG signaling and sepsis induced ALI
Role on project: Subaward-investigator (Host institute: University of Arizona)
- NSF 1826801 FORBEY (PI) 08/15/2018 - 07/31/2022
Track-2 FEC: Genomics Underlying Toxin Tolerance (GUTT): Identifying molecular innovations that predict phenotypes of toxin tolerance in wild vertebrate herbivores
Role on project: Project co-leader

- NIH/NIGMS P20GM130459 EARLEY (PI) 01/01/2019 - 12/31/2023
Nevada center of biomedical research excellence in molecular and cellular signal transduction in the cardiovascular system
Role on project: Core personnel
- NIH/NHLBI R15HL143496 FERGUSON (PI) 04/01/2019 - 03/31/2022
The impact for sarcomere acetylation in the heart
Role on project: Co-Investigator
- NIH/ NIDDK U24DK115255 MCINDOE, LEE (PI) 11/01/2019 - 10/31/2020
Coordinating Unit for DiaComp
Role on project: Co-Investigator

Completed:

- NIH/NHLBI P01HL098050 NATARAJAN (PI) 06/01/2011 - 05/31/2016
Role of sphingolipids in the pathobiology of lung injury
Role on project: Co-Investigator
- NIH/NHLBI U01HL105371 ROSAS (PI) 09/24/2010 - 06/30/2015
Phase II study of inhaled carbon monoxide for the treatment of idiopathic pulmonary
Role on project: Co-Investigator

HONORS AND AWARDS

- Travel Award, Central Society for Clinical and Translational Research, 2013
- Best Poster Award, University of Illinois Hospital and Health Science System, 2012
- Champion, Invitational Tournament of Outstanding Students from Mainland, Hong Kong and Taiwan, 2003

PUBLICATIONS

Peer reviewed journal papers:

1. Wang J., Xie X., Shi J., He W., Chen Q., Chen L.*, Gu W.*, and **Zhou T.***, Denoising autoencoder, a deep learning algorithm, aids the identification of a novel molecular signature of lung adenocarcinoma. *Genomics, Proteomics & Bioinformatics*, accepted. (***co-corresponding author**)
2. Wen G., **Zhou T.***, and Gu W.*, The potential of using blood circular RNA as liquid biopsy biomarker for human diseases. *Protein & Cell*, accepted. (***co-corresponding author**)
3. Zhang X., Trebak F., Souza L.A.C., Shi J., **Zhou T.**, Kehoe P.G., Chen Q., and Earley Y.F., Small RNA modifications in Alzheimer's disease. *Neurobiol. Dis.*, in press.
4. Casanova N.G.*, **Zhou T.***, Gonzalez-Garay M., Lussier Y.A., Sweiss N., Ma S.F., Noth I., Knox K.S., and Garcia J.G.N., MicroRNA and Protein-Coding Gene Expression Analysis in Idiopathic Pulmonary Fibrosis Yields Novel Biomarker Signatures Associated to Survival. *Transl. Res.*, in press. (***co-first author**)
5. Ko E.A., Lee H., Sanders K.M., Koh S.D.*, and **Zhou T.***, Expression of alpha-type platelet-derived growth factor receptor influenced genes predicts clinical outcome in glioma. *Transl. Oncol.*, 13, 233-240, 2020. (***co-corresponding author**)
6. Sui Y., Meng Z., Park S.H., Lu W., Lavelle C., Chen Q., **Zhou T.**, and Zhou C., Myeloid-specific deficiency of pregnane X receptor decreases atherosclerosis in LDL receptor-deficient mice. *Proc Natl Acad Sci USA*, 115, 1150-1155, 2018.

J. Lipid Res., 61, 696-706, 2020.

7. Feng A., Rice A.D., Zhang Y., Kelly G.T., **Zhou T.**, and Wang T., S1PR1-Associated Molecular Signature Predicts Survival In Patients With Sepsis. *Shock*, 53, 284-292, 2020.
8. Evans L., Bender A., Burnett L., Godoy L., Shen Y., Staten D., **Zhou T.**, Angermann J. Ferguson B., Emodin and emodin-rich rhubarb inhibits histone deacetylase (HDAC) activity and cardiac myocyte hypertrophy. *J. Nutr. Biochem.*, 79, 108339, 2020.
9. Shi J., Zhang Y., **Zhou T.***, and Chen Q.*, tsRNAs: The Swiss Army Knife for Translational Regulation. *Trends Biochem. Sci.*, 44, 185-189, 2019. (***co-corresponding author**)
10. Casanova N., **Zhou T.**, Gonzalez-Garay M.L., Rosas I.O., Goldberg H.J., Ryter S.W., Collard H.R., El-Chemaly S., Flaherty K.R., Hunninghake G.M., Lasky J.A., Lederer D.J., Machado R.F., Martinez F.J., Noth I., Raghu G., Choi A.M.K., and J.G.N. Garcia, Low Dose Carbon Monoxide Exposure in Idiopathic Pulmonary Fibrosis Produces a CO Signature Comprised of Oxidative Phosphorylation Genes. *Sci. Rep.*, 9, 14802, 2019.
11. Wang J., Wang L., Feng G., Wang Y., Li Y., Li X, Liu C., Jiao G., Huang C., Shi J., **Zhou T.**, Chen Q., Liu Z., Li W., and Zhou Q., Asymmetric Expression of LincGET Biases Cell Fate in Two-Cell Mouse Embryos. *Cell*, 175, 1887-1901, 2018.
12. Qian J., Zhang Y., Qu Y., Zhang L., Shi J., Zhang X., Liu S., Kim B.H., Hwang S.J., **Zhou T.**, Chen Q., Ward S.M., Duan E., and Zhang Y., Caffeine consumption during early pregnancy impairs oviductal embryo transport, embryonic development and uterine receptivity in mice. *Biol. Reprod.*, 99, 1266-1275, 2018.
13. **Zhou T.***, Xie X., Li M., Shi J., Zhou J.J., Knox K.S., Wang T., Chen Q., and Gu W.*, BodyMap transcriptomes reveal unique circular RNA features across tissue types and developmental stages. *RNA*, 24, 1443-1456, 2018. (***co-corresponding author**)
14. Shi J.*, Ko E.A., Sanders K.M., Chen Q.*, and **Zhou T.***, SPORTS1.0: a tool for annotating and profiling non-coding RNAs optimized for rRNA- and tRNA- derived small RNAs. *Genomics, Proteomics & Bioinformatics*, 16, 144-151, 2018. (***co-corresponding author**)
15. Zhang Y., Zhang X., Shi J., Tuorto F., Li X., Liu Y., Liebers R., Zhang L., Qu Y., Qian J., Pahima M., Liu Y., Yan M., Cao Z., Lei X., Cao Y., Peng H., Liu S., Wang Y., Zheng H., Woolsey R., Quilici D., Zhai Q., Li L., **Zhou T.**, Yan W., Lyko F., Zhang Y., Zhou Q., Duan E., and Chen Q., Dnmt2 mediates intergenerational transmission of paternally acquired metabolic disorders through sperm small non-coding RNAs. *Nat. Cell Biol.*, 20, 535-540, 2018.
16. Bime C., Pouladi N., Sammani S., Batai K., Casanova N., **Zhou T.**, Kempf C.L., Sun X., Camp S.M., Wang T., Kittles R.A., Lussier Y.A., Jones T.K., Reilly J.P., Meyer N.J., Christie J.D., Karnes J., Gonzalez-Garay M., Christiani D.C., Yates C.R., Wurfel M.M., Meduri G.U., and Garcia J.G.N., Genome wide association study in African Americans with acute respiratory distress syndrome identifies the Selectin P Ligand gene as a risk factor. *Am. J. Respir. Crit. Care Med.*, 197, 1421-1432, 2018.
17. Mascarenhas J.B., Tchourbanov A.Y., Danilov S.M., **Zhou T.**, Wang T., and Garcia J.G.N., The splicing factor hnRNPA1 regulates alternate splicing of the MYLK gene. *Am. J. Respir. Cell Mol. Biol.*, 58, 604-613, 2018.
18. Qian Z., Liu H., Li M., Shi J., Li N., Zhang Y., Zhang X., Lv J., Xie X., Bai Y., Ge Q., Ko E.A., Tang H., Wang T., Wang X., Wang Z., **Zhou T.***, and Gu W.*, Potential diagnostic power of blood circular RNA expression in active pulmonary tuberculosis. *EBioMedicine*, 27, 18-26, 2018. (***co-corresponding author**)
19. Tang H., Babicheva A., McDermott R.M., Gu Y., Ayon R.J., Song S., Wang Z., Gupta A., **Zhou**

- T., Sun X., Dash S., Wang Z., Balistrieri A., Zheng Q., Cordery A.G., Desai A.A., Rischard F., Khalpey Z., Wang J., Black S.M., Garcia J.G.N., Makino A., and Yuan J.X., Endothelial HIF-2 α contributes to severe pulmonary hypertension by inducing endothelial-to-mesenchymal transition. *Am. J. Physiol. Lung. Cell. Mol. Physiol.*, 314, L256-L275, 2018.
20. Ko E.A., Sanders K., and **Zhou T.***, A transcriptomic insight into the impacts of mast cells in lung, breast, and colon cancers. *Oncolimmunology*, e1360457, 2017.
 21. Wang J., Wen W., Wu B., Xu J., Zhen X., Xi X., Lv H., **Zhou T.**, Chen L., and Luo H., Clinical outcome of using gastric remnant or jejunum or colon conduit in surgery for esophageal carcinoma with previous gastrectomy. *J. Surg. Oncol.*, 115, 729-737, 2017.
 22. **Zhou T.**, Casanova N., Pouladi N., Wang T., Lussier Y., Knox K., and Garcia J.G.N., Identification of Jak-STAT signaling involvement in sarcoidosis severity via a novel microRNA-regulated peripheral blood mononuclear cell gene signature. *Sci. Rep.*, 7, 4237, 2017.
 23. Li M., Xie X., Zhou J., Sheng M., Yin X., Ko E.A., **Zhou T.***, and Gu W.*, Quantifying circular RNA expression from RNA-seq data using model-based framework. *Bioinformatics*, 33, 2131-2139, 2017. (***co-corresponding author**)
 24. Huang Y., Ma S.F., Espindola M.S., Vij R., Oldham J.M., Huffnagle G.B., Erb-Downward J.R., Flaherty K.R., Moore B.B., White E.S., **Zhou T.**, Li J., Lussier Y.A., Han M.K., Kaminski N., Garcia J.G., Hogaboam C.M., Martinez F.J., and Noth I., Microbes associate with host innate immune response in idiopathic pulmonary fibrosis. *Am. J. Respir. Crit. Care Med.*, 196, 208-219, 2017.
 25. **Zhou T.**, Tang H., Han Y., Fraidenburg D., Kim Y.W., Lee D., Choi J., Bang H., and Ko J.H., Expression profile of mitochondrial voltage-dependent anion channel-1 (VDAC1) influenced genes is associated with pulmonary hypertension. *Korean J. Physiol. Pharmacol.*, 21, 353-360, 2017.
 26. Singla S., **Zhou T.***, Casanova N., Zhang W., Ma S.F., Noth I., Sweiss N., Garcia J.G.N., and Machado R., Expression profiling elucidates a molecular gene signature for pulmonary hypertension in sarcoidosis. *Pulm. Circ.*, 6, 465-471, 2016. (***co-first author**)
 27. Qian Z., Lv J., Kelly G.T., Wang H., Zhang X., Gu W., Yin X., Wang T., and **Zhou T.***, Expression of Nuclear Factor, Erythroid 2-like 2-mediated Genes Differentiates Tuberculosis. *Tuberculosis*, 99, 56-62, 2016.
 28. Bime C., **Zhou T.**, Wang T., Slepian M., Garcia J.G., and Hecker L., Reactive oxygen species-associated molecular signature predicts survival in patients with sepsis. *Pulm. Circ.*, 6, 196-201, 2016.
 29. Tang H., Yamamura A., Yamamura H., Song S., Fraidenburg D.R., Chen J., Gu Y., Poh N.M., **Zhou T.**, Jiménez-Pérez L., Ayon R.J., Desai A.A., Goltzman D., Rischard F., Khalpey Z., Black S.M., Garcia J.G., Makino A., and Yuan J.X. Pathogenic role of calcium-sensing receptors in the development and progression of pulmonary hypertension. *Am. J. Physiol. Lung Cell Mol. Physiol.*, 310, L846-859, 2016.
 30. Gu W., Gurguis C.I., Zhou J., Zhu Y., Ko E.A., Ko J.H., Wang T., and **Zhou T.***, Functional and structural consequence of rare exonic single nucleotide polymorphisms: one story, two tales. *Genome Biol. Evol.*, 7, 2929-2940, 2015.
 31. Qian Z.*, **Zhou T.***, Gurguis C.I., Xu X., Wen Q., Lv J., Fang F., Hecker L., Cress A.E., Natarajan V., Jacobson J.R., Zhang D.D., Garcia J.G., and Wang T., Nuclear factor, erythroid 2-like 2-associated molecular signature predicts lung cancer survival. *Sci. Rep.*, 5, 16889,

2015 (***co-first author**)

32. Casanova N.*, **Zhou T.***, Knox K.S., and Garcia J.G., Identifying novel biomarkers in sarcoidosis using genome-based approaches. *Clin. Chest Med.*, 36, 621-630, 2015.

(***co-first author**)

33. Huang L.S., Berdyshev E.V., Tran J.T., Xie L., Chen J., Ebenezer D.L., Mathew B., Gorshkova I., Zhang W., Reddy S.P., Harijith A., Wang G., Feghali-Bostwick C., Noth I., Ma S.F., **Zhou T.**, Ma W., Garcia J.G., and Natarajan V., Sphingosine 1 phosphate lyase is an endogenous suppressor of pulmonary fibrosis: Role of S1P signaling and autophagy. *Thorax*, 70, 1138-1148, 2015.
34. Wang R., Gurguis C.I., Gu W., Ko E.A., Lim I., Bang H., **Zhou T.**, and Ko J.H., Ion channel gene expression predicts survival in glioma patients. *Sci. Rep.*, 5, 11593, 2015.
35. Shimizu Y., Camp S.M., Sun X., **Zhou T.**, Wang T., and Garcia J.G., Sp1-mediated nonmuscle myosin light chain kinase expression and enhanced activity in vascular endothelial growth factor-induced vascular permeability. *Pulm. Circ.*, 5, 707-715, 2015.
36. Camp S.M., Ceco E., Evenoski C.L., Danilov S.M., **Zhou T.**, Chiang E.T., Moreno-Vinasco L., Mapes B., Zhao J., Gursoy G., Brown M.E., Adyshev D.M., Siddiqui S.S., Quijada H., Sammani S., Letsiou E., Saadat L., Yousef M., Wang T., Liang J., and Garcia J.G., Unique toll-like receptor 4 activation by NAMPT/PBEF induces NFkB signaling and inflammatory lung injury. *Sci. Rep.*, 5, 13135, 2015.
37. **Zhou T.**, Wang T., and Garcia J.G., Non-muscle myosin light chain kinase dependent gene signature in blood differentiates human asthma. *Pulm. Circ.*, 5, 335-338, 2015.
38. Wang T.*, **Zhou T.***, Saadat L., and Garcia J.G., A MYLK variant regulates asthmatic inflammation via alterations in mRNA secondary structure. *Eur. J. Hum. Genet.*, 23, 874-876, 2015. (***co-first author**)
39. Letsiou E., Sammani S., Zhang W., **Zhou T.**, Quijada H., Moreno-Vinasco L., Dudek S.M., and Garcia J.G., Pathologic mechanical stress and endotoxin exposure increases lung endothelial microparticle shedding. *Am. J. Respir. Cell Mol. Biol.*, 52, 193-204, 2015.
40. Ko J.H., Gu W., Lim I., **Zhou T.***, and, Bang H.*, Expression profiling of mitochondrial voltage-dependent anion channel 1 associated genes predicts recurrence-free survival in human cancers. *PLoS ONE*, 9, e110094, 2014. (***co-corresponding author**)
41. **Zhou T.** and Wang T., A novel approach to investigate functional exonic SNPs associated with lung diseases at post-transcriptional stage. *Int. J. Respir. Pulm. Med.*, 1, 002e, 2014.

Invited editorial

42. **Zhou T.**, Wang T., and Garcia J.G., Expression of nicotinamide phosphoribosyltransferase mediated genes predicts recurrence-free survival in lung and breast cancers. *Sci. Rep.*, 4, 6107, 2014.
43. Gu W., Xu Y., Xie X., Wang T., Ko J.H., and **Zhou T.***, The role of RNA structure at 5'-untranslated region in microRNA-mediated gene regulation. *RNA*, 20, 1369-75, 2014.
44. Gu W., Li M., Xu Y., Wang T., Ko J.H., and **Zhou T.***, The impact of RNA structure on coding sequence evolution in both bacteria and eukaryotes. *BMC Evol. Biol.*, 14, 87, 2014.
45. **Zhou T.**, Wang T., and Garcia J.G., Genes influenced by the non-muscle isoform of myosin light chain kinase impact human cancer prognosis. *PLoS ONE*, 9, e94325, 2014.
46. Ko J.H., Gu W., Lim I., Bang H., Ko E.A., and **Zhou T.***, Ion channel gene expression in lung adenocarcinoma: potential role in prognosis and diagnosis. *PLoS ONE*, 9, e86569, 2014.
47. Wang T., Moreno-Vinasco L., Ma S.F., **Zhou T.**, Shimizu Y., Sammani S., Epshtein Y., Watterson D.M., Dudek S.M., and Garcia J.G., Nonmuscle myosin light chain kinase

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

Academic Policy and Student Affairs Committee

February 23, 2021

Subject: Approval of Notice of Change to Approved Revised Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees the approval of the amendment of Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct without a date restriction and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

Background information:

Florida Board of Governors Regulation 1.001(5)(a), University Board of Trustees Powers and Duties, provides, in relevant part, that each boards of trustees shall provide for the establishment of "the personnel program for all the employees of the university, including ... standards for performance and conduct,... disciplinary actions, complaints, appeals and grievance procedures, and separation and termination from employment."

Florida Board of Governors Regulation 1.001(3)(i)(l) provides, in relevant part, that each board of trustees is authorized to promulgate university regulations in accordance with the Regulation Development Procedures adopted by the Board of Governors; and each board of trustees shall be responsible for campus safety and emergency preparedness, to include safety and security measures for university personnel, students and campus visitors.

Florida Board of Governors Regulation 6.0105(8), entitled Student Conduct and Discipline, in relevant part requires university Boards of Trustees to incorporate minimum standards into any process that evaluates whether a student is responsible for sexual misconduct, gender-based discrimination, sexual harassment, sexual assault, dating violence, domestic violence, or stalking.

On May 6, 2020, the United States Department of Education Office for Civil Rights (OCR) issued regulations on Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination based on sex. In response, substantive revisions were made to ensure the University's compliance with the new regulations and approvals of said revisions were obtained from the University's Board of Trustees. On October 28, 2020, the Board of Trustees approved the revised regulation to be effective until its February 2021 board meeting. This change will eliminate the date restriction and therefore, make the revised regulation effective without such date restriction.

Supporting Documentation: Proposed Revisions to Regulation FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct.

Facilitator/Presenter: Carlos B. Castillo

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FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct ~~(Title IX)~~

Responsible University Officer: ~~Director of the Equal Opportunity Programs and Diversity/Title IX Coordinator~~

Responsible Office: ~~Equal Opportunity Programs and Diversity (EOPD)~~

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I. POLICY STATEMENT

Florida International University (the University) is committed to encouraging and sustaining a learning and living environment that is free from ~~harassment, violence, and prohibited~~ discrimination based on sex including, gender, gender expression, gender identity, and sexual orientation. Discrimination based on sex encompasses, Sexual Misconduct, Sexual Harassment, Gender-Based Harassment, Domestic Violence, and Dating Partner Violence, and/or Stalking. ~~The~~ The University has developed this regulation applicable to the entire University Community (i.e., students, student organizations, faculty, staff, affiliated third parties, and visitors) prohibiting discrimination based on sex ~~In that regard and~~ consistent with This policy is in compliance with applicable legal requirements including Title IX of the Education Amendments of 1972 (Title IX), relevant provisions of the Violence against Women Reauthorization Act of 2013 (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), along with all applicable implementing regulations, and other applicable federal and state laws.

