



FLORIDA INTERNATIONAL UNIVERSITY

**Audit of Student Safety –
Hazing Prevention**

**Report No. 22/23-02
October 19, 2022**



Date: October 19, 2022

To: Charles Andrews, Interim Vice President for Student Affairs

From: Trevor L. Williams, Chief Audit Executive

A handwritten signature in blue ink, appearing to read "Trevor L. Williams", is written over the printed name.

Subject: Audit of Student Safety – Hazing Prevention – Report No. 22/23-02

We have completed an audit of student safety as it relates to hazing prevention for the period January 1, 2021, through December 31, 2021, and have assessed the current practices through August 2022.

Florida Statute and State University System of Florida Board of Governors (BOG) Regulation require, among other requirements, that the University implement an anti-hazing policy that prohibits any student or persons associated with any student organization from engaging in hazing. During the audit, we reviewed University policies and procedures to evaluate the effectiveness of the University's hazing prevention efforts as it relates to appropriate governance, awareness and training, and monitoring