The University has identified two areas that are under the purview of this Regulation: Sexual Harassment as defined by Title IX and Sexual Misconduct. Sexual Harassment applies to alleged harassment, violence, and/or prohibited discrimination that occurs in an University education program or activity in the United States. This refers to locations, events, or circumstances over which the University had substantial control over both the Respondent and the context in which such incidents occurred, and also includes buildings owned by or controlled by a student organization that is officially recognized by the University. Sexual Misconduct applies to alleged harassment, violence, and/or prohibited discrimination that occurs in or outside an University education program or activity regardless of location. ~~SH~~

federal law addressing these areas (e.g., Title IX of the Education Amendments of 1972 and the Violence against Women Act (VAWA), that portion of the Title VII of the Civil Rights Act addressing sexual misconduct), the University has developed this regulation applicable to

~~members of the University Community (i.e., students, faculty, staff, affiliated third parties, and visitors). Nothing in this Regulation shall be construed as preventing the University President from taking any action which may be deemed necessary to meet the goals of this Regulation. The President may change the outcome and/or sanctions for any matter under the jurisdiction of this Regulation as outlined in Section XV.~~

~~Members of the University community have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, Domestic Dating Partner Violence, and stalking. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others and is consistent with this regulation. The University believes in zero tolerance for sexual misconduct. Zero tolerance means that, when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including but not limited to serious sanctions when a Respondent is found to have violated this regulation. Moreover, This Regulation has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.~~

~~The Regulation is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom or the First Amendment, would the Fifth and Fourteenth Amendments, or any other rights guaranteed by the U. S. Constitution.~~

~~The University emphasizes the importance of treating Complainants and Respondents equitably upon receipt of a Formal Complaint. There is a presumption the Respondent is Not Responsible for the alleged conduct until Final Agency Action. This is to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, to speak freely on all matters of university governance, and to speak, write, or act as a public citizen without institutional discipline or restraint.~~

~~The University uses the preponderance of the evidence (also known as “more likely than not”) as a standard for proof of whether a violation of this Regulation occurred. In the University resolution proceedings, legal terms like “guilt,” “innocence” and “burden of proof” are not applicable, but the University never assumes a Respondent is in violation of a university Regulation. Resolution proceedings are conducted to take into account the totality of all evidence available from all relevant sources.~~

II. — PURPOSE & INTENT

~~The University is committed to establishing and maintaining a safe learning, living, and working environment where healthy, respectful, and consensual conduct represents the campus cultural norm. This Regulation prohibits discrimination and harassment based on sex, gender, gender expression, gender identity, or sexual orientation, Sexual Misconduct, Domestic and Dating Partner Violence, and/or Stalking. It also prohibits Retaliation against an individual for making a report of conduct prohibited under this Regulation or for participating in an investigation of an alleged violation of this Regulation. It also defines prohibited relationships of a sexual or~~

~~intimate nature between individuals where one individual has power or authority over another. These prohibited forms of conduct undermine the character and purpose of the University and will not be tolerated.~~

~~This policy is in compliance with applicable legal requirements including Title IX of the Education Amendments of 1972; relevant provisions of the Violence against Women Reauthorization Act of 2013; Title VII of the Civil Rights Act of 1964; the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; and other applicable federal and Florida state laws.~~

III. TITLE IX COORDINATORS

The *Title IX Coordinator* is:

- knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- ~~available to advise any individual, including a Complainant, the Reporting Party, the Respondent, or a third party about the University resources and those found within and outside of the University. Resources include, but are not limited to, health care options, counselling or support, and reporting;~~
- ~~available to provide assistance to any University employee regarding how to respond appropriately to a report of a possible violation of this Regulation; responsible for coordinating the effective implementation of Supportive Measures;~~
- ~~responsible for responding to concerns raised by the Deputy Title IX Coordinator(s), University Police, or Responsible Employees;~~
- ~~—~~
- responsible for ~~conducting and/or~~ overseeing investigations of alleged violations of this Regulation;
- responsible for ~~participating in~~ ensuring the effective implementation of this Regulation, including monitoring compliance with all procedural requirements, recordkeeping, and timeframes;
- responsible for overseeing training, prevention, ~~and~~ education efforts, and periodic reviews of climate and culture; and
- ~~responsible for maintaining all reports of possible violations of this Regulation and reviews such reports and complaints for systemic patterns that need to be addressed.~~

The University's Title IX Coordinator is:

~~Shirlyon McWhorter~~Courtney McHenry

Office of Inclusion, Diversity, Equity, ~~and~~ & Access (IDEA)

Office number: 305-348-2785

Email: ~~shirlyon.mewhorter@fiu.edu~~cmchenry@fiu.edu

Address: 11200 S.W. 8th Street, PC 321

Miami, FL 33199

• ~~—~~

The Title IX Coordinator has designated Deputy Title IX Coordinators to assist in fulfilling the Title IX Coordinator duties. The Deputy Title IX Coordinators are:

- ~~Courtney McHenry, Assistant Director, Office of Inclusion, Diversity, Equity & Access (IDEA)~~
Office number: 305-348-2785 email: ~~idea@fiu.edu eopd@fiu.edu~~
- ~~Michelle R. Horvath, Deputy Title IX Coordinator and Assistant Dean of Students~~ Director, Office of Student Conduct and ~~Conflict Resolution~~ Academic Integrity
Office number: 305-348-3939 email: conduct@fiu.edu
- Julie Berg-McGraw, Sr. Associate Athletic Director, ~~Athletics Department~~
Office number: 305-348-2352 email: julie.berg-mc_graw@fiu.edu
- Joann Cuesta-Gomez, Director, Office of Employee & Labor Relations
Office number: 305-348-41866 email: elr@fiu.edu

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, Hearing Officer(s), and the Hearing Body are properly trained based on their roles. Training includes what constitutes Sexual Misconduct and Sexual Harassment, the scope of the University's education programs and activities, how this Regulation operatesis implemented, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially including by avoiding pre-judgment of the facts at issue, conflicts of interest and bias, any technology to be used at a live hearing, issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, and relevance to create an investigative report that fairly summarizes relevant evidence.

~~will select a trained investigator(s) to gather sufficient evidence to reach a fair, impartial determination as to whether the alleged violation has occurred based on the preponderance of the evidence. The investigator(s) will be trained to gather and document the available evidence to support reliable decisions, objectively evaluate the credibility of the parties and witnesses, synthesize all available evidence (including both supportive and non-supportive evidence), and take into account the unique and complex circumstances of each case. The Title IX Coordinator, investigators, and Hearing Officer(s), and Hearing Body will be select investigator(s) who are free of actual or reasonably perceived conflicts of interest and biases for or against any party.~~

Concerns about the University's application of this Regulation may be addressed to the following offices below and/or to the Deputy Title IX Coordinators listed above.

Title IX Coordinator

FIU Office of University Compliance and Integrity	U.S. Depart. of Education Office for Civil Rights	Equal Opportunity Commission
(305) 348-2216	(800) 421-3481	(800) 669-4000
Email: compliance@fiu.edu		

~~U.S. Depart. of Education~~ **Equal Opportunity
Shirlyon McWhorter** ~~Office for Civil Rights~~ **Commission**
305-348-2785 (800) 421-3481 (800) 669-4000
Email: shirlyon.mewhorter@fiu.edu Email: ~~[REDACTED]~~

III.V. DEFINITIONS

Actual knowledge – Verbal or written notice of Sexual Harassment or Sexual Misconduct or allegations of Sexual Harassment or Sexual Misconduct to the Title IX Coordinator or

Responsible Employee.

Advisor - Any person chosen by the Complainant or Respondent to assist throughout the Sexual Harassment or Sexual Misconduct process (e.g. faculty, staff, parent/guardian, attorney, friend, alumni, or any other person who is not a Witness in the process).

Appellate Officer - The Senior Vice President for Academic and Student Affairs or designee for student Respondents or the Vice President for Human Resources or designee for non-student Respondents.

Business Day: A day when the University is open for regular business operations from 8:30 am to 5:00 pm Eastern Time. For emailed correspondence, the day of delivery is not included in a designated time period. In computing any time period specified in this [Regulation-Code](#), the day of the event, act, or default that initiates the period shall be excluded.

~~**Coercion**—Conduct, intimidation, and/or express or implied threats of physical, emotional, financial, or any other type of harm that would reasonably place an individual in fear of immediate or future harm and that is employed to force or compel someone to engage in sexual contact or any other type of involuntary conduct, especially conduct which would endanger or be detrimental to the Complainant. Examples of Coercion include:~~

- ~~• Causing the deliberate incapacitation of another person;~~
- ~~• Conditioning an academic benefit or employment advantage;~~
- ~~• Threatening to harm oneself if the other party does not engage in sexual contact; or~~
- ~~• Threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.~~

~~**Complainant** - Any individual who may have been the subject of any Sexual Misconduct, Dating or Domestic Partner Violence, and/or Stalking by the Respondent regardless of whether the individual makes a report is alleged to be a victim of conduct that could constitute behavior prohibited by this Regulation.~~

Consent - A clear, knowing, and voluntary agreement to engage in specific sexual activity at the time of the activity. Consent can be communicated by words or actions as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity. Consent must be ongoing throughout the sexual activity and can be withdrawn at any time. Sexual contact must cease immediately once withdrawal of consent is clearly communicated.

- Consent must be active, not passive.
- Lack of protest or resistance does not mean consent has been granted, nor does silence mean consent has been granted.
- Within each sexual encounter, there may be separate individual sexual acts involved, and consent to one act and/or person(s) by itself does not constitute consent to another act and/or person(s).
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never, by itself, be assumed to be an indicator of consent for any current or future sexual encounter even in the context of a relationship, there must be mutual consent.
- If coercion or force is used, there is no consent.

- If a person is incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This may be affected by conditions due to age, alcohol or drug consumption, unconsciousness, being asleep, physical or developmental disabilities.
- Whether one has taken advantage of a position of influence over another can be a factor in determining whether there was consent.
- In order to give consent, one must be of legal age.
- The question of what the Respondent should have known as to whether the Complainant was incapacitated is objectively based on what a reasonable person, sober and/or exercising good judgment, would have known about the condition of the Complainant.

~~**Dating or Domestic Violence**—Any instance of violence or abuse (verbal, physical, or psychological) that occurs between those who are in, or have been in, an intimate relationship with each other.~~

~~• **Physical Violence or Abuse:**~~

- ~~i. Occurs when one intentionally or recklessly (1) causes bodily harm to another person; (2) attempts to cause bodily harm to another person; or (3) puts another in fear of imminent bodily harm. No Respondent may knowingly or recklessly touch any other person without that person's consent. Punching, slapping, scratching, or otherwise striking any person, including a Dating or Domestic Partner, with any part of one's body or with any object constitutes physical violence.~~
- ~~ii. Occurs when there is a pattern of engaging in physical violence or abuse as described above.~~

~~• **Psychological Abuse:**~~

- ~~i. Occurs when a Respondent intimidates, dominates, terrorizes, humiliates, or isolates any other person, especially a Dating or Domestic Partner.~~
- ~~ii. Occurs when there is a pattern of engaging in psychological abuse as described above.~~

~~• **Verbal Abuse:**~~

- ~~i. Occurs when a Respondent uses extreme or excessive language that is in the form of insults, name-calling, or criticism, designed to mock, shame, or humiliate another person, especially a Dating or Domestic Partner. Verbal behavior must be: (1) objectively endangering and (2) sufficiently severe, persistent, or pervasive to constitute verbal abuse. Singular statements and isolated incidents may fall short of this sufficiency standard.~~

~~Occurs when there is a pattern of engaging in verbal abuse as described above~~

- ~~ii. _____.~~

~~**Deputy Title IX Coordinator** – The Deputy Title IX Coordinator is an individual(s) designated by the Title IX Coordinator to support the Title IX Coordinator with respect to the University's efforts to comply with this Regulation.~~

~~**Final Agency Action** - Notice that the University has made a final determination has occurred and, as such, may be appealed to an external judicial forum.~~

~~**Formal Complaint**– A document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment or Sexual Misconduct against a Respondent and requesting an~~

investigation of alleged Sexual Harassment or Sexual Misconduct.

- A document filed by a Complainant means a document or electronic submission that contains the Complainant's physical or electronic signature or otherwise indicates the Complainant is the person filing the complaint.

~~**Harassment** – is a type of conduct that occurs when verbal, physical, electronic, or other conduct based on an individual's protected status interferes with that individual's (a) educational environment (e.g., admission, academic standing, grades, assignment); (b) work environment (e.g., hiring, advancement, assignment); (c) participation in a University program or activity (e.g., campus housing); and/or (d) receipt of legitimately requested services (e.g., disability or religious accommodations), thereby creating hostile environment harassment or quid pro quo harassment.~~

Hearing Body – Members of the University community responsible for determining the merits and sanctions of alleged conduct violating this Regulation. The Hearing Body for Sexual Harassment and Sexual Misconduct shall consist of an University Official or panel of University Officials except, if requested by a student Respondent and no objection is raised by the Complainant, a Hearing Body may be comprised of compromise at least one-half of students.

Hearing Officer – The University official responsible for chairing the Hearing Body. &–The Hearing Officer will not be the same person as the Title IX Coordinator or investigator.

Impact Statement– An oral or written statement that describes how the Complainant or Respondent is impacted by the alleged conduct.

Incapacitation – Incapacitation is the inability, temporarily or permanently, to give Consent because the individual is mentally and/or physically helpless, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring.

Interim Suspension or Administrative Leave – An immediate separation or leave from the University.

~~**Member of the University Community**—Any person who is a student, faculty or staff, any other person currently employed by the University, or working on University Premises or within Oon Cempus Housing, or any participant in a University-sponsored program or activity regardless of the location of the program or activity.~~

Responsible Employee - Any employee with authority to institute corrective ~~measures~~measures; who has been given the duty of reporting incidents of Sexual Harassment or Sexual Misconduct or any other misconduct by students or employees to the Title IX Coordinator or other appropriate University designee; or an individual who a student or employee could reasonably believe has this authority or responsibility.

Student employees are only –Responsible Employees if they are employed in the following positions:

- Graduate Teaching Assistants and Graduate Research Assistants;
- The Athletics Department; or
- Housing and Residential Life.

TheThis definition of Responsible Employee does not absolve -anyone with the knowledge of or reason to suspect child abuse, abandonment, or neglect of the responsibility to report such

relevant information to the Department of Children and Families in accordance with FIU Policy # 140.130 Mandatory Reporting of Child Abuse, Abandonment and Neglect Board of Governors Regulation 3.002.

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Obstruction —~~Any~~ Any action, individually or working with others, which the Respondent knew or should have known would impede an investigation by the University into possible violations of this Regulation committed by the Respondent, including, but not limited to, failing to participate in a University investigation or grievance process if not the Respondent, making false statement or submitting false information during the grievance process, or destroying potentially relevant evidence.

Preponderance of the Evidence – Based on the evidence provided, it is more likely than not that the actions alleged occurred. Grievance proceedings are conducted to take into account the totality of all evidence available from all relevant sources. The burden of proof rests with the University.

Reporting Party - Any person (~~including~~excluding the Complainant) who reports an alleged violation of the FIU 105 Regulation.

Respondent - Any individual or group, including student organization, who has been accused of violating this ~~policy~~Regulation.

~~—Any employee who has the authority to take action to redress Sexual Misconduct, Domestic and Dating Partner Violence and/or Stalking; who has been given the duty of reporting incidents of Sexual Misconduct or any other misconduct by students to the Title IX Coordinator or other appropriate school designee; or an individual who a student/employee could reasonably believe has this authority or responsibility.~~

Retaliation —~~Acts or words taken against an individual because of the individual's participation in a protected activity that would discourage a reasonable person from engaging in protected activity. Protected activity includes an individual's good faith (i) participation in the reporting, investigation, and/or resolution of an alleged violation of this Code; and/or (ii) opposition to policies, practices, and/or actions that the individual reasonably believes are in violation of the Code. Retaliation may include intimidation, threats, Coercion, physical harm, and/or adverse employment or educational actions. Retaliation may be found even when an underlying report made in good faith was not substantiated.~~ Any words or behavior made to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Regulation, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Regulation. Retaliation may be committed by the Respondent, the Complainant, the Reporting Party, or any other individual or group of individuals.

Revenge Porn —~~to publish a sexually explicit image of a person, including any depiction that contains or conveys the personal identification or information of the depicted person by any electronic, digital or other means, including to an internet website, by text, by email, and/or by or through social media without the depicted person's Consent.~~

Sexual Harassment – Conduct on the basis of sex which occurs in the United States in an University activity or program that satisfies one or more of the following:

- An employee, including faculty, staff, or contractor, conditioning the provision of aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity;
- Sexual Assault is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration (regardless of whether it includes penetration) by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit Sexual Assault are also included; however, statutory Sexual Assault and incest are excluded;
- Dating Violence which means violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
- Domestic Violence is defined as violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim; or
- Stalking defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Sexual Misconduct — Conduct, regardless of geographic location, that includes:~~involves failure to comply with this regulation and includes:~~

- Coercion - Conduct, intimidation, and/or express or implied threats of physical, emotional, financial, or any other type of harm that would reasonably place an individual in fear of immediate or future harm and that is employed to force or compel someone to engage in sexual contact or any other type of involuntary conduct, especially conduct which would endanger or be detrimental to the Complainant. Examples of Coercion include:
 - Causing the deliberate incapacitation of another person;
 - Conditioning an academic benefit or employment advantage;
 - Threatening to harm oneself if the other party does not engage in sexual contact;
 - or
 - Threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.
- Domestic Violence - violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim

- Dating Violence - violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - Gender-based Harassment - harassment based on gender, sexual orientation, gender identity, or gender expression, including acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve contact of a sexual nature.
 - *Non-Consensual Sexual Touching* – any sexual touching without ~~C~~consent. Sexual touching is any intentional touching of a person’s body, including the breasts, buttocks, groin, genitals, or other intimate parts. Touching may be over or under clothing and may include the Respondent touching the Complainant, the Respondent making the Complainant touch the Respondent or another person, or the Respondent making the Complainant touch the Complainant’s own body.
 - *Obscene or Indecent Behavior*
 - i. Exposure of one’s sexual organs or the display of sexual behavior that would reasonably be obscene or indecent to others. Other forms of obscene or indecent behavior include sexual exhibitionism, engaging in prostitution, or the facilitation or solicitation of a prostitute.
 - ii. Observing another individual’s nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
 - iii. Recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information of another person in any form without the knowledge and Consent of all parties involved.
 - iv. Publishing a sexually explicit image of a person that contains or conveys the personal identification or information of the depicted person to an internet website, text, email, and/or social media without the depicted person’s Consent.
- Revenge Porn - to publish a sexually explicit image of a person, including any depiction that contains or conveys the personal identification or information of the depicted person by any electronic, digital or other means, including to an internet website, by text, by email, and/or by or through social media without the depicted person’s Consent.
- ~~Sexual~~Sex-based Harassment ~~Harassment~~ — any unwelcome sexual advance, request for sexual favors, and/or other verbal or physical conduct of a sexual nature:
 - i. Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person’s instruction, academic standing, or participation in any University program, activity, or benefit;
 - ii. Submission to, or rejection of, such conduct by an individual is used as a basis for academic or work evaluation;
 - iii. Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably

interferes with, limits, or deprives an individual from participating in or benefiting from the University's educational, and/or campus-residential experience when viewed both from a reasonable person in similar circumstances and the person in question.

- ~~Gender-based Harassment—harassment based on gender, sexual orientation, gender identity, or gender expression, including acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve contact of a sexual nature.~~
- ~~Sexual Coercion—the act of using pressure or force to have sexual contact with someone who has already refused.~~
- ~~Sexual Battery—any sexual intercourse by any person upon another without Consent. Sexual intercourse includes vaginal or anal penetration, however slight, by a person's penis, finger, other body part, or an object, or any oral-genital contact (regardless of whether it involves penetration).~~

Sexual Assault — Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration (regardless of whether it includes penetration) by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit Sexual Assault are also included; however, statutory Sexual Assault and incest are excluded ~~the threat to commit sexual battery with the immediate capacity to do so.~~

- Sexual Coercion – the act of using pressure or force to have sexual contact with someone who has already refused.
- Sexual Exploitation - Knowingly or recklessly transmitting a sexually transmitted disease or sexually transmitted infection (such as HIV) to another individual without the knowledge and consent of the person exposed.
- Stalking - A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.
- ~~Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition—(A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.~~

Supportive Measures – Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to the Complainant or Respondent. The Title IX Coordinator is responsible for coordinating effective implementation of Supportive Measures.

Title IX – refers to Title IX of the Educational Amendments of 1972, and applicable implementing regulations, -which protects people from sex and gender discrimination in educational programs and activities at institutions that receive federal financial assistance. Title IX covers more than athletics and sexual assault, it addresses concerns relating to discrimination on the basis of sex or gender in all aspects of the educational process, including in the areas of recruitment, admissions, and counseling; financial assistance; the needs of pregnant and parenting community members, discipline; and employment.

Title IX Coordinator –The individual University official with the primary responsibility for coordinating the University’s compliance with Title IX.

University Community - Any student, faculty, staff, other person currently employed by the University, or working on University premises, or any participant in a University program or activity regardless of the location of the program or activity.

Violation of Supportive Measure(s): Failure to comply with a Supportive Measure(s) imposed pursuant to this Regulation.

~~**Deputy Title IX Coordinator**—The Deputy Title IX Coordinator is an individual(s) designated by the Title IX Coordinator to support the Title IX Coordinator with respect to the University’s efforts to comply with Title IX.~~

IV. JURISDICTION

Jurisdiction applies to University educational program or activities, including locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University. For Sexual Misconduct matters, jurisdiction applies to respondents who are members of the University community regardless of location.

~~Jurisdiction applies to the conduct of any employee (including faculty and/or staff) and/or student that occurs on University premises or on-campus housing, at University-related activities/events, on all locations where a University course or program is being conducted, including foreign locations, such as study abroad programs.~~

~~The University reserves the right to impose discipline based on off-campus conduct. Discipline for off-campus conduct may be pursued under the Regulation if:~~

- ~~• The off-campus conduct is specifically prohibited by law or the Regulation;~~
- ~~• The off-campus conduct demonstrates that the continued presence of the employee and/or the student on campus presents a danger to the health, safety, or welfare of the University community, is disruptive to the orderly conduct, processes and functions of the University, is contrary to the University’s mission, or is intimidating or threatening to the University community or member of the University community;~~
- ~~• The off-campus conduct is of such a serious nature that it adversely affects the employee’s and/or student’s suitability to remain a part of the University community; or~~
- ~~• The off-campus conduct has continuing effects on the campus.~~

• ~~The University Regulation proceeding is not a criminal or judicial proceeding and is designed to address employee and/or student behavior, whether on or off campus; therefore, alleged violations of the Regulation will be addressed independently of any criminal or judicial proceeding and regardless of whether the criminal charges have been dismissed or reduced.~~

VI. OPTIONS FOR SEEKING CONFIDENTIAL ASSISTANCE AND/OR MAKING A REPORT OF A POTENTIAL VIOLATION

The University is committed to providing options through multiple contact points across campus that are broadly accessible to all University community members to address a potential violation of ~~FIU-105~~this Regulation. Anyone may seek confidential assistance and/or make a report to the University on behalf of themselves or others. It is important to understand the differences between these two options. ~~The chart below provides a graphical representation of the differences between the options.~~

Seeking confidential assistance means talking about the alleged violation with a professional who cannot share the information with anyone else without the express permission from the person sharing the information unless there is a threat of serious harm to the person sharing the information (e.g., patient/client) and/or to others and/or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor or vulnerable adult). Any individual may choose to seek support from confidential professionals on and/or off campus, including the staff at the University Victim Empowerment Program, the counselors at the University Counseling and Psychological Services Center, medical health providers, clergy, and/or rape crisis counselors (as noted in the chart below~~above~~). The confidential resource will provide help in addressing the incident to the extent possible and in accordance with the person's desires. Seeking confidential assistance does not prevent an individual from making a Formal Complaint~~report~~ at a later date. The chart below provides a graphical representation of the differences between the options.

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THERE IS A DIFFERENCE BETWEEN “SEEKING CONFIDENTIAL ASSISTANCE” AND “MAKING A REPORT TO THE UNIVERSITY.” IT IS IMPORTANT TO UNDERSTAND WHAT WILL HAPPEN DEPENDING UPON WHICH ACTION YOU CHOOSE.

CONFIDENTIAL ASSISTANCE*

Means talking about the situation with a professional who cannot share the information with anyone else, getting help figuring out what can be done according to your wishes, and helping with the options you choose, including if you decide to make a report to the University.

*There are certain legal limitations to confidentiality which will be explained to you at the beginning of any contact.

MAKING A REPORT TO THE UNIVERSITY

Means University Officials must take appropriate action

CONTACT:

On-campus professionals who can provide Confidential Assistance:

Victim Empowerment Program

24 hour crisis: 305-348-2277

MMC: SHC 270

vep.fiu.edu

Counseling & Psychological Services (CAPS)

MMC: SHC 270, 305-348-2277

BBC: WUC 320, 305-919-5305

caps.fiu.edu

Student Health Services

MMC: SHC, 305-348-3336

BBC: SHC, 305-919-5620

Office of Employee Assistance

MMC: 305-348-2469 • BBC: ACII 246B

CONTACT:

Title IX Coordinator

Deputy Title IX Coordinators

Mandatory Reporters

Campus Security Authorities

Dean of Students

Student Conduct and Academic Integrity (SCAI) Staff

Faculty

Police

**Off-campus professionals
who can provide Confidential Assistance:**

**Roxcy Bolton Rape Treatment Center at
Jackson Memorial Hospital**

305-585-5185

1611 N.W. 12th Avenue, Miami, FL 33136

<http://www.jacksonhealth.org/services-rape-treatment.asp>

**Florida Council Against Sexual Violence
Information Line**

1-888-956-RAPE

Florida Domestic Violence Hotline

1-800-500-1119; Florida Relay 711

Florida Victim Assistance

1-800-266-6667

**Miami Coordinated Victim Assistance
Center (CVAC)**

305-285-5900

Any licensed mental health professional can
provide **Confidential Assistance**

**University Officials to Contact for Making a
Report to the University**

Courtney McHenry

Interim Title IX Coordinator

Assistant Director, Office of Inclusion, Diversity,
Equity & Access

PC 321

Phone: 305-348-2785

Email: idea@fiu.edu

Michelle Horvath

Director, Student Conduct and Academic Integrity
(SCAI)

GC 311A

Phone: 305-348-3939

Email: conduct@fiu.edu

Joann Cuesta Gomez

Director, Employee & Labor Relations (ELR)

PC 236

Phone: 305-348-4186

Email: elr@fiu.edu

Julie Berg-McGraw

Deputy Title IX Coordinator

Senior Associate Athletic Director

OBCC 202A | Phone: 305-348-2352

Email: julie.berg-Mc_Graw@fiu.edu

OR FILE ONLINE:

Silent Witness Form provides a method to
report on an anonymous basis to the FIU
Police Department:

http://police.fiu.edu/Silent_Witness.php

FIU Ethical Panther Line provides a
method to report on an anonymous basis to
the University Compliance Office at
<https://fiu.i-sight.com/portal/reportonline>

Incident Reporting Form provides a
method to report on an anonymous basis to
Student Affairs:

<https://publicdocs.maxient.com/incidentreport.php?FloridaIntlUniv>

Below is a list of additional University Officials (who **are not** confidential resources) to which someone could report a violation:

Dr. Elizabeth M. Bejar
Sr. Vice President for Academic & Student Affairs
Division of Academic & Student Affairs
Office: GC 225 | Phone: 305-348-2797
Email: vpdsa@fiu.edu

Sofia Trelles
Student Ombudsperson
Division of Academic & Student Affairs
Office: GC 225 | Phone: 305-348-2797
Email: sofia.trelles@fiu.edu

Academic & Student Affairs
Dean of Students
Division of Academic & Student Affairs
Office: GC 225 | Phone: 305-348-2797
Email: vpdsa@fiu.edu

Chief Alexander “Alex” Casas
University Police Department
MMC PG5 | Phone: 305-348-2626
BBC SOII | Phone: 305-919-5559
Email: Alexander.Casas@fiu.edu

Dr. Rebecca Friedman
Faculty Ombudsperson
Office of the Provost
Phone: 305-348-0169
Email: Rebecca.Friedman@fiu.edu

Jennifer LaPorta Baker, Chief Compliance Officer
University Compliance & Integrity
PC 429 | Phone: 305-348-2216
Email: compliance@fiu.edu

Seeking confidential assistance means talking about the alleged violation with a professional who cannot share the information with anyone else without the express permission from the person sharing the information unless there is a threat of serious harm to the person sharing the information (e.g., patient/client) and/or to others and/or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor or vulnerable adult). Any individual may choose to seek support from confidential professionals on and/or off campus, including the staff at the University Victim Empowerment Program, the counselors at the University Counseling and Psychological Services Center, medical health providers, clergy, and/or rape crisis counselors (as noted in the chart above). The confidential resource will provide help in addressing the incident to the extent possible and in accordance with the person’s desires. Seeking confidential assistance does not prevent an individual from making a report at a later date.

Making a report to the University means contacting the Title IX Coordinator, Deputy Title IX Coordinator, a Responsible Employee, campus security authority, and/or the University Police. Alternatively, a report can be made to the University using the web-based options listed in the chart above.

Responsible Employees will safeguard an individual’s privacy, but **are required** by the University to promptly share all details about a report of prohibited conduct (including the known details of the incident (e.g., date, time, location), the names of the parties involved, a brief description of the incident and whether the incident has been previously reported) with the **Title IX Coordinator** in person, by telephone, electronically, or by email. Such reporting ensures timely

~~support for all parties and enables an effective and consistent institutional response.~~

~~Campus security authorities will safeguard an individual's privacy but **are required** to promptly share all known details of an incident, which may constitute a Clery crime consistent with the Clery Act requirements. Clery crimes must be disclosed to the Clery Compliance Coordinator who is responsible for maintaining the University's daily crime log and annual security report, which contains information on certain crimes. No identifying information with respect to any party is included.~~

All other employees ~~(who are not designated as confidential resources~~ or Responsible Employees) will safeguard an individual's privacy, but are strongly encouraged to share any information about such conduct with the Title IX Coordinator or Deputy Title IX Coordinator(s) and/or a member of the Title IX Response Team in recognition of the understanding that centralized reporting is an important tool to address, end and prevent prohibited conduct. Similarly, all students (who are not otherwise required to report as a Responsible Employee ~~Responsible Employee and/or Campus Security Authority~~) are strongly encouraged to report any information, including reports or partial reports, to the Title IX Coordinator or Deputy Title IX Coordinator(s) and/or a member of the Title IX Response Team.

~~A Reporting Party is encouraged to report of conduct they believed to may be prohibited discrimination or harassment by this Regulation (or that left unchecked may rise to the level of prohibited Sexual Misconduct or Sexual Harassment) are encouraged even if the reporter is they are not sure that the conduct violates this Regulation or . A Reporting Party is encouraged to make a report even if they does~~ not want the University to take action against a Respondent. The University will make every effort to respect a Reporting Party's autonomy if that is the Reporting Party's desire. Making a report to the University does not mean that the Reporting Party cannot also seek confidential assistance ~~then or at a later date.~~

VII. INTERIM PROTECTIVE SUPPORTIVE MEASURES AVAILABLE THROUGH THE UNIVERSITY

When an informal or report ~~Formal Complaint~~ is received, the Title IX Coordinator or designee, in consultation with other appropriate administrators, will make an assessment of any risk of harm to the parties, any other individuals, or the broader University community. The University may impose reasonable and appropriate interim protective supportive measures when necessary to protect the safety and/or emotional well-being of the parties or witnesses involved and/or to provide academic or other appropriate support. ~~Implementing any interim protective supportive measures~~ is within the sole discretion of the University. Because they are temporary in nature, interim protective measures may be amended or withdrawn as additional information is gathered. The Title IX Coordinator or designee, in consultation with other administrators, will maintain consistent contact with the parties so that all safety and/or emotional well-being concerns can be reasonably addressed.

Interim protective Supportive measures may be afforded to the Complainant, the Reporting Party, the Respondent, and/or other involved individuals as appropriate to ensure their safety and/or well-being interim protective Supportive measures may be requested by the parties at any time regardless of whether any particular course of action is sought by the Complainant while

avoiding punishing the Respondent prior to the conclusion of the grievance process. The range of ~~interim protective~~Supportive mMeasures ~~may~~ includes, but is not limited to:

- Arranging for medical services
- Access to counseling services either provided by the University and/or through community resources
- Providing crisis intervention, case management, emotional and/or practical support, and/or safety planning through the Victim Empowerment Program for students and through the Office of Employee Assistance for faculty and staff
- Imposition of a University “No-Contact ~~Order~~Directive” for all or some of the parties involved in the incident
- ~~Imposition of a “No Trespass Order” for all or part of any University property~~
- Rescheduling of exams and assignments
- Providing alternative course completion options
- Change in class schedule, including the ability to drop a course without penalty or to transfer sections
- Change in work schedule or job assignment
- Change in campus housing assignment
- Assistance from University support staff in completing housing relocation, if feasible
- Voluntary leave of absence from work in accordance with University policies
- Providing an escort to assure safe movement between classes and activities
- Providing academic support services, such as tutoring
- University-imposed leave or suspension for the Respondent.
- Any other feasible measure(s), which can be tailored to the involved individuals to achieve the goals of this Regulation.

All individuals are encouraged to report concerns about the adequacy of the ~~interim protective~~Supportive mMeasures or the failure of another individual to abide by any ~~interim protective~~Supportive mMeasure to the Title IX Coordinator or designee. ~~The Title IX Coordinator will take appropriate, responsive, and prompt action to enforce interim protective measures and/or to respond to **Retaliation** by another party or witness. Any violation of a Supportive Measure will be investigated and adjudicated under this Regulation.~~

VII. ADVISORS

During the grievance process, the Complainant and Respondent may have an advisor of their choice accompany them to any related meeting or proceeding. Advisors have no active role in any meetings or the grievance process except as explicitly provided in this Regulation. Meetings or proceedings may not be unreasonably delayed due to the selection or schedule of an Advisor, and it is the responsibility of the Complainant or Respondent to communicate relevant information to their Advisor and ensure that their Advisor comports themselves in a manner which respects this educational-administrative process. After an appropriate warning, the University reserves the right to stop a meeting or proceeding and remove an Advisor whose presence disrupts the meeting or proceedings, and then begin the meeting or proceedings without the Advisor. During a hearing held pursuant to this Regulation, an advisor will be provided by the University for cross-examination purposes only if the Complainant or Respondent does not already have an Advisor.

VIII.VIII. FORMAL COMPLAINTS

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or electronic mail using the contact information listed for the Title IX Coordinator above. A Formal Complaint may also be filed through conduct.fiu.edu or <https://fiu.i-sight.com/portal/idea> <https://fiu.i-sight.com>.

If the Complainant files a Formal Complaint, the University will analyze whether it is to be dismissed. This analysis occurs prior to the investigation, and also at any point in the investigation or grievance process when the grounds for dismissal appear. In all cases, if the Formal Complaint is dismissed, the Title IX Coordinator will promptly and simultaneously provide the parties written notice of the dismissal, the reasons for the dismissal, and an opportunity to appeal.

Mandatory Dismissal of Formal Complaints of Sexual Harassment

The University must dismiss a Formal Complaint of Sexual Harassment to the extent the conduct alleged in the Formal Complaint:

- Would not constitute Sexual Harassment even if proved;
- Did not occur in the University's education program or activity; or
- Did not occur in the United States.

At the time a Formal Complaint is filed, a Complainant must be participating in or attempting to participate in an University educational program or activity. Even though a Formal Complaint must be dismissed for Sexual Harassment (Title IX) purposes, the University may continue to review the allegations as Sexual Misconduct or other violation of the University's regulations, rules, and policies.

Permissible Dismissal of Formal Complaints of Sexual Harassment or Sexual Misconduct

The University may dismiss a Formal Complaint in the following circumstances:

- The conduct would not constitute Sexual Misconduct even if proved;
- Upon completion of the investigation, the Title IX Coordinator concludes that there is not reasonable cause to believe that a violation of this Regulation occurred. Reasonable cause is a lower standard than preponderance of the evidence;
- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the University; or

- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

In determining whether to dismiss in these circumstances, the University will evaluate whether a dismissal would be clearly unreasonable in light of the known circumstances.

If dismissed, the University may continue to review the allegations as a violation of other University regulations, rules, and policies.

INVESTIGATION OF A REPORT OF A POTENTIAL VIOLATION OF FIU-105 AND RESOLUTION OF AN INVESTIGATION

Consolidation of Formal Complainants

The Title IX Coordinator, Director of Student Conduct and Academic Integrity or the Director of Employee and Labor Relations or designee(s) may consolidate Formal Complaints against more than one (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one Party against another Party where the allegations arise out of the same facts or circumstances.

IX. INTERIM SUSPENSION AND ADMINISTRATIVE LEAVE

The University may remove a Respondent from some or all of the University's programs and activities or employment on an interim basis if it determines there is an immediate threat to the health, safety, or welfare of the University or University Community arising from allegations of violations of this Regulation. Prior to placing a Respondent on Interim Suspension or Administrative Leave, the University will conduct an individualized safety and risk analysis.

If a Respondent is removed pursuant to this section, the University will provide the Respondent with written notice and an opportunity to challenge the removal. The Respondent will have three (3) Business Days from the date of the notice of Interim Suspension or Administrative Leave to challenge the decision, in writing, stating the basis of their challenge to the removal. A copy of the challenge to the Interim Suspension or Administrative Leave will be provided to the Complainant. No later than three (3) Business Days after receipt of the challenge, the University will provide a written determination to the Respondent and Complainant.

If Interim Suspension or Administrative Leave is upheld, the Respondent retains all rights to an investigation and hearing as set forth in this Regulation prior to any ultimate finding of responsibility and sanctions.

X. INVESTIGATION OF FORMAL COMPLAINTS

Criminal Investigations

To initiate a criminal investigation, reports of Sexual Misconduct or Sexual Harassment should be made to the University Police Department, or local law enforcement. The criminal process is separate from this grievance process and the Rules of Civil or Criminal Procedure do not apply. The University has an obligation to promptly respond to allegations of Sexual Misconduct or Sexual Harassment and investigate all Formal Complaints while the criminal process is pending.

Therefore, the University in its sole discretion may proceed with an investigation under this Regulation before, during, or after any law enforcement investigation or criminal proceedings.

Notice of Allegation

Upon receipt of a Formal Complaint, the Title IX Coordinator or designee will provide the Complainant and Respondent with written notice stating:

- this Regulation and other applicable Regulations or policies;
- the allegations of Sexual Harassment or Sexual Misconduct including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved if known, the alleged conduct constituting Sexual Harassment or Sexual Misconduct, and the date and location of the alleged incident if known;
- the Respondent is presumed Not Responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
- any provision of the Student Conduct and Academic Honor Code or applicable regulations, policies, or procedures that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and
- an appointment date and time where they will, separately, meet with the Title IX Coordinator for an information session to discuss the grievance process, supportive measures, and any other concerns a party may have. Each party will be provided with at least fourteen (14) Business Days between receipt of the Notice of Allegation and the date of the initial interview except in cases of emergency or where waived by the party.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the original Notice of Investigation, the University will provide notice of the additional allegations to the parties.

Timeline for Investigation and Responsibility Determination

It is the University's intention to complete a Title IX investigation and reach a determination of responsibility within ninety (90) Business Days, although good-faith efforts to conduct a fair, impartial investigation in a timely manner may require a different timeline depending on the circumstances.

Any deadline set forth in this Regulation or imposed during the grievance process may be temporarily modified or given a limited extension of time for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the modification. Good cause may include considerations such as the absence of a party, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The University may act on its own in modifying deadlines, or the parties may request an extension in writing by contacting the Title IX Coordinator, Director of Student Conduct and Academic Integrity or Director of Employee Labor Relations or designee(s) as applicable.

Appointment of an Investigator

The Title IX Coordinator may designate one or more properly trained individuals to investigate a Formal Complaint, including University or third-party investigators.

In the event of a conflict or bias, the University will appoint an alternate individual so that the process is free of conflicts of interest and bias.

Concurrent Processes

If the Respondent is a student and portions of the Formal Complaint include allegations that violate the Student Conduct and Honor Code but are not alleged violations of this Regulation, those allegations may be investigated and/or addressed separately by Student Conduct and Academic Integrity before, during, or after the investigation coordinated by the Title IX Coordinator described herein.

Similarly, if the Respondent is an employee or member of the University Community and portions of the Formal Complaint include allegations that violate University regulations, policies, and procedures applicable to personnel, but are not alleged violations of this Regulation, then those allegations may be investigated and/or addressed separately by Human Resources before, during, or after the investigation coordinated by the Title IX Coordinator described herein.

The Collection of Evidence

Investigators will gather information from the Complainant, Respondent, and other individuals who have information relevant to the Formal Complaint. The parties will have an equal opportunity to present facts and evidence, identify witnesses, and other inculpatory and exculpatory evidence. The investigator may also interview relevant third parties who, throughout the course of the investigation, are determined to have information that may assist in the review of the formal complaint. The investigator has the discretion to determine the relevance of any witnesses provided by either party, and will determine which witnesses to interview. The investigator will not consider relevant any witnesses who are offered solely for the purpose of providing evidence of a party's character. If a party declines to provide relevant information, the University's ability to conduct a prompt, thorough, and equitable investigation may be impaired.

The University will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews at least seven (7) Business Days prior to the investigative meetings, or other meetings except in cases of emergency or unless waived by the Respondent.

Exclusion of Certain Forms of Evidence

The University cannot access, consider, disclose, or otherwise use a party's records that contain information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

If a party chooses to provide evidence that would otherwise be excluded under this subsection, it will be considered directly related evidence subject to the parties' inspection.

Review of Collected Evidence & Investigatory Report

The Title IX Coordinator, Director of Student Conduct and Academic Integrity, or Director of Employee and Labor Relations, or designee as appropriate will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given at least ten (10) Business Days to submit a written response. The investigator will consider any written responses prior to completion of the investigative report.

The University will also make all directly related evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The Title IX Coordinator or designee will send the parties and their advisors the final investigative report that fairly summarizes relevant evidence, with at least 10 (ten) Business Days prior to a hearing or determination of responsibility.

XI. INFORMAL RESOLUTION

If a Formal Complaint has been filed, the University has the discretion at any time prior to reaching a determination regarding responsibility to choose to offer and facilitate informal resolution options so long as the parties give voluntary, informed written consent to attempt informal resolution. Informal resolution is not available when a Complainant is a student alleging that a University employee has engaged in Sexual Harassment or Sexual Misconduct.

In offering an informal resolution process, the University will provide the parties written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which, upon reaching an agreed resolution, it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. The University will also explain any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The Informal Resolution process must be completed within fifteen (15) Business Days of the parties agreeing to pursue such a process. If not completed by that deadline, in the absence of

any approved extensions, the Formal Complaint will continue to be investigated and processed for a live hearing as described in this Regulation.

~~If the Respondent is a student, the Director of Student Conduct and Conflict Resolution/Deputy Title IX Coordinator will oversee the matter in accordance with the Student Code of Conduct Regulation (FIU Regulation 2501) working with the *Title IX Coordinator*. If the Respondent is an employee, the *Title IX Coordinator* will oversee the matter. If the Respondent is a student and holds a position as University employee, the *Title IX Coordinator* and the Director of Student Conduct and Conflict Resolution will determine which office will have primary oversight of the matter.~~

~~There may be instances in which a Complainant is unable or unwilling to pursue a report of Discrimination but where the *Title IX Coordinator* is aware of the behavior. In such instances, the *Title IX Coordinator* may choose to pursue an investigation of the alleged offense. The decision of whether or not to take further action on a report will be based on an assessment of safety and the maintenance of a non-discriminatory environment.~~

~~INVESTIGATION PROCEDURES~~

~~If, after an initial assessment of a report of a prohibited conduct, the *Title IX Coordinator* determines that an investigation is necessary, the *Title IX Coordinator* will oversee the investigation process. The Title IX Coordinator will select a trained investigator(s) to gather sufficient evidence to reach a fair, impartial determination as to whether the alleged violation has occurred based on the preponderance of the evidence. The investigator(s) will be trained to gather and document the available evidence to support reliable decisions, objectively evaluate the credibility of the parties and witnesses, synthesize all available evidence (including both supportive and non-supportive evidence), and take into account the unique and complex circumstances of each case. The Title IX Coordinator will select investigator(s) who are free of actual or reasonably perceived conflicts of interest and biases for or against any party.~~

~~Prior to the initial investigation meeting, the Title IX Coordinator will send to the Respondent and Complainant written notice about the allegations constituting a potential violation of this Regulation in order for the parties to prepare for meaningful participation in the matter. During an investigation, the investigator(s) will seek to meet separately with the Complainant, the Respondent, and any witnesses. Witnesses are individuals who may have information relevant to the incident, including individuals who may have observed the acts in question, may be able to provide contextual information, or may have other information related to the incident, the disclosure, or related matters. The investigator(s) will also gather other relevant information or evidence, including documents, photographs, communications between the parties, medical records (subject to the consent of the applicable person), and other electronic records as appropriate. The investigator(s), not the parties, are responsible for gathering relevant evidence to the extent reasonably possible. Both the Complainant and Respondent are encouraged to promptly submit any relevant information, including witnesses' names. If a party declines to provide relevant~~

information, the University's ability to conduct a prompt, thorough, and equitable investigation may be impaired.

~~All investigations will be conducted in a prompt fashion to determine what occurred and whether steps must be taken to resolve the situation. The appropriate University officials will make every effort to complete the investigation phase within a reasonable period of time from the filing of a report or when the University becomes aware of behavior that may be a violation of this Regulation. The parties will be advised of any extension of time as needed to complete the investigation phase.~~

~~Any investigation may include, but shall not be limited to, interviewing the Complainant, Reporting Party (if not the Complainant) and the Respondent regarding the allegations, interviewing other persons who may have information relevant to the allegations, preparing witness statements for all persons interviewed, and/or reviewing of any relevant documents.~~

XII. HEARINGS

The Hearing Process

Live hearings may be conducted with all parties physically present in the same geographic location or with any (or all) parties, witnesses, and other participants appearing virtually utilizing technology that enables participants to simultaneously see and hear each other. At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-makers and parties to simultaneously see and hear the party or the witness answering questions.

At the live hearing, the Hearing Officer will explain each Party's rights and options and assure that fairness and procedural due process are observed throughout the hearing. The Hearing Officer will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor. Only relevant cross-examination and other questions may be asked of a party or witness. To ensure this, before a Complainant, Respondent, or witness answers a cross-examination or other question, the Hearing Officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer and Hearing Body will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Office and Hearing Body will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing. Live hearings will be closed to the public.

The Written Determination Regarding Responsibility

The University will provide a written determination regarding the Respondent's responsibility simultaneously to the Parties within fourteen (14) Business Days from the conclusion of the hearing. The Decision-Maker will also provide a copy of the written determination to the Title IX Coordinator. Unless an appeal is filed, this written determination shall constitute Final Agency Action. ~~for determinations that result in suspension or expulsion of student Respondents. For employee or other University Community Respondents, unless an appeal is filed the written determination is Final Agency Action.~~ The written determination regarding responsibility will include the following:

- Identification of the allegations potentially constituting Sexual Misconduct or Sexual Harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's regulations to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant (without disclosing the nature of those remedies except to the extent a remedy also imposes requirements on the Respondent); and
- The grounds for appeal.

XIII. DISCIPLINARY SANCTIONS

In reaching a determination regarding sanctions, consideration will be given to any aggravating and mitigating circumstances. The sanctions described below are a description of the range of sanctions available, and not an exhaustive list of all sanctions that may be imposed.

Student Conduct and Academic Integrity will oversee disciplinary sanctions for students and student organizations. Students or student organizations who are found to have violated this Regulation will be subject to disciplinary sanctions as set forth in the Student Conduct and Academic Code, FIU- Regulation 2501. Any sanctions will be proportionate to the severity of the violation and the student's cumulative conduct history. Sanctions include, but are not limited to, reprimand, educational sanctions, counseling assessment, restitution, disciplinary probation, restrictions, exclusion from university housing, suspension, loss of university recognition, or expulsion.

Human Resources will oversee disciplinary sanctions for non-students. Faculty and staff who are found to have violated this Regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements or applicable personnel regulation, policies, or procedures. Sanctions include, but are not limited to letters of reprimand, training, performance improvement plans, reassignment, demotion, suspension with or without pay, and termination. Third parties (including contractors and visitors) who are found to have violated this Regulation may be barred from the campus and/or conducting business with the University.

XIV. REMEDIES

In some cases, the Hearing Official or Hearing Panel may find that remedies are needed for a Complainant when a Respondent is found responsible for violating this Regulation. Remedies are designed to restore or preserve the Complainant's equal access to the University's education program or activities. As an example of the range of remedies available, remedies may include similar individualized services as defined in Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. Remedies do not include damages or other financial awards, or other relief that would impose an undue hardship on the University.

The Title IX Coordinator is responsible for the effective implementation of any remedies. When a determination indicates that remedies will be offered to the Complainant, the Complainant should contact the Title IX Coordinator to arrange for appropriate remedies.

XV. PROCESS OF PRESIDENTIAL REVIEW

The President will notify the Appellate Officer within three (3) Business Days of notification of a disciplinary outcome if he/she wishes to review the underlying disciplinary matter. This review will serve as the appeal process for the Respondent and Complainant. Any other appeal process will immediately cease.

No later than one (1) Business Day after the President notifies the Appellate Officer, the Appellate Officer shall notify the Respondent and Complainant of the President's decision to review the underlying disciplinary matter including sanctions. The Respondent and Complainant may provide the President with any information (including any documents supporting an appeal if not previously submitted) within three (3) Business Days of the Appellate Officer's notification.

The President may only consider the information previously provided in this disciplinary matter, any appeals submitted by the Respondent and Complainant, and any information that meets the grounds for appeal as outlined in Section XVI.

The President shall issue a written decision, including the results of the appeal and rationale, to the Respondent, Complainant, Appellate Officer, and Title IX Coordinator within fourteen (14) Business Days of notification of a disciplinary outcome. The President's decision constitutes Final Agency Action and will include notice of the Respondent's right to appeal to an external judicial forum.

XVI. APPEALS

Both parties will be notified and provided with the opportunity to appeal a determination or dismissal based on the following grounds only:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or Hearing Official had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- The sanctions are extraordinarily disproportionate to the violation committed.

An appeal must be submitted in writing to the Appellate Officer within seven (7) Business Days of the date of the Hearing Official or Hearing Body's written determination and identify the grounds and arguments for challenging the outcome. If the appeal is based on newly discovered evidence, the evidence must be submitted with the written appeal.

Upon receipt of an appeal, the University will notify the other party in writing when an appeal is filed and provide them with seven (7) Business Days to submit a written statement in support of or challenging the outcome.

After both parties have had an opportunity to present their arguments challenging or supporting the outcome, the Appellate Officer will issue a written decision within fourteen (14) Business Days simultaneously to both Parties with the result of the appeal and the rationale. The Appellate Officer will also provide a copy of the appellate decision to the Title IX Coordinator. The University's decision shall constitute Final Agency Action.

XVII. PRIVACY AND CONFIDENTIALITY

The University will keep information and actions taken in accordance with this Regulation confidential to the extent possible under the law, meaning it will only disclose information to individuals with a legitimate need to know in order to review, investigate, and resolve reports of Sexual Misconduct or Sexual Harassment, or as permitted or required by law.

The University may release information about Sexual Misconduct or Sexual Harassment in certain circumstances without permission in order to warn and protect the University Community.

RESOLUTION OF THE INVESTIGATION WHEN THE RESPONDENT IS AN EMPLOYEE

~~Upon completion of the investigation, a report shall be prepared which includes a summary of the complaint, a description of the investigation, the findings of fact, and a determination whether a violation of Regulation FIU-105 is substantiated or unsubstantiated. The conclusion that a violation was substantiated will be based on a preponderance of the evidence standard. The final investigation report shall be given to the following people at or about the same time (as is practicable): the Complainant, the Respondent, and the Director of Employee and Labor Relations and/or the Division of Academic Affairs. The appropriate office will determine what~~

action, including discipline, (if any) may be necessary. ~~No decision about discipline or implementing any discipline will be taken until the time for filing an appeal has lapsed or when the appeals process has finally concluded.~~

Either party may seek review of the final investigation report by the Vice President for Human Resources or a designee by filing an appeal within seven (7) business days of receipt of the investigation report. The appeal shall be based on one or more of the following:

- ~~relevant evidence was not reviewed and/or~~
- ~~new evidence is available, or~~
- ~~the factual evidence was insufficient to support the report.~~

The appeal shall be in writing and shall set forth the issues to be considered in the appeal. Copies of the appeal shall be provided to the other party as soon as is practicable. The other party may file a response to the appeal to the Vice President for Human Resources within seven (7) business days of receipt of the appeal. The Vice President for Human Resources or designee shall issue a written finding within seven (7) business days after receipt of the appeal, or of a response to the appeal, whichever is later, and will give the report to all parties at or about the same time (as is practicable). These deadlines may be extended when necessary (but not in an attempt to delay the final resolution of the matter).

Once the appeal process has concluded, the Director of Employee Labor and Relations Department and/or the Division of Academic Affairs (if the faculty is involved) will make a recommendation to the Respondent's supervisor as to whether any disciplinary action should be taken against the Respondent. The resolution of the complaint will be communicated to the Complainant and Respondent at or about the same time (as it practicable).

RESOLUTION OF THE INVESTIGATION PROCESS WHEN THE *RESPONDENT* IS A STUDENT

Upon completion of the investigation, a report shall be prepared which includes a description of the investigation, a summary of the complaint and the witness statements. The Director of Student Conduct and Conflict Resolution/Deputy Title IX Coordinator will review the report in order to determine whether there is a potential violation(s) of the Student Conduct Code.

If the Director determines that there has been a violation(s), the Director will follow the process that is described in the Student Conduct Code. See FIU Regulation 2501 at <http://regulations.fiu.edu/regulation>.

~~IX. RETALIATION~~

XVIII. RETALIATION AND OBSTRUCTION

For purposes of this Regulation, ***Retaliation***, retribution or reprisal is defined as adverse action taken against an employee or student as a result of an employee or student's good faith reporting of violations of law, rule, regulation, policy or other misconduct.

Retaliation and Obstruction are prohibited during any portion of the grievance process. If a member of the University community believes that Retaliation or Obstruction may have been

taken against them ~~or others as a result of filing a grievance, complaint or report of a violation of law, rule, regulation or policy~~, they should report the ~~behavior retaliation~~ to the ~~EOPD~~ Title IX Coordinator or investigator-Office. The situation will be reviewed and a response will be provided to the employee or student who alleged the Retaliation ~~or Obstruction~~. Charging an individual with a violation for making a materially false statement in bad faith in the grievance process under this Regulation does not constitute Retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. Exercising any rights secured by the First Amendment does not constitute Retaliation.

Specific Authority: Board of Governors Regulation 1.001 (5)(a). History-- Formerly FIU-104 (repealed) and FIU-103 (repealed). New April 15, 2015, Amended June 8, 2018, Amended 8-13-20, Amended _____.

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**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES FLORIDA
BOARD OF GOVERNORS**

NOTICE OF CHANGE TO APPROVED REVISED REGULATION

REGULATION TITLE: Sexual Harassment (Title IX) and Sexual Misconduct

REGULATION NO.: FIU-105

SUMMARY: On May 6, 2020, the United States Department of Education Office for Civil Rights (OCR) issued regulations on Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination based on sex. In response, substantive revisions were made to ensure the University's compliance with the new regulations and approvals of said revisions were obtained from the University's Board of Trustees. On October 28, 2020, the Board of Trustees approved the revised regulation to be effective until its February 2021 board meeting. This change will eliminate the date restriction and therefore, make the revised regulation effective without such date restriction.

TEXT OF REGULATION: The full text of the Proposed Amendment to Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu>. If you would like a copy of the proposed Regulation, please contact Eli Deville, Departmental Administrator, Office of the General Counsel, devillee@fiu.edu (305) 348-2103.

AUTHORITY: Board of Governors Regulation 1.001(5)(a).

NAME OF PERSON INITIATING PROPOSED REGULATION: Dr. Elizabeth Bejar, Senior Vice President for Academic & Student Affairs.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED AMENDMENT TO REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

THE CONTACT PERSON REGARDING THIS REGULATION IS:
Eli Deville, Departmental Administrator, Office of the General Counsel, Florida International University, 11200 SW 8th Street, PC 511, Miami, FL 33199
Email: devillee@fiu.edu | Phone: 305.348.2103 | Fax: 305.348.3272

DATE OF PUBLICATION: January 22, 2021

THE FULL TEXT OF THE PROPOSED REGULATION IS PROVIDED BELOW:

FIU-105 Sexual Harassment (Title IX) and Sexual Misconduct

I. POLICY STATEMENT

Florida International University (the University) is committed to encouraging and sustaining a learning and living environment that is free from discrimination based on sex including gender, gender expression, gender identity, and sexual orientation. Discrimination based on sex encompasses Sexual Misconduct, Sexual Harassment, Gender-Based Harassment, Domestic Violence, Dating Violence, and/or Stalking. The University has developed this regulation applicable to the entire University Community (i.e., students, student organizations, faculty, staff, affiliated third parties, and visitors) prohibiting discrimination based on sex consistent with Title IX of the Education Amendments of 1972 (Title IX), relevant provisions of the Violence against Women Reauthorization Act of 2013 (VAWA), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), along with all applicable implementing regulations, and other applicable federal and state laws.

The University has identified two areas that are under the purview of this Regulation: Sexual Harassment as defined by Title IX and Sexual Misconduct. Sexual Harassment applies to alleged harassment, violence, and/or prohibited discrimination that occurs in a University education program or activity in the United States. This refers to locations, events, or circumstances over which the University had substantial control over both the Respondent and the context in which such incidents occurred, and also includes buildings owned by or controlled by a student organization that is officially recognized by the University. Sexual Misconduct applies to alleged harassment, violence, and/or prohibited discrimination that occurs in or outside a University education program or activity regardless of location. Nothing in this Regulation shall be construed as preventing the University President from taking any action which may be deemed necessary to meet the goals of this Regulation. The President may change the outcome and/or sanctions for any matter under the jurisdiction of this Regulation as outlined in Section XV.

All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others and is consistent with this regulation. The Regulation is not meant to inhibit or prohibit educational content or discussions protected by academic freedom or the First Amendment, the Fifth and Fourteenth Amendments, or any other rights guaranteed by the U. S. Constitution.

The University emphasizes the importance of treating Complainants and Respondents equitably upon receipt of a Formal Complaint. There is a presumption the Respondent is Not Responsible for the alleged conduct until Final Agency Action.

II. TITLE IX COORDINATORS

The *Title IX Coordinator* is:

- knowledgeable and trained in University policies and procedures and relevant state and federal laws;
- responsible for coordinating the effective implementation of Supportive Measures;
- responsible for responding to concerns raised by the Deputy Title IX Coordinator(s), University Police, or Responsible Employees;

- responsible for overseeing investigations of alleged violations of this Regulation;
- responsible for ensuring the effective implementation of this Regulation, including monitoring compliance with all procedural requirements, recordkeeping, and timeframes;
- responsible for overseeing training, prevention, education efforts, and periodic reviews of climate and culture; and
- responsible for maintaining all reports of possible violations of this Regulation and reviews such reports and complaints for systemic patterns that need to be addressed.

The University's Title IX Coordinator is:

Courtney McHenry
Office of Inclusion, Diversity, Equity, & Access (IDEA)
 Office number: 305-348-2785
 Email: cmchenry@fiu.edu
 Address: 11200 S.W. 8th Street, PC 321
 Miami, FL 33199

The Title IX Coordinator has designated Deputy Title IX Coordinators to assist in fulfilling the Title IX Coordinator duties. The Deputy Title IX Coordinators are:

- Michelle R. Horvath, Assistant Dean of Students, Office of Student Conduct and Academic Integrity
 Office number: 305-348-3939
 email: conduct@fiu.edu
- Julie Berg-McGraw, Sr. Associate Athletic Director, Athletics Department
 Office number: 305-348-2352
 email: julie.bergmc_graw@fiu.edu
- Joann Cuesta-Gomez, Director, Office of Employee & Labor Relations
 Office number: 305-348-4186
 email: elr@fiu.edu

The Title IX Coordinator, Deputy Title IX Coordinators, investigators, Hearing Officer(s), and the Hearing Body are properly trained based on their roles. Training includes what constitutes Sexual Misconduct and Sexual Harassment, the scope of the University's education programs and activities, how this Regulation is implemented, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially including by avoiding pre-judgment of the facts at issue, conflicts of interest and bias, any technology to be used at a live hearing, issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, and relevance to create an investigative report that fairly summarizes relevant evidence.

The Title IX Coordinator, investigators, and Hearing Officer(s), and Hearing Body will be free of actual or reasonably perceived conflicts of interest and biases for or against any party.

Concerns about the University's application of this Regulation may be addressed to the

following offices below and/or to the Deputy Title IX Coordinators listed above.

FIU Office of University U.S. Depart. of Education Equal Opportunity Compliance and Integrity Office for Civil Rights Commission

(305) 348-2216

(800) 421-3481

(800) 669-4000

Email: compliance@fiu.edu

III. DEFINITIONS

Actual knowledge – Verbal or written notice of Sexual Harassment or Sexual Misconduct or allegations of Sexual Harassment or Sexual Misconduct to the Title IX Coordinator or Responsible Employee.

Advisor - Any person chosen by the Complainant or Respondent to assist throughout the Sexual Harassment or Sexual Misconduct process (e.g., faculty, staff, parent/guardian, attorney, friend, alumni, or any other person who is not a Witness in the process).

Appellate Officer - The Senior Vice President for Academic and Student Affairs or designee for student Respondents or the Vice President for Human Resources or designee for non-student Respondents.

Business Day: A day when the University is open for regular business operations from 8:30 am to 5:00 pm Eastern Time. For emailed correspondence, the day of delivery is not included in a designated time period. In computing any time period specified in this Regulation, the day of the event, act, or default that initiates the period shall be excluded.

Complainant - Any individual who is alleged to be a victim of conduct that could constitute behavior prohibited by this Regulation.

Consent - A clear, knowing, and voluntary agreement to engage in specific sexual activity at the time of the activity. Consent can be communicated by words or actions as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity. Consent must be ongoing throughout the sexual activity and can be withdrawn at any time. Sexual contact must cease immediately once withdrawal of consent is clearly communicated.

- Consent must be active, not passive.
- Lack of protest or resistance does not mean consent has been granted, nor does silence mean consent has been granted.
- Within each sexual encounter, there may be separate individual sexual acts involved, and consent to one act and/or person(s) by itself does not constitute consent to another act and/or person(s).
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations, should never, by itself, be assumed to be an indicator of consent for any current or future sexual encounter even in the context of a relationship, there must be mutual consent.

- If coercion or force is used, there is no consent.
- If a person is incapacitated so that the person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This may be affected by conditions due to age, alcohol or drug consumption, unconsciousness, being asleep, physical or developmental disabilities.
- Whether one has taken advantage of a position of influence over another can be a factor in determining whether there was consent.
- In order to give consent, one must be of legal age.
- The question of what the Respondent should have known as to whether the Complainant was incapacitated is objectively based on what a reasonable person, sober and/or exercising good judgment, would have known about the condition of the Complainant.

Deputy Title IX Coordinator – The Deputy Title IX Coordinator is an individual(s) designated by the Title IX Coordinator to support the Title IX Coordinator with respect to the University's efforts to comply with this Regulation.

Final Agency Action - Notice that the University has made a final determination and, as such, may be appealed to an external judicial forum.

Formal Complaint– A document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment or Sexual Misconduct against a Respondent and requesting an investigation of alleged Sexual Harassment or Sexual Misconduct.

- A document filed by a Complainant means a document or electronic submission that contains the Complainant's physical or electronic signature or otherwise indicates the Complainant is the person filing the complaint.

Hearing Body – Members of the University community responsible for determining the merits and sanctions of alleged conduct violating this Regulation. The Hearing Body for Sexual Harassment and Sexual Misconduct shall consist of a University Official or panel of University Officials except, if requested by a student Respondent and no objection is raised by the Complainant, a Hearing Body may be comprised of at least one-half of students.

Hearing Officer – The University official responsible for chairing the Hearing Body. The Hearing Officer will not be the same person as the Title IX Coordinator or investigator.

Impact Statement- An oral or written statement that describes how the Complainant or Respondent is impacted by the alleged conduct.

Incapacitation – Incapacitation is the inability, temporarily or permanently, to give Consent because the individual is mentally and/or physically helpless, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring.

Interim Suspension or Administrative Leave – An immediate separation or leave from the University.

Responsible Employee - Any employee with authority to institute corrective measures; who has been given the duty of reporting incidents of Sexual Harassment or Sexual Misconduct or any

other misconduct by students or employees to the Title IX Coordinator or other appropriate University designee; or an individual who a student or employee could reasonably believe has this authority or responsibility.

Student employees are only Responsible Employees if they are employed in the following positions:

- Graduate Teaching Assistants and Graduate Research Assistants;
- The Athletics Department; or
- Housing and Residential Life.

The definition of Responsible Employee does not absolve anyone with the knowledge of or reason to suspect child abuse, abandonment, or neglect of the responsibility to report such relevant information to the Department of Children and Families in accordance with FIU Policy # 140.130 Mandatory Reporting of Child Abuse, Abandonment and Neglect.

Obstruction – Any action, individually or working with others, which the Respondent knew or should have known would impede an investigation by the University into possible violations of this Regulation committed by the Respondent, including, but not limited to, failing to participate in a University investigation or grievance process if not the Respondent, making false statement or submitting false information during the grievance process, or destroying potentially relevant evidence.

Preponderance of the Evidence – Based on the evidence provided, it is more likely than not that the actions alleged occurred. Grievance proceedings are conducted to take into account the totality of all evidence available from all relevant sources. The burden of proof rests with the University.

Reporting Party - Any person (excluding the Complainant) who reports an alleged violation of the FIU 105 Regulation.

Respondent - Any individual or group, including student organization, who has been accused of violating this Regulation.

Retaliation – Any words or behavior made to intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this Regulation, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Regulation. Retaliation may be committed by the Respondent, the Complainant, the Reporting Party, or any other individual or group of individuals.

Sexual Harassment – Conduct on the basis of sex which occurs in the United States in a University activity or program that satisfies one or more of the following:

- An employee, including faculty, staff, or contractor, conditioning the provision of aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity;

- Sexual Assault is defined as penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration (regardless of whether it includes penetration) by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit Sexual Assault are also included; however, statutory Sexual Assault and incest are excluded;
- Dating Violence which means violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship;
- Domestic Violence is defined as violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim; or
- Stalking defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Sexual Misconduct –Conduct, regardless of geographic location, that includes:

- *Coercion* - Conduct, intimidation, and/or express or implied threats of physical, emotional, financial, or any other type of harm that would reasonably place an individual in fear of immediate or future harm and that is employed to force or compel someone to engage in sexual contact or any other type of involuntary conduct, especially conduct which would endanger or be detrimental to the Complainant. Examples of Coercion include:
 - Causing the deliberate incapacitation of another person;
 - Conditioning an academic benefit or employment advantage;
 - Threatening to harm oneself if the other party does not engage in sexual contact; or
 - Threatening to disclose an individual's sexual orientation, gender identity, gender expression, or other personal or sensitive information if the other party does not engage in the sexual contact or takes actions involuntarily.
- *Domestic Violence* - violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim or by any other person against an adult or youth victim.
- *Dating Violence* - violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (ii) where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- *Gender-based Harassment* - harassment based on gender, sexual orientation, gender identity, or gender expression, including acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve contact of a sexual nature.
- *Non-Consensual Sexual Touching* – any sexual touching without consent. Sexual touching is any intentional touching of a person’s body, including the breasts, buttocks, groin, genitals, or other intimate parts. Touching may be over or under clothing and may include the Respondent touching the Complainant, the Respondent making the Complainant touch the Respondent or another person, or the Respondent making the Complainant touch the Complainant’s own body.
- *Obscene or Indecent Behavior*
 - i. Exposure of one’s sexual organs or the display of sexual behavior that would reasonably be obscene or indecent to others. Other forms of obscene or indecent behavior include sexual exhibitionism, engaging in prostitution, or the facilitation or solicitation of a prostitute.
 - ii. Observing another individual’s nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
 - iii. Recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information of another person in any form without the knowledge and Consent of all parties involved.
 - iv. Publishing a sexually explicit image of a person that contains or conveys the personal identification or information of the depicted person to an internet website, text, email, and/or social media without the depicted person’s Consent.
- *Revenge Porn* - to publish a sexually explicit image of a person, including any depiction that contains or conveys the personal identification or information of the depicted person by any electronic, digital or other means, including to an internet website, by text, by email, and/or by or through social media without the depicted person’s Consent.
- *Sex-based Harassment* – any unwelcome sexual advance, request for sexual favors, and/or other verbal or physical conduct of a sexual nature:
 - i. Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of a person’s instruction, academic standing, or participation in any University program, activity, or benefit;
 - ii. Submission to, or rejection of, such conduct by an individual is used as a basis for academic or work evaluation;
 - iii. Such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University’s educational, and/or campus-residential experience when viewed both from a reasonable person in similar circumstances and the person in question.

- *Sexual Assault* – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration (regardless of whether it includes penetration) by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit Sexual Assault are also included; however, statutory Sexual Assault and incest are excluded
- *Sexual Coercion* – the act of using pressure or force to have sexual contact with someone who has already refused.
- *Sexual Exploitation* - Knowingly or recklessly transmitting a sexually transmitted disease or sexually transmitted infection (such as HIV) to another individual without the knowledge and consent of the person exposed.
- *Stalking* - A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Supportive Measures – Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to the Complainant or Respondent. The Title IX Coordinator is responsible for coordinating effective implementation of Supportive Measures.

Title IX – refers to Title IX of the Educational Amendments of 1972, and applicable implementing regulations, which protects people from sex and gender discrimination in educational programs and activities at institutions that receive federal financial assistance. Title IX covers more than athletics and sexual assault, it addresses concerns relating to discrimination on the basis of sex or gender in all aspects of the educational process, including in the areas of recruitment, admissions, and counseling; financial assistance; the needs of pregnant and parenting community members, discipline; and employment.

Title IX Coordinator –The individual University official with the primary responsibility for coordinating the University’s compliance with Title IX.

University Community - Any student, faculty, staff, other person currently employed by the University, or working on University premises, or any participant in a University program or activity regardless of the location of the program or activity.

Violation of Supportive Measure(s): Failure to comply with a Supportive Measure(s) imposed pursuant to this Regulation.

IV. JURISDICTION

Jurisdiction applies to University educational program or activities, including locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University. For Sexual Misconduct matters, jurisdiction applies to respondents who are members of the

University community regardless of location.

V. OPTIONS FOR SEEKING CONFIDENTIAL ASSISTANCE AND/OR MAKING A REPORT OF A POTENTIAL VIOLATION

The University is committed to providing options through multiple contact points across campus that are broadly accessible to all University community members to address a potential violation of this Regulation. Anyone may seek confidential assistance and/or make a report to the University on behalf of themselves or others. It is important to understand the differences between these two options.

Seeking confidential assistance means talking about the alleged violation with a professional who cannot share the information with anyone else without the express permission from the person sharing the information unless there is a threat of serious harm to the person sharing the information and/or to others and/or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor or vulnerable adult). Any individual may choose to seek support from confidential professionals on and/or off campus, including the staff at the University Victim Empowerment Program, the counselors at the University Counseling and Psychological Services Center, medical health providers, clergy, and/or rape crisis counselors (as noted in the chart below). The confidential resource will provide help in addressing the incident to the extent possible and in accordance with the person's desires. Seeking confidential assistance does not prevent an individual from making a Formal Complaint at a later date. The chart below provides a graphical representation of the differences between the options.

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THERE IS A DIFFERENCE BETWEEN “SEEKING CONFIDENTIAL ASSISTANCE” AND “MAKING A REPORT TO THE UNIVERSITY.” IT IS IMPORTANT TO UNDERSTAND WHAT WILL HAPPEN DEPENDING UPON WHICH ACTION YOU CHOOSE.

CONFIDENTIAL ASSISTANCE*

Means talking about the situation with a professional who cannot share the information with anyone else, getting help figuring out what can be done according to your wishes, and helping with the options you choose, including if you decide to make a report to the University.

*There are certain legal limitations to confidentiality which will be explained to you at the beginning of any contact.

MAKING A REPORT TO THE UNIVERSITY

Means University Officials must take appropriate action

CONTACT:

CONTACT:

On-campus professionals who can provide Confidential Assistance:

Victim Empowerment Program

24 hour crisis: 305-348-2277

MMC: SHC 270

vep.fiu.edu

Counseling & Psychological Services (CAPS)

MMC: SHC 270, 305-348-2277

BBC: WUC 320, 305-919-5305

caps.fiu.edu

Student Health Services

MMC: SHC, 305-348-3336

BBC: SHC, 305-919-5620

Office of Employee Assistance

MMC: 305-348-2469 • BBC: ACII 246B

Title IX Coordinator

Deputy Title IX Coordinators

Mandatory Reporters

Campus Security Authorities

Dean of Students

Student Conduct and Academic Integrity (SCAI) Staff

Faculty

Police

**Off-campus professionals
who can provide Confidential Assistance:**

**Roxcy Bolton Rape Treatment Center at
Jackson Memorial Hospital**

305-585-5185

1611 N.W. 12th Avenue, Miami, FL 33136

<http://www.jacksonhealth.org/services-rape-treatment.asp>

**Florida Council Against Sexual Violence
Information Line**

1-888-956-RAPE

Florida Domestic Violence Hotline

1-800-500-1119; Florida Relay 711

Florida Victim Assistance

1-800-266-6667

**Miami Coordinated Victim Assistance
Center (CVAC)**

305-285-5900

Any licensed mental health professional can
provide **Confidential Assistance**

**University Officials to Contact for Making a
Report to the University**

Courtney McHenry

Interim Title IX Coordinator

Assistant Director, Office of Inclusion, Diversity,
Equity & Access

PC 321

Phone: 305-348-2785

Email: idea@fiu.edu

Michelle Horvath

Director, Student Conduct and Academic Integrity
(SCAI)

GC 311A

Phone: 305-348-3939

Email: conduct@fiu.edu

Joann Cuesta Gomez

Director, Employee & Labor Relations (ELR)

PC 236

Phone: 305-348-4186

Email: elr@fiu.edu

Julie Berg-McGraw

Deputy Title IX Coordinator

Senior Associate Athletic Director

OBCC 202A | Phone: 305-348-2352

Email: julie.berg-Mc_Graw@fiu.edu



OR FILE ONLINE:



Silent Witness Form provides a method to
report on an anonymous basis to the FIU
Police Department:

http://police.fiu.edu/Silent_Witness.php

FIU Ethical Panther Line provides a
method to report on an anonymous basis to
the University Compliance Office at
<https://fiu.i-sight.com/portal/reportonline>

Incident Reporting Form provides a
method to report on an anonymous basis to
Student Affairs:

<https://publicdocs.maxient.com/incidentreport.php?FloridaIntlUniv>

All other employees not designated as confidential resources or Responsible Employees will safeguard an individual's privacy, but are strongly encouraged to share any information about such conduct with the Title IX Coordinator or Deputy Title IX Coordinator(s) in recognition of the understanding that centralized reporting is an important tool to address, end and prevent prohibited conduct. Similarly, all students (who are not otherwise required to report as a Responsible Employee are strongly encouraged to report any information, including reports or partial reports, to the Title IX Coordinator or Deputy Title IX Coordinator(s).

Reports of conduct believed to be prohibited by this Regulation (or that left unchecked may rise to the level of prohibited Sexual Misconduct or Sexual Harassment) are encouraged even if the reporter is not sure that the conduct violates this Regulation or does not want the University to take action against a Respondent. The University will make every effort to respect a Reporting Party's autonomy if that is the Reporting Party's desire. Making a report to the University does not mean that the Reporting Party cannot also seek confidential assistance.

VI. SUPPORTIVE MEASURES

When an informal or Formal Complaint is received, the Title IX Coordinator or designee, in consultation with other appropriate administrators, will make an assessment of any risk of harm to the parties, any other individuals, or the broader University community. The University may impose reasonable and appropriate supportive measures when necessary to protect the safety and/or emotional well-being of the parties or witnesses involved and/or to provide academic or other appropriate support. Implementing any supportive measures is within the sole discretion of the University. Because they are temporary in nature, interim protective measures may be amended or withdrawn as additional information is gathered. The Title IX Coordinator or designee, in consultation with other administrators, will maintain consistent contact with the parties so that all safety and/or emotional well-being concerns can be reasonably addressed.

Supportive measures may be afforded to the Complainant, the Reporting Party, the Respondent, and/or other involved individuals as appropriate to ensure their safety and/or well-being. Supportive measures may be requested by the parties at any time regardless of whether any particular course of action is sought by the Complainant while avoiding punishing the Respondent prior to the conclusion of the grievance process. The range of Supportive Measures includes, but is not limited to:

- Arranging for medical services
- Access to counseling services either provided by the University and/or through community resources
- Providing crisis intervention, case management, emotional and/or practical support, and/or safety planning through the Victim Empowerment Program for students and through the Office of Employee Assistance for faculty and staff
- Imposition of a University "No-Contact Directive" for all or some of the parties involved in the incident
- Rescheduling of exams and assignments
- Providing alternative course completion options

- Change in class schedule, including the ability to drop a course without penalty or to transfer sections
- Change in work schedule or job assignment
- Change in campus housing assignment
- Assistance from University support staff in completing housing relocation, if feasible
- Voluntary leave of absence from work in accordance with University policies
- Providing an escort to assure safe movement between classes and activities
- Providing academic support services, such as tutoring
- University-imposed leave or suspension for the Respondent.
- Any other feasible measure(s), which can be tailored to the involved individuals to achieve the goals of this Regulation.

All individuals are encouraged to report concerns about the adequacy of the Supportive Measures or the failure of another individual to abide by any Supportive Measure to the Title IX Coordinator or designee. Any violation of a Supportive Measure will be investigated and adjudicated under this Regulation.

VII. ADVISORS

During the grievance process, the Complainant and Respondent may have an advisor of their choice accompany them to any related meeting or proceeding. Advisors have no active role in any meetings or the grievance process except as explicitly provided in this Regulation. Meetings or proceedings may not be unreasonably delayed due to the selection or schedule of an Advisor, and it is the responsibility of the Complainant or Respondent to communicate relevant information to their Advisor and ensure that their Advisor comports themselves in a manner which respects this educational-administrative process. After an appropriate warning, the University reserves the right to stop a meeting or proceeding and remove an Advisor whose presence disrupts the meeting or proceedings, and then begin the meeting or proceedings without the Advisor. During a hearing held pursuant to this Regulation, an advisor will be provided by the University for cross-examination purposes only if the Complainant or Respondent does not already have an Advisor.

VIII. FORMAL COMPLAINTS

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or electronic mail using the contact information listed for the Title IX Coordinator above. A Formal Complaint may also be filed through conduct.fiu.edu or <https://fiu.i-sight.com/portal/idea> .

If the Complainant files a Formal Complaint, the University will analyze whether it is to be dismissed. This analysis occurs prior to the investigation, and at any point in the investigation or grievance process when the grounds for dismissal appear. In all cases, if the Formal Complaint is dismissed, the Title IX Coordinator will promptly and simultaneously provide the parties written notice of the dismissal, the reasons for the dismissal, and an opportunity to appeal.

Mandatory Dismissal of Formal Complaints of Sexual Harassment

The University must dismiss a Formal Complaint of Sexual Harassment to the extent the conduct alleged in the Formal Complaint:

- Would not constitute Sexual Harassment even if proved;
- Did not occur in the University's education program or activity; or
- Did not occur in the United States.

At the time a Formal Complainant is filed, a Complainant must be participating in or attempting to participate in a University educational program or activity. Even though a Formal Complaint must be dismissed for Sexual Harassment (Title IX) purposes, the University may continue to review the allegations as Sexual Misconduct or other violation of the University's regulations, rules, and policies.

Permissible Dismissal of Formal Complaints of Sexual Harassment or Sexual Misconduct

The University may dismiss a Formal Complaint in the following circumstances:

- The conduct would not constitute Sexual Misconduct even if proved;
- Upon completion of the investigation, the Title IX Coordinator concludes that there is not reasonable cause to believe that a violation of this Regulation occurred. Reasonable cause is a lower standard than preponderance of the evidence;
- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein;
- The Respondent is no longer enrolled or employed by the University; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

In determining whether to dismiss in these circumstances, the University will evaluate whether a dismissal would be clearly unreasonable in light of the known circumstances.

If dismissed, the University may continue to review the allegations as a violation of other University regulations, rules, and policies.

Consolidation of Formal Complainants

The Title IX Coordinator, Director of Student Conduct and Academic Integrity or the Director of Employee and Labor Relations or designee(s) may consolidate Formal Complaints against more than one (1) Respondent, or by more than one (1) Complainant against one (1) or more Respondents, or by one Party against another Party where the allegations arise out of the same facts or circumstances.

IX. INTERIM SUSPENSION AND ADMINISTRATIVE LEAVE

The University may remove a Respondent from some or all of the University's programs and activities or employment on an interim basis if it determines there is an immediate threat to the health, safety, or welfare of the University or University Community arising from allegations of

violations of this Regulation. Prior to placing a Respondent on Interim Suspension or Administrative Leave, the University will conduct an individualized safety and risk analysis.

If a Respondent is removed pursuant to this section, the University will provide the Respondent with written notice and an opportunity to challenge the removal. The Respondent will have three (3) Business Days from the date of the notice of Interim Suspension or Administrative Leave to challenge the decision, in writing, stating the basis of their challenge to the removal. A copy of the challenge to the Interim Suspension or Administrative Leave will be provided to the Complainant. No later than three (3) Business Days after receipt of the challenge, the University will provide a written determination to the Respondent and Complainant.

If Interim Suspension or Administrative Leave is upheld, the Respondent retains all rights to an investigation and hearing as set forth in this Regulation prior to any ultimate finding of responsibility and sanctions.

X. INVESTIGATION OF FORMAL COMPLAINTS

Criminal Investigations

To initiate a criminal investigation, reports of Sexual Misconduct or Sexual Harassment should be made to the University Police Department, or local law enforcement. The criminal process is separate from this grievance process and the Rules of Civil or Criminal Procedure do not apply. The University has an obligation to promptly respond to allegations of Sexual Misconduct or Sexual Harassment and investigate all Formal Complaints while the criminal process is pending. Therefore, the University in its sole discretion may proceed with an investigation under this Regulation before, during, or after any law enforcement investigation or criminal proceedings.

Notice of Allegation

Upon receipt of a Formal Complaint, the Title IX Coordinator or designee will provide the Complainant and Respondent with written notice stating:

- this Regulation and other applicable Regulations or policies;
- the allegations of Sexual Harassment or Sexual Misconduct including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved if known, the alleged conduct constituting Sexual Harassment or Sexual Misconduct, and the date and location of the alleged incident if known;
- the Respondent is presumed Not Responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence;
- any provision of the Student Conduct and Academic Honor Code or applicable regulations, policies, or procedures that prohibits knowingly making false statements or knowingly submitting false information during the grievance process; and
- an appointment date and time where they will, separately, meet with the Title IX Coordinator for an information session to discuss the grievance process, supportive measures, and any other concerns a party may have. Each party will be provided with at

least fourteen (14) Business Days between receipt of the Notice of Allegation and the date of the initial interview except in cases of emergency or where waived by the party.

If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the original Notice of Investigation, the University will provide notice of the additional allegations to the parties.

Timeline for Investigation and Responsibility Determination

It is the University's intention to complete a Title IX investigation and reach a determination of responsibility within ninety (90) Business Days, although good-faith efforts to conduct a fair, impartial investigation in a timely manner may require a different timeline depending on the circumstances.

Any deadline set forth in this Regulation or imposed during the grievance process may be temporarily modified or given a limited extension of time for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the modification. Good cause may include considerations such as the absence of a party, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The University may act on its own in modifying deadlines, or the parties may request an extension in writing by contacting the Title IX Coordinator, Director of Student Conduct and Academic Integrity or Director of Employee Labor Relations or designee(s) as applicable.

Appointment of an Investigator

The Title IX Coordinator may designate one or more properly trained individuals to investigate a Formal Complaint, including University or third-party investigators.

In the event of a conflict or bias, the University will appoint an alternate individual so that the process is free of conflicts of interest and bias.

Concurrent Processes

If the Respondent is a student and portions of the Formal Complaint include allegations that violate the Student Conduct and Honor Code but are not alleged violations of this Regulation, those allegations may be investigated and/or addressed separately by Student Conduct and Academic Integrity before, during, or after the investigation coordinated by the Title IX Coordinator described herein.

Similarly, if the Respondent is an employee or member of the University Community and portions of the Formal Complaint include allegations that violate University regulations, policies, and procedures applicable to personnel, but are not alleged violations of this Regulation, then those allegations may be investigated and/or addressed separately by Human Resources before, during, or after the investigation coordinated by the Title IX Coordinator described herein.

The Collection of Evidence

Investigators will gather information from the Complainant, Respondent, and other individuals who have information relevant to the Formal Complaint. The parties will have an equal opportunity to present facts and evidence, identify witnesses, and other inculpatory and exculpatory evidence. The investigator may also interview relevant third parties who, throughout the course of the investigation, are determined to have information that may assist in the review of the formal complaint. The investigator has the discretion to determine the relevance of any witnesses provided by either party, and will determine which witnesses to interview. The investigator will not consider relevant any witnesses who are offered solely for the purpose of providing evidence of a party's character. If a party declines to provide relevant information, the University's ability to conduct a prompt, thorough, and equitable investigation may be impaired.

The University will provide to a party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all investigative interviews at least seven (7) Business Days prior to the investigative meetings, or other meetings except in cases of emergency or unless waived by the Respondent.

Exclusion of Certain Forms of Evidence

The University cannot access, consider, disclose, or otherwise use a party's records that contain information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

If a party chooses to provide evidence that would otherwise be excluded under this subsection, it will be considered directly related evidence subject to the parties' inspection.

Review of Collected Evidence & Investigatory Report

The Title IX Coordinator, Director of Student Conduct and Academic Integrity, or Director of Employee and Labor Relations, or designee as appropriate will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the University must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be given at least ten (10) Business Days to submit a written response. The investigator will consider any written responses prior to completion of the investigative report.

The University will also make all directly related evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The Title IX Coordinator or designee will send the parties and their advisors the final investigative report that fairly summarizes relevant evidence, with at least 10 (ten) Business Days prior to a hearing or determination of responsibility.

XI. INFORMAL RESOLUTION

If a Formal Complaint has been filed, the University has the discretion at any time prior to reaching a determination regarding responsibility to choose to offer and facilitate informal resolution options so long as the parties give voluntary, informed written consent to attempt informal resolution. Informal resolution is not available when a Complainant is a student alleging that a University employee has engaged in Sexual Harassment or Sexual Misconduct.

In offering an informal resolution process, the University will provide the parties written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which, upon reaching an agreed resolution, it precludes the parties from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the Formal Complaint. The University will also explain any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The Informal Resolution process must be completed within fifteen (15) Business Days of the parties agreeing to pursue such a process. If not completed by that deadline, in the absence of any approved extensions, the Formal Complaint will continue to be investigated and processed for a live hearing as described in this Regulation.

XII. HEARINGS

The Hearing Process

Live hearings may be conducted with all parties physically present in the same geographic location or with any (or all) parties, witnesses, and other participants appearing virtually utilizing technology that enables participants to simultaneously see and hear each other. At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decision-makers and parties to simultaneously see and hear the party or the witness answering questions.

At the live hearing, the Hearing Officer will explain each Party's rights and options and assure that fairness and procedural due process are observed throughout the hearing. The Hearing Officer will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor. Only relevant cross-examination and other questions may be asked of a party or witness. To ensure this, before a Complainant, Respondent, or witness answers a cross-examination or other question, the Hearing Officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the alleged conduct or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove Consent.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Officer and Hearing Body will not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Hearing Office and Hearing Body will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing. Live hearings will be closed to the public.

The Written Determination Regarding Responsibility

The University will provide a written determination regarding the Respondent's responsibility simultaneously to the Parties within fourteen (14) Business Days from the conclusion of the hearing. The Decision-Maker will also provide a copy of the written determination to the Title IX Coordinator. Unless an appeal is filed, this written determination shall constitute Final Agency Action. The written determination regarding responsibility will include the following:

- Identification of the allegations potentially constituting Sexual Misconduct or Sexual Harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's regulations to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the University imposes on the Respondent, and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant (without disclosing the nature of those remedies except to the extent a remedy also imposes requirements on the Respondent); and
- The grounds for appeal.

XIII. DISCIPLINARY SANCTIONS

In reaching a determination regarding sanctions, consideration will be given to any aggravating and mitigating circumstances. The sanctions described below are a description of the range of sanctions available, and not an exhaustive list of all sanctions that may be imposed.

Student Conduct and Academic Integrity will oversee disciplinary sanctions for students and student organizations. Students or student organizations who are found to have violated this Regulation will be subject to disciplinary sanctions as set forth in the Student Conduct and

Academic Code, FIU- Regulation 2501. Any sanctions will be proportionate to the severity of the violation and the student's cumulative conduct history. Sanctions include, but are not limited to, reprimand, educational sanctions, counseling assessment, restitution, disciplinary probation, restrictions, exclusion from university housing, suspension, loss of university recognition, or expulsion.

Human Resources will oversee disciplinary sanctions for non-students. Faculty and staff who are found to have violated this Regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements or applicable personnel regulation, policies, or procedures. Sanctions include, but are not limited to letters of reprimand, training, performance improvement plans, reassignment, demotion, suspension with or without pay, and termination. Third parties (including contractors and visitors) who are found to have violated this Regulation may be barred from the campus and/or conducting business with the University.

XIV. REMEDIES

In some cases, the Hearing Official or Hearing Panel may find that remedies are needed for a Complainant when a Respondent is found responsible for violating this Regulation. Remedies are designed to restore or preserve the Complainant's equal access to the University's education program or activities. As an example of the range of remedies available, remedies may include similar individualized services as defined in Supportive Measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent. Remedies do not include damages or other financial awards, or other relief that would impose an undue hardship on the University.

The Title IX Coordinator is responsible for the effective implementation of any remedies. When a determination indicates that remedies will be offered to the Complainant, the Complainant should contact the Title IX Coordinator to arrange for appropriate remedies.

XV. PROCESS OF PRESIDENTIAL REVIEW

The President will notify the Appellate Officer within three (3) Business Days of notification of a disciplinary outcome if he/she wishes to review the underlying disciplinary matter. This review will serve as the appeal process for the Respondent and Complainant. Any other appeal process will immediately cease.

No later than one (1) Business Day after the President notifies the Appellate Officer, the Appellate Officer shall notify the Respondent and Complainant of the President's decision to review the underlying disciplinary matter including sanctions. The Respondent and Complainant may provide the President with any information (including any documents supporting an appeal if not previously submitted) within three (3) Business Days of the Appellate Officer's notification.

The President may only consider the information previously provided in this disciplinary matter, any appeals submitted by the Respondent and Complainant, and any information that meets the grounds for appeal as outlined in Section XVI.

The President shall issue a written decision, including the results of the appeal and rationale, to the Respondent, Complainant, Appellate Officer, and Title IX Coordinator within fourteen (14) Business Days of notification of a disciplinary outcome. The President's decision constitutes Final Agency Action and will include notice of the Respondent's right to appeal to an external judicial forum.

XVI. APPEALS

Both parties will be notified and provided with the opportunity to appeal a determination or dismissal based on the following grounds only:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or Hearing Official had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; or
- The sanctions are extraordinarily disproportionate to the violation committed.

An appeal must be submitted in writing to the Appellate Officer within seven (7) Business Days of the date of the Hearing Official or Hearing Body's written determination and identify the grounds and arguments for challenging the outcome. If the appeal is based on newly discovered evidence, the evidence must be submitted with the written appeal.

Upon receipt of an appeal, the University will notify the other party in writing when an appeal is filed and provide them with seven (7) Business Days to submit a written statement in support of or challenging the outcome.

After both parties have had an opportunity to present their arguments challenging or supporting the outcome, the Appellate Officer will issue a written decision within fourteen (14) Business Days simultaneously to both Parties with the result of the appeal and the rationale. The Appellate Officer will also provide a copy of the appellate decision to the Title IX Coordinator. The University's decision shall constitute Final Agency Action.

XVII. PRIVACY AND CONFIDENTIALITY

The University will keep information and actions taken in accordance with this Regulation confidential to the extent possible under the law, meaning it will only disclose information to individuals with a legitimate need to know in order to review, investigate, and resolve reports of Sexual Misconduct or Sexual Harassment, or as permitted or required by law.

The University may release information about Sexual Misconduct or Sexual Harassment in certain circumstances without permission in order to warn and protect the University Community.

XVIII. RETALIATION AND OBSTRUCTION

Retaliation and Obstruction are prohibited during any portion of the grievance process. If a member of the University community believes that Retaliation or Obstruction may have been taken against them or others, they should report the behavior to the Title IX Coordinator or investigator. The situation will be reviewed and a response will be provided to the employee or student who alleged the Retaliation or Obstruction. Charging an individual with a violation for making a materially false statement in bad faith in the grievance process under this Regulation does not constitute Retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. Exercising any rights secured by the First Amendment does not constitute Retaliation.

Specific Authority: Board of Governors Regulation 1.001 (5)(a). History-- Formerly FIU-104 (repealed) and FIU-103 (repealed). New April 15, 2015, Amended June 8, 2018, Amended 8-13-20, Amended 10-30-20.

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THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES
Academic Policy and Student Affairs Committee
February 23, 2021

Subject: Amendments to Regulation FIU-1103 Textbook Affordability

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees the approval of the amendments to Regulation FIU-1103 Textbook Affordability and delegate authority to the University President to approve any subsequent amendments that are based on comments to the Regulation received from the Florida Board of Governors and as a result of the regulation-making process.

Background Information:

This regulation is being updated to comply with Board of Governors Regulation 8.003, specifically:

- omitting the requirement for state university boards of trustees to examine the cost of textbooks and instructional materials by course and course section for all general education courses offered at the institution each semester to identify variance in the cost of textbooks and instructional materials among different sections of the same course.
- omitting the requirement for institutions to report the selection process for general education courses identified with a wide cost variance in the board of trustees' annual report to the Chancellor;
- adding a provision related to efforts to provide textbooks and instructional materials for students who cannot afford required and recommended textbooks and instructional materials; and
- adding the requirement that innovative pricing techniques and payment options for course materials include an opt-out provision in addition to the opt-in provision for students. The opt-out provision may be approved provided there is documented evidence that the option reduces the cost of textbooks and instructional materials for students taking a course.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability, each board of trustees shall adopt a regulation that establishes textbook and instructional materials affordability policies to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.

Supporting Documentation: Amendments to Regulation FIU-1103 Textbook Affordability

Facilitator/Presenter: Elizabeth M. Bejar

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**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED AMENDMENT TO REGULATION

REGULATION NO.: FIU-1103

REGULATION TITLE: Textbook Affordability

SUMMARY: This regulation is being updated to comply with Board of Governors Regulation 8.003, specifically:

- omitting the requirement for state university boards of trustees to examine the cost of textbooks and instructional materials by course and course section for all general education courses offered at the institution each semester to identify variance in the cost of textbooks and instructional materials among different sections of the same course.
- omitting the requirement for institutions to report the selection process for general education courses identified with a wide cost variance in the board of trustees' annual report to the Chancellor;
- adding a provision related to efforts to provide textbooks and instructional materials for students who cannot afford required and recommended textbooks and instructional materials; and
- adding the requirement that innovative pricing techniques and payment options for course materials include an opt-out provision in addition to the opt-in provision for students. The opt-out provision may be approved provided there is documented evidence that the option reduces the cost of textbooks and instructional materials for students taking a course.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability, each board of trustees shall adopt a regulation that establishes textbook and instructional materials affordability policies to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.

TEXT OF REGULATION: The full text of the Proposed Amended Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu/>. If you would like a copy of the Proposed Amendment to Regulation, please contact Eli Deville, Departmental Administrator, Office of the General Counsel, 305.348.2103.

AUTHORITY: Board of Governors Regulation 8.003.

NAME OF PERSON INITIATING PROPOSED REGULATION: Kenneth G. Furton, Provost and Executive Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED AMENDMENT TO REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE

CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION:

Eli Deville, Departmental Administrator, Office of the General Counsel,
Florida International University, 11200 SW 8th Street, PC 511, Miami, Florida 33199.
Email: devillee@fiu.edu Phone: 305.348.2103 | Fax: 305.348.3272.

DATE OF PUBLICATION: January 19, 2021

THE FULL TEXT OF THE PROPOSED AMENDMENT TO REGULATION IS PROVIDED BELOW:

FIU- 1103 Textbook Affordability:

- ~~1. The Board of Trustees of Florida International University establishes the following procedures for minimizing the cost of textbooks to students while maintaining the quality of their educational experience and continuing to ensure academic freedom.~~
- ~~2.1.~~ Selection of textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by:
 - ~~(a)~~a. Making available digital textbooks in bulk; expanding the use of open-access textbooks and instructional materials; providing rental options for textbooks and instructional materials; increasing the availability and use of affordable digital textbooks and learning objects; developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials; increasing the length of time that textbooks and instructional materials remain in use; and other proactive measures.
 - ~~(b)~~b. Distinguishing the required materials from those which are recommended. By identifying any materials as required, instructors certify that the students need these materials for the course. By identifying any bundled materials as required, instructors certify that students must obtain all the items in the bundle. When it is possible to obtain the bundled materials separately, instructors should specify only those materials which the students need for the course as required.
 - ~~(c)~~c. Determining which edition(s) to require for the course, whereby the instructor's adoption shall constitute certification that a newer edition differs significantly and substantively from the earlier versions to warrant the change. When instructors do not believe this to be the case and when it will not impede the instruction of the course, faculty members may indicate on the adoption that students may obtain either the new or older editions as this will ensure affordability options to the students.
 - d. ~~(2) Efforts to make required and recommended textbooks and instructional materials for each course offering available to students who cannot afford the cost of the textbooks will include the consideration of the extent to which an open-access textbook or instructional material may be available for students' use by promoting the use and facilitating the adoption and adaptation of open educational resources.~~

~~3.2.~~ Textbooks and other instructional materials shall be adopted by the course instructor or his/her designee via the University Bookstore's adoption online platform no later than forty-five (45) days prior to the first day of classes.

- a. ~~(a)~~—The forty-five (45-) days deadline is established to allow sufficient time for the University Bookstore to confirm availability of the requested materials, ensure availability of sufficient used instructional materials, source lower cost options, explore alternatives with faculty, coordinate its book-buy-back activities at the end of the semester with the book orders for the ensuing semester to maximize the availability of used textbooks and instructional materials. A course or section added after this 45-day deadline is exempt from this requirement.
- b. ~~(b)~~—Adoptions for required and recommended textbooks and instructional materials for the upcoming term will be posted publicly by course section on the University's website and linked to the student registration system as soon as they are received. This posted information will include: ISBN, author(s) or editor(s), title, publisher, edition number, copyright and publication dates, or other relevant information necessary to clearly identify the specific materials students must obtain for the course.

~~4.3.(3)~~ The University shall develop innovative and effective pricing and payment options for textbooks and instructional materials.

- a. ~~(a)~~—The University shall conduct consultations with providers including the University Bookstore and publishers to implement price match and other options.
- b. ~~(b)~~—Determination of the students' ability to pay for instructional materials will be made through the standard student financial aid eligibility assessment. When financial aid applications are made within stated deadlines students with confirmed financial aid eligibility for textbooks will be notified of this prior to the beginning of each semester. They may elect to have their Panther Accounts credited with the approved funding to make textbook and instructional materials purchases from the University Bookstore directly.
- c. ~~(c)~~—Making available book advances three (3) weeks before the start of classes each Fall/Spring/Summer term, including for students receiving early loan disbursements as not all students take their loans.
- d. Evaluate cost savings for textbooks and instructional materials which students may realize from opt-in or opt-out provisions for the purchase of materials.
- e. The use of innovative pricing techniques and payment options for textbooks and instructional materials in consultation with providers including bookstores. The pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.

~~5.4.~~ The University shall consult with dual enrollment partner schools to identify best practices that reduce the cost of dual enrollment course textbooks and instructional materials.

- ~~6. The Office of the Provost shall examine, each semester, the cost of required and recommended textbooks and instructional materials for general education and high enrollment courses by:~~
- ~~7. Identifying any wide variance, as established by the Board of Governors, in the cost among different sections of the same course and submission of a list of courses that have a wide variance in costs among sections to the appropriate academic department chair for review.~~
- ~~8. Identification of the percentage of textbooks and instructional materials that remain in use for more than one term, if such analysis in the textbook adoption platform can be provided.~~
- 9.5. No employee of Florida International University may demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to purchase specific items. However, an employee may receive, subject to the requirements of the Florida Code of Ethics for Public Officers and Employees and the outside activity and conflict of interest requirements set forth in University regulations and collective bargaining agreements:
 - a. ~~-(a)~~ Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.
 - b. ~~-(b)~~ Royalties or other compensation from sales of textbooks that include the instructor's own writing or work (which requires the filing and approval of the "Outside Activity and Conflict of Interest" form).
 - c. ~~-(c)~~ Honoraria for academic peer review of course materials.
 - d. ~~-(d)~~ Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks.
 - e. ~~-(e)~~ Training in the use of course materials and learning technologies.

Authority: Section 7(d), Art. IX, Fla. Const., FBOG Regulation 8.003. History-New 3-25-10, Amended 6-14-17, Amended.

**THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES
FLORIDA BOARD OF GOVERNORS**

NOTICE OF PROPOSED AMENDMENT TO REGULATION

REGULATION NO.: FIU-1103

REGULATION TITLE: Textbook Affordability

SUMMARY: This regulation is being updated to comply with Board of Governors Regulation 8.003, specifically:

- omitting the requirement for state university boards of trustees to examine the cost of textbooks and instructional materials by course and course section for all general education courses offered at the institution each semester to identify variance in the cost of textbooks and instructional materials among different sections of the same course.
- omitting the requirement for institutions to report the selection process for general education courses identified with a wide cost variance in the board of trustees' annual report to the Chancellor;
- adding a provision related to efforts to provide textbooks and instructional materials for students who cannot afford required and recommended textbooks and instructional materials; and
- adding the requirement that innovative pricing techniques and payment options for course materials include an opt-out provision in addition to the opt-in provision for students. The opt-out provision may be approved provided there is documented evidence that the option reduces the cost of textbooks and instructional materials for students taking a course.

Pursuant to Florida Board of Governors Regulation 8.003, Textbook and Instructional Materials Affordability, each board of trustees shall adopt a regulation that establishes textbook and instructional materials affordability policies to minimize the cost of required or recommended textbooks and instructional materials for students while maintaining the quality of education and academic freedom.

TEXT OF REGULATION: The full text of the Proposed Amended Regulation can be viewed below and on the website of The Florida International University Board of Trustees, <http://regulations.fiu.edu/>. If you would like a copy of the Proposed Amendment to Regulation, please contact Eli Deville, Departmental Administrator, Office of the General Counsel, 305.348.2103.

AUTHORITY: Board of Governors Regulation 8.003.

NAME OF PERSON INITIATING PROPOSED REGULATION: Kenneth G. Furton, Provost and Executive Vice President.

ANY PERSON SEEKING TO COMMENT ON THE PROPOSED AMENDMENT TO REGULATION MUST SUBMIT COMMENTS IN WRITING TO THE CONTACT PERSON LISTED BELOW. ALL WRITTEN COMMENTS MUST BE RECEIVED BY THE

CONTACT PERSON WITHIN 14 CALENDAR DAYS OF THE DATE OF PUBLICATION OF THIS NOTICE.

CONTACT PERSON REGARDING THE PROPOSED REGULATION:

Eli Deville, Departmental Administrator, Office of the General Counsel,
Florida International University, 11200 SW 8th Street, PC 511, Miami, Florida 33199.
Email: devillee@fiu.edu Phone: 305.348.2103 | Fax: 305.348.3272.

DATE OF PUBLICATION: January 19, 2021

THE FULL TEXT OF THE PROPOSED AMENDMENT TO REGULATION IS PROVIDED BELOW:

FIU- 1103 Textbook Affordability

1. Selection of textbooks and instructional materials through cost-benefit analyses that enable students to obtain the highest-quality product at the lowest available price, by:
 - a. Making available digital textbooks in bulk; expanding the use of open-access textbooks and instructional materials; providing rental options for textbooks and instructional materials; increasing the availability and use of affordable digital textbooks and learning objects; developing mechanisms to assist in buying, renting, selling, and sharing textbooks and instructional materials; increasing the length of time that textbooks and instructional materials remain in use; and other proactive measures.
 - b. Distinguishing the required materials from those which are recommended. By identifying any materials as required, instructors certify that the students need these materials for the course. By identifying any bundled materials as required, instructors certify that students must obtain all the items in the bundle. When it is possible to obtain the bundled materials separately, instructors should specify only those materials which the students need for the course as required.
 - c. Determining which edition(s) to require for the course, whereby the instructor's adoption shall constitute certification that a newer edition differs significantly and substantively from the earlier versions to warrant the change. When instructors do not believe this to be the case and when it will not impede the instruction of the course, faculty members may indicate on the adoption that students may obtain either the new or older editions as this will ensure affordability options to the students.
 - d. Efforts to make required and recommended textbooks and instructional materials for each course offering available to students who cannot afford the cost of the textbooks will include the consideration of the extent to which an open-access textbook or instructional material may be available for students' use by promoting the use and facilitating the adoption and adaptation of open educational resources.
2. Textbooks and other instructional materials shall be adopted by the course instructor or his/her designee via the University Bookstore's adoption online platform no later than forty-five (45) days prior to the first day of classes.

- a. The forty-five (45) days deadline is established to allow sufficient time for the University Bookstore to confirm availability of the requested materials, ensure availability of sufficient used instructional materials, source lower cost options, explore alternatives with faculty, coordinate its book-buy-back activities at the end of the semester with the book orders for the ensuing semester to maximize the availability of used textbooks and instructional materials. A course or section added after this 45-day deadline is exempt from this requirement.
 - b. Adoptions for required and recommended textbooks and instructional materials for the upcoming term will be posted publicly by course section on the University's website and linked to the student registration system as soon as they are received. This posted information will include: ISBN, author(s) or editor(s), title, publisher, edition number, copyright and publication dates, or other relevant information necessary to clearly identify the specific materials students must obtain for the course.
3. The University shall develop innovative and effective pricing and payment options for textbooks and instructional materials.
 - a. The University shall conduct consultations with providers including the University Bookstore and publishers to implement price match and other options.
 - b. Determination of the students' ability to pay for instructional materials will be made through the standard student financial aid eligibility assessment. When financial aid applications are made within stated deadlines students with confirmed financial aid eligibility for textbooks will be notified of this prior to the beginning of each semester. They may elect to have their Panther Accounts credited with the approved funding to make textbook and instructional materials purchases from the University Bookstore directly.
 - c. Making available book advances three (3) weeks before the start of classes each Fall/Spring/Summer term, including for students receiving early loan disbursements as not all students take their loans.
 - d. Evaluate cost savings for textbooks and instructional materials which students may realize from opt-in or opt-out provisions for the purchase of materials.
 - e. The use of innovative pricing techniques and payment options for textbooks and instructional materials in consultation with providers including bookstores. The pricing techniques and payment options must include an opt-in or opt-out provision for students and may be approved only if there is documented evidence that the options reduce the cost of the textbooks and instructional materials.
4. The University shall consult with dual enrollment partner schools to identify best practices that reduce the cost of dual enrollment course textbooks and instructional materials.
5. No employee of Florida International University may demand or receive any payment, loan, subscription, advance, deposit of money, service, or anything of value, present or promised, in exchange for requiring students to purchase specific items. However, an employee may receive, subject to the requirements of the Florida Code of Ethics for

Public Officers and Employees and the outside activity and conflict of interest requirements set forth in University regulations and collective bargaining agreements:

- a. Sample copies, instructor copies, or instructional materials. These materials may not be sold for any type of compensation if they are specifically marked as free samples not for resale.
- b. Royalties or other compensation from sales of textbooks that include the instructor's own writing or work (which requires the filing and approval of the "Outside Activity and Conflict of Interest" form).
- c. Honoraria for academic peer review of course materials.
- d. Fees associated with activities such as reviewing, critiquing, or preparing support materials for textbooks.
- e. Training in the use of course materials and learning technologies.

Authority: Section 7(d), Art. IX, Fla. Const., FBOG Regulation 8.003. History-New 3-25-10, Amended 6-14-17, Amended.

**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

Academic Policy and Student Affairs Committee

February 23, 2021

**Subject: New Program Proposal: Bachelor of Arts in Global Educational Studies
(CIP 13.0701)**

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees approval of the Bachelor of Arts in Global Educational Studies (CIP 13.0701) new program proposal.

Background Information:

The Department of Educational Policy Studies in the College of Arts, Sciences and Education is proposing a new Bachelor in Arts in Global Educational Studies.

The BA in Global Educational Studies will provide a degree for students who are interested in education-related careers in a global context, but not in teaching in the classroom. The proposed BA will provide flexibility among several potential career opportunities, including international/ intercultural education, educational policy, educational outreach in corporations, and national education and agencies.

There are currently no other undergraduate degrees within the SUS within this CIP code. The only degree within the SUS is a MS and it is offered at FIU. The BA in Global Educational Studies directly supports various SUS Strategic Planning Goals.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*.

Supporting Documentation: Bachelor of Arts in Global Educational Studies
(CIP 13.0701) New Program Proposal Executive Summary

Facilitator/Presenter: Elizabeth M. Bejar

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THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

Proposed Bachelor in Arts in Global Educational Studies (CIP: 13.0701)
Department of Educational Policy Studies
College of Arts, Sciences and Education
February 23, 2021

EXECUTIVE SUMMARY

This is a proposal to create a Bachelor of Arts in Global Educational Studies within CIP Code 13.0701, a Board of Governor's Strategic Area of Emphasis.

This is a proposal to create a Bachelor of Arts (BA) in Global Educational Studies within CIP Code 13.0701 that is 120 semester credits. A degree in Global Educational Studies opens doors to various careers in education and to education-related graduate studies, including higher education, international/intercultural education, and adult education. More specifically, the BA in Global Educational Studies will provide a degree for students who are interested in education-related careers in a global context, but not in teaching in the classroom. The proposed BA will provide flexibility among several potential career opportunities, including international/ intercultural education, educational policy, educational outreach in corporations, and national education and agencies.

The purpose of the BA in Global Educational Studies is to provide the foundation on "the educational phenomena, practices, and institutions within different societies in comparative perspective and the study of international educational issues." The core curriculum includes the following courses: *Introduction to Comparative Educational Studies; Comparative and International Education; Cultural and Social Foundations of Education; Education, The Law, and Social Justice; Life-Long Learning; Case Studies in Educational Policy; and Senior Capstone*. In these areas, students will explore "comparative research methods, cross national studies of learning and teaching styles, international educational policy and development and analysis of educational migration patterns and experiences" (NCES CIP 13.0701).

There are currently no other undergraduate degrees within the SUS within this CIP code (13.0701). The only degree within the SUS is a MS and it is offered at FIU. The BA in Global Educational Studies directly supports various SUS Strategic Planning Goals:

- Support students' development of the knowledge, skills, and aptitudes needed for success in the global society and marketplace;

- Increase degree productivity and program efficiency;
- Increase research and commercialization activity
 - Undergraduate participation in research;
- Strengthen the quality and recognition of commitment to community and business engagement, particularly through internships and service-learning opportunities; and increase community and business workforces.

According to the US Bureau of Labor Statistics, the following jobs/ careers, which are not exhaustive, as related to the BA in Global Educational Studies are projected to grow “as fast as” or “faster than” average: Human Resources Specialists (7%), Social and Community Service Managers (17%) , Training and Development Specialists (8.6%), Education Administrators (8.1%), Political Scientists (6.1%), Social Scientists (4.3%), Area, ethnic, and cultural studies teachers, postsecondary (4.9%), Social sciences teachers, postsecondary (5.3%) and Community and Social Service specialists (11.7%). Problems in education are interconnected with issues of public policy, economics, culture, and globalization. This is true in both schools and non-school settings. Solutions to these problems require that students learn interdisciplinary, culturally-sensitive, and evidence-based approaches to education learning and policy. The proposed degree recognizes and prepares for this reality. The collaboration generated by this degree will lead to new possibilities for classroom, research, and internship experiences that are place-bound, abroad, and online. The program will also focus these experiences on professional development and job creation.

A recent analysis of 500 business executives and 500 human resource hiring managers emphasized the importance of a college education that cuts across disciplinary boundaries to inculcate skills that are needed in a complex, interconnected world. According to the researchers: “When hiring, executives and hiring managers place a high priority on graduates’ demonstrated proficiency in skills and knowledge that cut across majors, and hiring managers are closely aligned with executives in the importance that they place on key college learning outcomes. The college learning outcomes that both audiences rate as most important include oral communication, critical thinking, ethical judgment, working effectively in teams, working independently, self-motivation, written communication, and real-world application of skills and knowledge.” These are precisely the skills that a solid global studies education provides. The study also reports that since 2014 there has been “an 18-point increase in graduates’ ability to analyze and solve problems with people from different backgrounds and cultures.” These findings motivate our design of the proposed program. This cross-disciplinary approach to skill development in a global world is the future of educational studies in higher education. (Source: Hart Research Associates. Fulfilling the American Dream: Liberal Education and the Future of Work (Washington, DC: AAC&U, 2018).

Implementation Timeframe	Projected Enrollment (From Table 1)	
	HC	FTE
Year 1	25	20.6
Year 2	58	48.0
Year 3	71	59.0
Year 4	90	74.0
Year 5	115	94.4

Projected Program Costs (From Table 2)				
E&G Cost per FTE	E&G Funds	Contract & Grants Funds	Auxiliary Funds	Total Cost
\$2681	\$55,219			\$55,219
\$2126	\$200,652			\$200,652

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

Academic Policy and Student Affairs Committee

February 23, 2021

**Subject: New Program Proposal: Bachelor of Arts in Global Sustainable Tourism
(CIP: 30.3301)**

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees approval of the Bachelor of Arts in Global Sustainable Tourism (CIP: 30.3301) new program proposal.

Background Information:

The Chaplin School of Hospitality & Tourism Management (CSHTM), in close collaboration with the Department of Earth & Environment (E&E) of the College of Arts, Sciences and Education, is proposing a new Bachelor of Arts degree in Global Sustainable Tourism (BA-GST).

The primary purpose of the proposed program is to provide Florida's #1 industry with a new stream of candidates for employment who will understand the most current needs and demands of the traveling public, imbued with the appropriate content knowledge and critical-thinking skills needed to guide the industry into better, more sustainable stewardship of the natural environment, and a higher respect for and relationship with the communities where the industry operates.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*.

Supporting Documentation: Bachelor of Arts in Global Sustainable Tourism
(CIP: 30.3301) New Program Proposal Executive Summary

Facilitator/Presenter: Elizabeth M. Bejar

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THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

**Proposed Bachelor of Arts in Global Sustainable Tourism (CIP: 30.3301)
Chaplin School of Hospitality & Tourism Management
February 23, 2021**

EXECUTIVE SUMMARY

The Chaplin School of Hospitality & Tourism Management (CSHTM), in close collaboration with the Department of Earth & Environment (E&E) of the College of Arts, Sciences and Education, is proposing a new Bachelor of Arts degree in Global Sustainable Tourism (BA-GST). The interdisciplinary program, proposed to begin in Fall, 2021, will be administered by CSHTM as a strategic-emphasis STEM program under the CIP code for Sustainability Studies (30.3301). Only one SUS university (USF) currently offers a degree in global sustainable tourism and only at the Masters' level. The BA-GST, if approved, will be the seventh such undergraduate program nationwide. The six existing U.S. programs are also located at major public universities in states where both tourism and environmental protection are highly valued: Arizona, California (2), Colorado, Michigan and Utah.

The 120-credit BA-GST program has been developed by CSHTM and E&E faculty to present a balance of existing courses, some modified to better fit the new emphases, as well as some innovative new course creation. It is anticipated that a majority (roughly 2/3) of students pursuing the innovative new degree will transfer in from state colleges for their final two years of post-secondary education with 17% enrolling as traditional FTIC students and the balance changing their majors from both without and within the two FIU departments. The program therefore seeks to provide students with flexibility for such movement by requiring 39 fully-online hours in the upper division and the 21 elective hours along with options for different modalities of instruction for FTIC students in many lower division courses. In its first iteration, the degree will offer no distinct majors, concentrations, tracks or specializations.

The primary purpose of the proposed program is to provide Florida's #1 industry with a new stream of candidates for employment who will understand the most current needs and demands of the traveling public, imbued with the appropriate content knowledge and critical-thinking skills needed to guide the industry into better, more sustainable stewardship of the natural environment, and a higher respect for and relationship with the communities where the industry operates. At the same time, the program aims to turn out globally-aware graduates prepared to work for environmentally-concerned areas of business, government and non-governmental organizations anywhere in the world.

Worldwide, the impacts of tourism on the natural environment are under increasing scrutiny and demands for restraint and solutions. The World Tourism Organization as well as the World Travel and Tourism Council have explicitly called for increased focus on sustainability when creating policies and managing global tourism. Closer to home, we understand the strong need to protect the resources that make up the attraction for tourists to visit the State of Florida which include our beaches, the Everglades, the Keys, the reefs, the springs and the mangroves. Recent global events such as COVID-19, red tide, global warming and its relation to sea-level rise, have all raised awareness of the fragility of the tourism industry both here and abroad.

Major American hospitality and tourism corporations including Hilton, Carnival, and others, have aligned their sustainability programs with the UN's Sustainable Development Goals (SDGs), making 2030-target commitments to reduce their environmental footprints and setting social-impact goals. Major global brands like the above, but also Inter-Continental, Air France/KLM and Sodexo rigorously compete for highest positioning on the annual Dow Jones ranking of S&P 600 corporations on their environmental sustainability leadership. The need to balance resource protection with human use has become imminent and requires a workforce that is trained in understanding the business of tourism as well as its impacts and how to manage humans and the environment.

Here in Florida, the impact of Tourism has always been vital to the economy, accounting for \$102.8 billion in revenues that directly supported 934,400 jobs for Floridians in 2018. Tourism has accounted for as much as 23 percent of the state's sales tax revenue and the employment (directly and indirectly) of more than 1.5 million Floridians. While jobs statistics are unavailable on a specific category for sustainable tourism, a Green Lodging Trends survey (2019) indicated that 65% of hospitality and tourism businesses employ a dedicated sustainability coordinator and as many as 90% are conducting staff training in sustainability either with their own staff or through hired consultants and training experts. The types of businesses include tour companies, hotels, airlines, cruise lines, private convention and visitors bureaus, theme parks, festivals, destination management companies and transportation companies, among others. The Bureau of Labor Statistics (BLS) reports annual salaries in 2019 averaged \$71,360 per year for sustainability professionals (again not specific to sustainable tourism segment), with a projected growth of 8% (double the national average) for specialists.

The CSHTM and E&E faculty and administration on the BA-GST planning team believe that this new program will positively impact a great number of the university's strategic goals including National Rankings for Universities, Average Time To Degree, Percent of Bachelor's Degrees Without Excess Hours, Bachelor's Degrees Awarded Annually, Academic Progress Rate, Distance-Learning/Online Metrics, Bachelor's Programs of Strategic Emphasis and Bachelor's Degrees in STEM, Percent of Undergraduate Seniors Assisting in Faculty Research or Percent of Undergraduates Engaged in Research and Percentage of Baccalaureate Graduates Continuing their Education or Employed. Survey results of CSHTM business leaders and alumni indicate strong support for the degree, and project wide acceptance of its graduates suggesting too that the BA-GST will support FIU's community and business engagement goals.

Implementation Timeframe	Projected Enrollment (From Table 1)	
	HC	FTE
Year 1	30	25
Year 2	60	50
Year 3	65	54.4
Year 4	75	62.6
Year 5	85	71

Projected Program Costs (From Table 2)				
E&G Cost per FTE	E&G Funds	Contract & Grants Funds	Auxiliary Funds	Total Cost
\$3,948	\$98,692			\$98,692
\$2,928	\$207,907			\$207,907

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

Academic Policy and Student Affairs Committee

February 23, 2021

**Subject: New Program Proposal: Master of Science in Research Design and Analysis
(CIP: 13.0603)**

Proposed Committee Action:

Recommend to the Florida International University Board of Trustees approval of the Master of Science in Research Design and Analysis (CIP: 13.0603) new program proposal.

Background Information:

The Department of Counseling, Recreation, and School Psychology in the College of Arts, Sciences & Education at Florida International University is proposing a new Master of Science degree in Research Design and Analysis (RDA).

The RDA program places emphasis on building research knowledge, expertise, and practical experience to help RDA graduates align relevant data with specific problems, design cutting edge data collection methods, analyze data for practical solutions, and suggest rigorous research techniques to help solve real-world problems in education and related fields. In particular, RDA graduates will have an impact on both public and private sectors that deal with contemporary challenges regarding education, health, and technology issues.

Each university board of trustees shall approve for implementation new degree programs at the bachelor's, master's, advanced master's, and specialist levels in accordance with sections (3) and (5) of Florida Board of Governors Regulation 8.011 – *Authorization of New Academic Degree Programs and Other Curricular Offerings*.

Supporting Documentation: Master of Science in Research Design and Analysis
(CIP: 13.0603) New Program Proposal Executive Summary

Facilitator/Presenter: Elizabeth M. Bejar

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THE FLORIDA INTERNATIONAL UNIVERSITY BOARD OF TRUSTEES

**Proposed Master of Science in Research Design and Analysis (CIP: 13.0603)
Department of Counseling, Recreation, & School Psychology
College of Arts, Sciences & Education
February 23, 2021**

EXECUTIVE SUMMARY

The Department of Counseling, Recreation, & School Psychology in the College of Arts, Sciences & Education at Florida International University is proposing a new Master of Science degree in Research Design and Analysis (RDA).

The proposed program is designed for students who wish to gain professional expertise in Research Design and Analysis. This fully-online master's degree is without any concentration, track, or specialization. Cohorts of graduate students will take a minimum of 30 credit hours covering research design, statistics, measurement, qualitative research, and evaluation over the course of 12 months. The delivery format of online instruction will provide quality research courses for both local students and those in remote or distant regions.

The RDA program places emphasis on building research knowledge, expertise, and practical experience to help RDA graduates align relevant data with specific problems, design cutting edge data collection methods, analyze data for practical solutions, and suggest rigorous research techniques to help solve real-world problems in education and related fields. In particular, RDA graduates will have an impact on both public and private sectors that deal with contemporary challenges regarding education, health, and technology issues.

The RDA program utilizes the nationally recognized FIU online program and FIU eLabs to offer students quality online instruction and access to remotely accessible research software. Specifically, the FIU online program is well-known for its organized coaches, virtual tutoring, and IT assistance for students and faculty (The best online colleges & universities 2020). The FIU eLabs are equipped with quantitative and qualitative software and provide assistance through a multiplatform system in a virtual environment or through remote workstations.

Currently, there is strong national demand for professionals in the areas of RDA, including research design, analysis, testing and measurement, and program evaluation. The U.S. Bureau of Labor Statistics' (BLS), *Occupational Outlook Handbook* reports that

employment of research methodologists is projected to grow 35 percent from 2019 to 2029, much faster than the average for other occupations. Growth is expected to result from the more widespread use of data analysis to inform healthcare, educational policy decisions, and business strategies for growth. The BLS also reports the median salary in 2019 as \$92,030 per year, and research methodologists with a master's degree are preferred in national job markets [1].

Despite continued projections for national growth, the number of graduates with graduate degrees in RDA lags behind demand for RDA specialists. Leading publications in education and psychology, and reports of national organizations (including the National Research Council, the arm of the National Academy of Sciences) raise concerns that there are too few graduate programs preparing graduate students to meet national needs [3] [4].

In line with national data provided by the BLS, Florida Employment data also projects robust employment of research methodologists with 33.9% growth between 2019 and 2027, compared with an increase of only 9% for all occupations and 9.9% for all education, training, and library occupations [2]. Educational services in Florida are ranked as the third fastest-growing industries between 2019 and 2027, with a projected growth rate of 14.4%, only following ambulatory health care services and social assistance. In particular, South Florida has several public and private sectors that currently seek RDA specialists, such as the US Department of the Treasury, the US Department of Energy, Calc Stat, Florida Blue, Fort Lauderdale Airport, Miami Airport, ADT, Assurant, and Amazon.

RDA graduates may gain employment as research methodologists, psychometricians, and program evaluators in government, research and testing agencies, and community organizations. Further, graduates from this program may utilize their research skills as administrators of educational institutes and organizations involved in the advancement of education and other areas such as mental health, counseling psychology, and school psychology.

The RDA program will contribute to meeting or exceeding BOG employment metric levels as undergraduates choose this program post-graduation. The unique feature of RDA that bridges science and social sciences will recruit students from both hard science and social science fields. RDA graduates will be increasingly marketable in multiple fields, finding employment in both state and private agencies. In particular, recent graduates with bachelor's degrees in social science and education will increase their potential earnings through enrolling in RDA and developing expertise in research design and analysis.

This degree will be offered as self-supporting through Continuing Education at \$508.33 per credit for a total tuition cost of \$15,250 for the 30-credit program.

[1] <https://www.bls.gov/ooh/math/mathematicians-and-statisticians.htm>

[2] www.floridajobs.org; Employment projections

[3] Shavelson, R., & Towne, L. (2002). *Scientific research in education*. Washington, DC: National Research Council.

[4] Schneider, B., Carnoy, M., Kilpatrick, J., Schmidt, W. H., & Shavelson, R. J. (2007). *Estimating causal effects: using experimental and observational designs*. Washington, DC: AERA.

Implementation Timeframe	Projected Enrollment (From Table 1)		Projected Program Costs (From Table 2)				
	HC	FTE*	E&G Cost per FTE	E&G Funds	Contract & Grants Funds	Auxiliary Funds	Total Cost
Year 1	15	18.75				\$ 228,750	\$ 228,750
Year 2	18	22.5					
Year 3	22	27.5					
Year 4	25	30.0					
Year 5	25	30.0				\$ 305,000	\$ 305,000

*Students enroll in 30 credits per year (one FTE = 24 credits).

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**THE FLORIDA INTERNATIONAL UNIVERSITY
BOARD OF TRUSTEES**

Academic Policy and Student Affairs Committee

February 23, 2021

Subject: Placing the Name “Knight Foundation School of Computing and Information Sciences” on a Portion of the Exterior of the Building Housing the FIU School of Computing and Information Sciences on the Modesto A. Maidique Campus

Proposed Board Action:

Recommend to the Florida International University Board of Trustees approval for placing the name “KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION SCIENCES” on a portion of the exterior of the building housing the FIU School of Computing and Information Sciences.

Background Information:

The Knight Foundation recently expressed its continued dedication to the University, and commitment to the FIU School of Computing and Information Sciences within the FIU College of Engineering, through a generous grant to fund additional faculty positions, curriculum improvements, career advising programs, and research and teaching facilities in the approximate 88,000 square foot multidisciplinary FIU College of Engineering building, to be constructed on the Modesto A. Maidique Campus.

In light of this significant grant, the University proposes to (i) rename the FIU School of Computing and Information Sciences as the “Knight Foundation School of Computing and Information Sciences” (the “School”) and (ii) prominently display “Knight Foundation School of Computing and Information Sciences” on the exterior of the building housing the School (the “Building”), in a manner to be mutually agreed upon by FIU and the Knight Foundation.

In accordance with the University’s and the FIU Foundation Inc.’s Donative Naming Policy, Policy No. 710.015 (the “Naming Policy”), the Dean of the College of Engineering, the Senior Vice President for University Advancement, with the concurrence of the Executive Vice President and Provost, and the President of the University, have recommended and approved the renaming of the FIU School of Computing and Information Sciences as the “Knight Foundation School of Computing and Information Sciences.”

Furthermore, the request for Board of Trustees approval for the prominent display of the Knight Foundation School of Computing and Information Sciences on the exterior of the Building is made pursuant to and in accordance with the Florida Board of Governors Regulation 9.005, and the Naming Policy, which delegates to the BOT the authority to grant permanent naming recognition in connection with a University building, subject to the conditions contained therein.

**A RESOLUTION AUTHORIZING THE PLACING OF THE NAME
“KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION
SCIENCES” ON A PORTION OF THE EXTERIOR OF THE BUILDING
HOUSING THE FIU SCHOOL OF COMPUTING AND INFORMATION
SCIENCES ON THE MODESTO A. MAIDIQUE CAMPUS.**

NOW, THEREFORE, BE IT RESOLVED:

1. That the Florida International University Board of Trustees (the “BOT”) approves placing the name “KNIGHT FOUNDATION SCHOOL OF COMPUTING AND INFORMATION SCIENCES” on a portion of the exterior of the building housing the FIU School of Computing and Information Sciences, consistent with the University’s and the FIU Foundation, Inc.’s Donative Naming Policy, Policy No. 710.015;
2. That the President, Senior Vice President for University Advancement and other authorized representatives of the University, are hereby authorized to take all actions and steps, to execute all instruments, documents, and contracts, and to take all other actions as they may deem necessary or desirable, in connection with the granting of the naming rights as set forth herein; and
3. These Resolutions shall take effect immediately upon its adoption.

Supporting Documentation: None

Facilitator/Presenter: Kenneth G. Furton

ACADEMIC AFFAIRS REGULAR REPORTS

- I. Academic and Career Success**
- II. Engagement**
- III. Enrollment Management and Services**
- IV. Information Technology**
- V. Research and Economic Development / University Graduate School**
- VI. Academic & Student Affairs**

I. ACADEMIC AND CAREER SUCCESS

1. Panther Success Network (PSN) Care Unit Expansion

Panther Success Network (PSN, powered by EAB/Navigate) is FIU's Advisor-Student Case Management system. PSN has been facilitating Advisor to Student interaction and support with functionality such as messaging, advising note taking and calendaring along with follow up and support tools such as targeted campaigning, faculty progress reports and success markers. In 2020, the PSN platform use expanded to include other University offices (Care Units) to enhance the University's coordinated support for student success. The Care Units added were:

- Center for Academic Success,
- Career and Talent Development,
- College Life Coaching,
- Financial Wellness Coaching,
- Honors College Advising,
- Multicultural Programs and Services Coaching,
- Pre-Health Advising,
- Student Access & Success Coaching, and
- Student Support Services (SSS) Coaching

These additional care units are using the PSN platform to collaboratively support students by issuing and receiving student referrals between care units, reading and entering contact notes, scheduling student appointments, and messaging students. We will continue to expand the scope of the platform and the number of units working together to support students.

2. Knack Technologies Partnerships

Starting in Spring 2021, FIU's Center for Academic Success (CfAS) will be partnering with Knack Technologies for a pilot program to provide tutoring support in certain key accounting or accounting related classes (e.g. ACG2021, HFT2401, ACG3301). Finding tutoring support for these classes has proven to be a challenge in the past. This pilot program will allow us to scale peer tutoring programs that drive academic persistence, facilitate student engagement, and improve career outcomes. We believe this technology will allow us to reach students who have never used on-campus or virtual tutoring. Knack's real-time insights will complement the Center for Academic Success' tutors and specialists' services in content delivery, monitoring of data, and collaboration with faculty to develop discipline-specific academic support. By partnering with Knack, we will also be able to expand our reach to our unprepared and non-traditional students, because they can now access tutors and resources outside of traditional business hours. Knack's ease of use and mobile friendly format will appeal to all our students, from first-year students all the way to non-traditional, full-time employed students.

Knack Technologies has a strong track record of helping with academic support at other SUS institutions. We are hopeful that the pilot program will succeed and we can further expand our collaboration moving forward.

II. ENGAGEMENT REPORT

1. Community Outreach and Events: FIU Cafecito Chats & Women in STEM Virtual Brunch

The Office of Engagement began multiple series of online community engagement activities immediately following community quarantine due to the COVID-19 pandemic.

FIU Cafecito Chats, an engagement talk show, features local and national community leaders, FIU faculty, staff and students and other local celebrities as featured guests. As of December 2020, the show had aired 150 episodes and reached over 50,000 people with speakers including FIU students, faculty, and staff as well as community leaders, authors, and elected officials. The closing Cafecito Chat on December 22, 2020 included a conversation between Vice President Ishoof and City of Miami Mayor Francis X. Suarez focused on the energy around Miami's technology sector and the strategies the Mayor is using to ensure inclusivity. 300 viewers tuned in via Zoom and Facebook and the Office generated multiple leads with newly arrived technology companies.

The second annual **Women in STEM Brunch with Life Sciences South Florida** engaged 80 STEM scholars, economic development specialists, and administrators from 12 academic institutions. The event's purpose is to: 1) cultivate relationships, 2) share experiences and narratives about the meaning of intersecting identities as women in the STEM world; and 3) share insights about how degrees in STEM areas can manifest into fulfilling career paths that make social impact. Event guests included emerging STEM scholars, undergraduate and graduate students, and young entrepreneurs. Speakers shared their research, entrepreneurial, personal, and professional journeys and insights to inspire undergraduates and graduate students, university staff, faculty, and community members to continue their purposeful pursuits and paths in STEM. Among other topics, speakers shared insights on: 1) imposter syndrome, 2) balancing professional and personal goals and responsibilities, 3) developing your authentic leadership style, 4) navigating job interviews, 5) how to implement equity in the workplace and secure the support of colleagues towards that mission, and 6) negotiating salary, time off, time flexibility, remote work opportunities, and professional development opportunities. The space was crafted for starting authentic conversations and relationships where women with established careers in STEM can connect with emerging STEM scholars, students, practitioners, and industry members. To foster meaningful community-building and conversation about how to navigate and negotiate STEM careers and life, the event featured small-scale group settings.

2. Community Coalitions: The Talent Development Network (TDN)

TDN continues to further its goal of building a paid internship culture in South Florida. Since the COVID-19 pandemic began in March 2020, TDN has hosted close to 40 webinars, engaging about 900 students and employers. Webinars have focused on helping both students and employers operate in a remote environment. Webinar topics cover diverse areas including time management skills, becoming a LinkedIn superstar, what to expect during the first 90 days of an internship and more. All TDN webinars and events are archived on social media and the TDN website.

On September 7, 2020, TDN celebrated the annual Talent Day. This day is officially marked by Miami-Dade County to celebrate and raise awareness of South Florida's talent and employers, and how paid internships are essential to building a strong local workforce for the future. This social media campaign has garnered over 5 million impressions across various social media platforms.

On December 4, 2020 TDN hosted the second Internship Management Academy, an online event with the goal of preparing students on what to expect and how to be successful during an internship, and employers for creating and executing successful internship programs. Career and talent development experts from partner institutions served as panelists, and we engaged close to 200 students during and after the event.

3. Future of Work: Urban Potential Laboratories (UP Labs)

On December 10, 2020, UP Labs graduated Cohort IV with twenty-three non-traditional adult learners who are now prepared for healthcare careers in South Florida. Many of the learners had secured positions before graduating, but the most inspiring were those who decided to go back to school. Today, 70% of 100 UP Labs graduates have secured full-time livable wage jobs with healthcare benefits, and 15% have gone back to school (RN, Pharma-Tech, Bachelors, and Associate degrees). UP Labs has also embedded hospital partners like Baptist Health South Florida to teach bridge programs in Pharma-Tech and Certified Nursing Assistant. UP Labs has been remote learning since March 2020, and Cohort IV was the first to start and finish completely online. The recruitment for Cohort V started in November: we received 96 applications for the 25 positions. Cohort V began on January 25, 2021.

III. ENROLLMENT MANAGEMENT AND SERVICES REPORT

1. University Enrollment

Spring 2021

Spring Point in Time Comparisons by Count Type and Term

Count Type	Spring 2020	Spring 2021	Diff	% Diff
Headcount	54,950	55,184	234	0%
Fundable FTE's	16,785	16,933	148	1%
Student Credit Hours	541,677	548,854	7,177	1%

01-12-21 Reporting Date

As of January 12, 2021, we enrolled 55,184 students in the spring 2021 term. This represents a 0.24% or 234 student increase over this same time during the spring 2020 term. Spring 2021 fundable FTE's increased by 1% (148) from this same period during the spring 2020 term. As of the first full reporting day for spring 2021, students enrolled in 548,854 credit hours; this is a 1% (7,177 credits) increase over this same period during in spring 2020.

Fall 2020

Fall Point in Time Comparisons by Count Type and Term

Count Type	Fall 2019	Fall 2020	Diff	% Diff
Headcount	58,786	58,933	147	0%
Fundable FTE's	18,161	18,131	-30	0%

Student Credit Hours	596,792	597,871	1,079	0%
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01-12-21 Reporting Date

2. University Admissions

On October 1, 2020, the Office of Admissions started a weekly series called “Financial Aid Fridays”; virtual one-hour sessions covering a variety of topics from “how to complete a FAFSA” to “what is verification” and “how to apply for scholarships”. These sessions are open to all prospective students, parents and influencers and average 20 participants each week.

In November, Admissions began hosting virtual application workshops for Miami Dade County Public Schools. These one-hour sessions were held on Zoom and offered individual assistance to high school students completing the application for admission. For the first time a workshop was also held for students who live in Orange and Osceola Counties (suburbs of Orlando) and 20 students attended the workshop.

In addition, Admissions hosted a virtual “on-the-spot-admissions-event” where high school students with completed applications could meet with an Admission Recruiter and have their application reviewed in real-time. The applicant would leave the virtual session with an acceptance or counseling on how to improve their application for a second review. More than 50 high school students from Miami Dade County Public Schools have been admitted through the virtual on-the-spot program.

For the first time Graduate Admissions hosted an exclusive information session for FIU employees. Co-sponsored by Human Resources, more than 60 employees attended an information session about how to apply to graduate school at FIU and what resources are available to them to further their education.

3. International Admissions

The following table provides a summary comparison of spring 2021 and spring 2020 new, international student enrollments.

Spring New Student Head Count at the end of First Day by Term

	Spring 2020	Spring 2021	Diff	% Diff
New FTIC	38	38	0	0.00%
Transfers: FCS w/AA	32	50	18	56.25%
Transfers: Other	133	100	-33	-24.81%
Post Baccalaureate	5	10	5	100.00%
Masters	122	140	18	14.75%
Professional Doctoral	0	2	2	
Research Doctoral	15	41	26	173.33%
Non-Degree	87	80	-7	-8.05%
Dual enrolled	1	0	-1	

<i>Totals</i>	433	461	28	6.47%
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AIM Point in Time by Accountability Plan Type a (01/12/2021)

For the term, we experienced our greatest gain in new international students transferring to FIU after earning an AA degree from a Florida College system institution; we also increased new international student enrollments at the Masters and Research Doctoral degree levels. We enrolled the same number of new, international FTIC as we did at this time last spring.

As of our January 1st applications reports for early fall and fall 2020, we are behind last year in international FTIC and undergraduate transfer applications, admissions, and matriculated students. Due to our increasingly rigorous admission criteria, our international FTIC prospects attempt the ACT and SAT multiple times prior to applying; the lack of testing opportunities and international travel restrictions are depressing our application numbers. The de facto enrollment caps imposed by several cultural missions (the Kuwaiti cultural mission in particular) are having a negative impact on our international, undergraduate transferring applications for the upcoming academic year.

For the cycle, we are working with University admissions to overcome the impact that international travel restrictions and the lack of standardized testing opportunities is having on our prospective international FTIC population. We are also working with Broward College to create enhance the affinity that their potential transfer population feels for FIU. Over the next year, we will complete a team reorganization that better supports our efforts to build transfer student pipelines both domestic and international. We are also working with FIU Global to develop an International Sponsored Student position to have a singular point of contact for admissions, enrollment through graduation to address issues specific to Embassy sponsored students.

4. Transfer and Transition Services

Transfer Credit Processing and Course Equivalencies

During the period of January 2 through December 23, 2020, our Transfer Credit Processing team processed 121,686 courses (manually) for 7,968 transfer students. Additionally, 8,982 test components were processed for 2,474 students, first year (freshmen) and transfer.

The Course Equivalency team evaluated 5,970 courses for 1,903 transfer students during the above noted period. Presently, FIU has 81,760 transfer courses articulated for domestic institutions and 6,971 articulated for international institutions.

Our teams continue to provide newly hired academic advisors, as well as student-facing staff, with training and/or updates. Teams are currently processing records for the last of our spring 2021 matriculated students as well as for newly admitted and matriculated students with summer and fall 2021 start dates.

Connect4Success

As part of two collaborative grants with Miami Dade College focused on improving pathways in humanities and STEM disciplines, the Connect4Success (C4S) team merged some of the programming (e.g., joint workshops, campus visits) to streamline goals/objectives. Two workshops were offered in January. Students had the opportunity to network, move into breakout sessions based on their pathway, and learn more about joining C4S if they had not already done so. On 30

November, our second grant-funded STEM Bridge Advisor joined our team, expanding our advising capabilities of FIU-bound STEM students.

FIU Bridge Advisors saw an increase in the number of students served since working remotely. From 16 March to date, Bridge Advisors have served 3,691 students through virtual and telephone appointments; this represents 351 more students than in 2019 during the same period. Students' top concerns related to their transition to FIU, including financial support and course modalities offered.

Considering the significant enrollment decline experienced by our C4S partner colleges, the number of students who joined C4S in the 2020-21 remained strong at 1,802. This is 36 students shy of the 2019-20 cohort of 1,838. We expect more students to opt-in during the coming weeks.

Brainware for Transcripts (BFT) Strategic Initiative

The last of the user testing will continue in early January and we anticipate a go-live date between late January or early February. To reiterate, Brainware, or Optical Character Recognition, will significantly decrease the processing time of transfer and other credits from hard copy transcripts. In doing so, students will see their transfer credits (and associated equivalencies) within days (instead of weeks), while some staff members can be reassigned to other projects and/or offer more personalized support for complex or escalated cases.

5. Financial Aid

Disbursement

For the Fall 2020 Semester \$200 Million in aid was delivered compared to \$206.6 million for the Fall 2019 semester.

Student Borrowing Trends

FIU Undergraduate student borrowing has begun trending down over the last several years. The table that follows has the details.

Academic Year	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
Percent of FIU Undergraduates who Graduated and borrowed any student loans	48.00%	49.58%	47.22%	45.26%	44.89%	44.58%
Cumulative FIU Undergraduate Principal Borrowed	\$18,918.00	\$19,915.00	\$20,022.00	\$19,923.47	\$19,705.00	\$18,908
Percent of All US Undergraduates who Graduated and borrowed any student loans	68%	66%	65%	66%	62%	Not yet Available
Cumulative US Undergraduate Principal Borrowed	\$30,100	\$28,350.00	\$28,650.00	\$29,200	\$28,950	Not yet Available

6. Office of Scholarships

Since the COVID epidemic began, we received over 18,000 applications for emergency assistance. We funded 11,778 students with over 22 million dollars in aid. However, our students still face tremendous financial burdens, and we did not have funds to address all of the needs.

We are still evaluating 1,100 applications from the fall term, requesting 2 million in aid. We are working on closing out some of these cases using a 2.5 million allocation from Institutional CARES Act funds. Additionally, in response to the COVID Relief Bill, our office is preparing to administer student emergency grants totaling at least \$19 million. We are still waiting for the Department of Education to provide us with eligibility requirements. We are grateful that this new set of funds are more flexible, allowing us to fund tuition needs and online students that were previously excluded from CARES Act funds.

We are also working on the recruitment of our freshman class through the leveraging of merit scholarships. Applications close on January 31st and we look forward to awarding over 150 of our best and brightest incoming students.

7. University Registrar

Graduation process – continued enhancements

As of the end of the Fall 2020 semester, the University Registrar's Office, Academic & Career Success, and teams from all colleges instituted the enhanced graduation process university wide. The table below summarizes the output of our latest graduation certification effort.

Term	Count of Auto Post	Count of Manual Post	% Auto Post	% Manual Post
Fall 2019	1,617	2,946	35%	65%
Spring 2020	3,632	1,321	73%	27%
Summer 2020	3,128	697	82%	18%
Fall 2020*	4,006	834	83%	17%
Total	12,383	5,798	68%	32%

**Please note that the counts for Fall 2020 are still in progress.*

For the fall 2020 cycle, we posted 83% of all undergraduate degrees via the enhanced batch process method. By the end of spring 2021, we will incorporate Masters' degrees from the College of Business and certificates from the College of Arts, Science and Education into the batch graduation project.

Added features to the Activity Guide - Registration Pre-requisites

Effective July 1, 2020, Department of Education regulations, 34 CFR 600.9(c) and 34 CFR 668.43(c), required institutions to determine the state in which a student is located while

participating in educational activities and attending classes. In collaboration with IT, the University Registrar's Office updated our Student Activity Guide/Registration Pre-requisites page in PantherSoft; this included emergency contact updates/confirmation. We successfully launched these enhancements on November 3, 2020 .

Veteran and Military Transcript Fee waiver

In accordance with F.S. 1009.26 (17a), which took effect on July 1, 2020, FIU students who are active duty military, honorably discharged veterans of the United States Armed Forces, or spouse and/or dependents receive the \$10 transcript fee waiver.

Additional information is listed on the following website: <https://onestop.fiu.edu/student-records-myfiu/academic-records/view-or-order-transcripts/>

8. OneStop

In collaboration with the Student Financials department, we are serving students at the front counter via appointment supported by the Q-Less scheduling system. Students can access our OneStop services remotely (telephone, chats, and emails to case) 11 hours (9AM – 8PM) per day, Monday through Thursday, and nine hours (9AM-6PM) on Fridays. All One Stop staff members are assigned on a rotating schedule to work on campus one day per week. The remaining four days of the work week, staff work remotely responding to phones, email and chat in real time.

As the following table highlights, students are engaging our services via a variety of communication channels.

Counts of Handled Emails and Chats by Year

	Emails Handled			Chats Handled		
	AY 2019	AY 2020	% Change	AY 2019	AY 2020	% Change
January	1,222	1,014	-17.02%	1,316	3,716	182.37%
February	831	466	-43.92%	1,362	1,050	-22.91%
March	554	873	57.58%	1,650	2,307	39.82%
April	931	1,302	39.85%	2,848	4,039	41.82%
May	855	1,923	124.91%	2,979	5,949	99.70%
June	1,035	1,908	84.35%	2,444	4,166	70.46%
July	819	2,090	155.19%	3,031	3,814	25.83%
August	1,022	3,334	226.22%	3,716	4,392	18.19%
September	945	3,049	222.65%	3,056	4,573	49.64%
October	762	1,615	111.94%	1,607	2,735	70.19%
November	649	1,695	161.17%	1,415	2,739	93.57%
December	532	1,649	209.96%	1,405	2,439	73.59%
<i>Totals</i>	<i>10,157</i>	<i>20,918</i>	<i>105.95%</i>	<i>26,829</i>	<i>41,919</i>	<i>56.25%</i>

The FIU Learning Community continues to contact One Stop for all of their admissions, registration, and financial aid inquiries. Staff are commended for their diligence and dedication as they work to assure the success of our FIU students.

9. CRM

Since our last update in October, we continued to work with the Transfer and Transition Service Office to encourage students to enroll in classes for spring. Our focus was students that attended orientation and have not enrolled. We have seen great success in our reminder communications and this will now be a part of our regular communication process moving forward.

We also worked with the University Admissions team to finalize the Search Piece project for the recruitment class of 2022. We decided to keep the process the same as last year, however, we are now providing students a personalized QR code to update their contact information. Student that complete this step will be contacted by an Admission's High Ability team member to establish a relationship with the student with the goal to enroll them. This population are potential National Merits Scholars and great students for FIU. This project is complete and we are not pending the list of students at the end of January to launch the campaign for the next recruitment class.

Additionally, our office has transitioned all the OPPAGA reports to Salesforce and are now available via dashboards to track all activities throughout our service areas. Two dashboards (current year & last 5 years) were created with 36 graphs total, tracking counts of cases by department and origin.

IV. INFORMATION TECHNOLOGY REPORT

1. Microsoft Teams Relaunch

During Spring 2021, the Division of IT will be expanding its offerings of Microsoft Teams to students. Microsoft Teams is a robust collaboration tool that allows students, faculty and staff the ability to have instant conversations, host meetings, share files and collaborate on documents all in one place. Users can connect on the go from anywhere and have access to all their files and chats in one place. Additionally, faculty will have additional video conferencing and collaboration tools that can be used to integrate in their classes and Canvas. Teams also serves as an additional video conferencing tool for all faculty and staff.

2. Panthers Protecting Panthers (P3) Safety Screening Checklist In-App Reminders

The Division of IT finalized the Panthers Protecting Panthers app (FIUP3) during Summer 2020. The FIU P3 app is a key part of FIU's Panthers Protecting Panthers initiative for the FIU community and follows the Centers for Disease Control and Prevention guidelines. It contains a safety screening questionnaire -- along with additional FIU and community resources. Prior to arriving on campus, all students, faculty, staff and visitors are required to complete the safety screening questionnaire. Most recently, the division made enhancements to the app which gives students, faculty and staff the ability to schedule screening reminders within the app. The reminders can be set up for the days the user is coming onto campus.

3. Katapult Financial Services

The Division of IT's FIU Panther TECH store is offering a new option to make acquiring new devices more feasible for the FIU community. Katapult is a payment platform that offers a lease-to-

own payment solution with no long-term obligation. Students, faculty and staff will have the option to select the best monthly pay-over-time schedule that is most convenient for them. All FIU employees whether benefits-eligible or not, will be able to procure from FIU Panther TECH through the new payment platform. Katapult will never charge any late fees; students, faculty and staff will never have to worry about a late or missed payment affecting their credit.

V. RESEARCH AND ECONOMIC DEVELOPMENT / UNIVERSITY GRADUATE SCHOOL

1. External Grant Awards' Performance

Awards received during the first six months of fiscal year (FY) 2020-2021 increased by 10% when compared with the same period last FY (from \$88.6M to \$97.1M). External awards received by Centers and Institutes totaled \$44.2M, -0.3% less than the amount received during the same period last fiscal year (\$44.4M). Notable initial awards received in December included \$1.1M from the National Science Foundation for the NHERI Experimental Facility at the International Hurricane Research Center (part of a \$4.5M award) and \$1.38M from the US Department of Defense for the Cyber Attack Orchestration Test Bed at the Applied Research Center. The overall value of proposals submitted also increased from \$333.4M to \$393.8M—an 18% increase; the number of proposals submitted increased by 14%—from 550 to 629. During the first 6 months, the value of proposals submitted by Centers and Institutes increased by 1% from \$169M to \$170.4M. The distribution among funding sources (federal, private, state and local) during this fiscal year thus far is 79%, 5% and 16%, respectively.

2. Innovation, Partnerships and Economic Development

StartUP FIU staff developed and presented four virtual workshops on commercializing research for 110 faculty, including the first workshop for the Herbert Wertheim College of Medicine faculty. The 2021 Hult Prize @FIU, StartUP FIU's largest student entrepreneurship competition, had 22 teams of 77 students participate in the annual social entrepreneurship competition. This is a 26% increase in student interest compared to last year. One student team (three students) advanced to the next round of competition at the Hult Prize Regional Summits (Boston) taking place virtually March 2021. An additional Instagram mini-series was launched, "Hult Prize @ FIU Video Testimonials", that received 579 views across six video episodes. StartUP FIU Food was awarded a new grant of \$400,000 from the Kellogg Foundation to expand its programming through the development and launch of an online platform. The goal is to be able to help minority-owned small businesses, reeling from the pandemic, adopt 21st century tools to successfully pivot, save and ultimately grow, their companies. Adhering to COVID-19 safety guidelines, food incubator companies have continued to produce products out of the Chaplin School of Hospitality's commercial kitchen under restricted dates and times, approved weekly by the BBC Provost's Office. This support from the University has enabled some of the county's most vulnerable small businesses continue to operate their businesses to support their families. Additionally, we supported the efforts of the Analysis and

Information Management (AIM) Office to gather evidence of FIU's impact in the UN Sustainable Development Goals (SDG) for the *Times Higher Education* Impact Ranking. The Program designed, developed and participated in fourteen events involving 305 attendees on SDG themes. As a result of the outreach effort, the team collected enough data to potentially rank in all 17 SDG categories for the first time. The Office of Technology Management and Commercialization (OTMC) during the second quarter of FY 20-21 received 19 disclosures, filed 16 patent applications and received 15 patents. The goal of 60 patents for **calendar** year 2020 was also achieved. During calendar year 2020 we received a record 99 invention disclosures. The OTMC assisted an engineering faculty member who received a patent apply for an NSF STTR (Small Business Technology Transfer) grant. The professor's company was recently awarded the grant, and his company will be working with FIU under a sub-award to move the technology closer to commercialization over the next few years.

3. University Graduate School (UGS)

Application numbers for academic year (AY) 20-21 were 2,402 doctoral students (8.04% decrease compared to AY19-20), and 10,879 masters students, (14.60% increase compared to last year). During AY20-21, we admitted 754 doctoral students (5.45% increase compared to AY19-20), and 6,130 masters students, (17.93% increase compared to last year). New enrollment numbers for AY20-21 were 495 doctoral students (3.34% increase compared to AY19-20), and 3846 masters students—11.90% increase compared to last year. UGS continued to focus its professional development activities in two main areas: writing and career preparation. During this period, workshops and seminars were held in a virtual format, which led to an overall increase in attendance and participation. In collaboration with the Center for Excellence in Writing, we offered the new Writing Mentoring Program, which piloted in the summer of 2020. We established two cohorts of 17 doctoral students who attended weekly sessions with a writing tutor with subsequent individual follow-ups. The feedback received from the students indicated they were extremely satisfied with the program. Due to increased demand, we will expand the program to three cohorts for the term. In recognition that a large number of our graduate students will pursue non-academic careers, we launched the Accelerate to Industry (A2i) program in the fall. The A2i offers a bold approach to workforce readiness designed to help graduate students connect with industry, learn about career options, and gain valuable business, communication and leadership skills. The A2i initiative was founded by North Carolina State University and is presently funded by the National Science Foundation through an Innovations in Graduate Education grant. FIU is an academic partner on this grant. At the FIU A2i two-day immersion experience held on November 6 and 7, students were able to engage with and learn from industry panelists, enhance resume writing skills, and gain leadership skills. In attendance were 35 doctoral students accepted into the program from various disciplines. Student feedback about the event was very positive and students have continued to connect and network with the panelists after the event. Our newly established Office of Training and Fellowships prepared 10 first- and second-year PhD students to submit proposals to the National Science Foundation Graduate Research Fellowship Program. On October 7, we hosted an information session for 15 doctoral students on the National Defense Science and Engineering Fellowship Program provided by a representative from the Air Force Office of Scientific Research. The office also delivered trainings on Finding and Applying to External Funding to graduate students in the College of Engineering and Computing (34 participants) and the Steven J Green School of International and Public Affairs (29 participants).

VI. ACADEMIC & STUDENT AFFAIRS REPORT

1. Center of Excellence for Veteran Student Success

The Office of Veteran and Military Affairs was the recipient of a three year \$450,000 Office of Post-Secondary Education grant to establish a Center of Excellence for Veteran Student Success. This funding was provided to increase persistence, retention, and graduation rates of student Veterans at FIU. It will also develop processes and procedures to track employment rates of student Veterans at FIU in partnership with the Office of Career & Talent Development. With this funding, the Office of Veteran and Military Affairs will be able to hire a Program Manager and Academic Coordination to oversee the outcomes of the Center of Excellence for Veteran Student Success. Additionally, this project will develop a model program to support veteran student success in postsecondary education by coordinating services to address the academic, financial, physical, and social needs of veteran students.

2. Collegiate Recovery Program (CRP)

Student Health & Wellness was approved for a \$35,000 grant by the Scaife Family Foundation towards our goal of establishing a Collegiate Recovery Program (CRP) at FIU. The funds will contribute to start-up funding in support of hiring a full-time Alcohol & Other Drugs (AOD) Coordinator, necessary operating costs, student programming and education initiatives.

3. Job Initiative Grant with Bank of America

FIU received a \$1 million grant, part of a \$25 million, nationwide initiative that includes partnerships with nearly two dozen community colleges that serve predominately Black/African American and Hispanic/Latino students, public Historically Black Colleges and Universities (HBCUs) and public Hispanic Serving Institutions (HSIs). With the support from Bank of America, FIU will develop or enhance existing programs to help candidates prepare for higher-paying, family-sustaining jobs that are in demand. The Division of Academic and Student Affairs will facilitate this grant through the Office of Micro-Credentialing, including designing micro-credentials, aligning industry certifications to degree pathways, and organizing bootcamps to help our students gain critical industry skills upon graduation.

4. Disability Resource Center

The Disability Resource Center (DRC) congratulated over 150 students on their timely graduation in the Fall 2020 semester, including Army Veteran, Frank Torres, who was able to graduate alongside his beloved service animal, Baxter. The Disability Resource Center held an intimate ceremony in December to recognize Baxter for his outstanding support of his human with a certificate of completion.

The DRC has continued in partnership with Dr. Fareed Haj's family to steward the endowment scholarship which grants awards to students who are blind/low vision and have exhibited academic success and civic engagement. This Spring semester, \$3,000 have been awarded to two meritorious students who are pursuing degrees in Law and Business Management, respectively.

In January 2020, the DRC awarded \$133,235.59 in Johnson Scholarship Foundation awards to 85 undergraduate students with disabilities who are seeking their first baccalaureate degrees. These students have significant unmet financial need and are pursuing majors such as Information Technology, Health Services Administration, and Biology, and have disabilities including psychological/behavioral disabilities, Autism Spectrum Disorder, and specific learning disabilities.

5. AskCharlie

This past summer, the AskCharlie.fiu.edu website was launched to assist students with understanding the new course modalities that were implemented due to the COVID-19 pandemic. That website includes detailed information about the 4 ways that courses were offered (In-Person, Remote, Hybrid, Fully Online) in Fall 2020 and was then updated to reflect the relevant information for Spring 2021. It also includes several FAQs related to course scheduling and provides students with a form for submitting their questions and concerns.

Since the website was launched in early July 2020, there have been more than 800 submissions by more than 600 unique students. The majority of the questions that have submitted have been from students with questions about the modality that their courses were going to offered or the availability of specific courses. A number of those inquiries were directly related to students who were requesting to take their courses in a specific format (i.e. students who were looking for only remote or fully online options). Some of the other common reasons for students submitting questions related to topics such as international students with questions about immigration status and students with general academic advising concerns.

6. Quality Matters (QM) Certification

Committed to academic excellence, FIU Online achieved a great feat reaching a milestone of 500 QM certified courses. As a result of the partnership between our instructors and our learning design team the university is now No. 1 in the world for Quality Matters certified courses. More than 1,500 institutions in the U.S. and internationally are Quality Matters partners. Each institution ascribes to the non-profit's prestigious and rigorous peer-review QM certification process for distinction in online learning. Today, FIU leads the list and finds itself in good company with some of the most well-known and regarded educational institutions around the globe across 26 countries, spanning six continents.

7. Online LIVE Pilot

Initial planning has already gathered renowned FIU faculty members to exchange expertise and coordinate an authentic learning pedagogy focused on three key touchstones: equitable instruction, immersive communication, and adaptive engagement. These strategies mean Online LIVE courses are sure to break the lecture-based mold of remote learning which many have leaned on today. Developed over several months in collaboration between faculty and FIU Online instructional designers, a limited number of cohorted courses from across the university have been selected to pilot FIU Online LIVE courses. While many models of synchronous virtual instruction exist in higher education, Online LIVE aims to move beyond the simple replication of face-to-face instruction on video conferencing tools like Zoom. Instead, the method expands the teaching capability of live remote learning by harnessing recent innovations. But the FIU adaptation adds the unique aim of facilitating authentic learning, a pedagogical style especially suited to promoting job-ready skills like teamwork, collaboration, and presentation.

8. HyFlex:

In support of the university's goal to increase on-campus learning experiences in the Spring 2021 term, while continuing to follow safe physical distancing guidelines, a flexible hybrid course option called HyFlex is now available, and faculty course design support will be provided by a special projects team managed by FIU Online. These HyFlex courses blend both meaningful on-campus interactions and significant online learning activities. As the name suggests, the HyFlex course

mode allows a great deal of flexibility in scheduling and structuring the online and in-person learning experience.

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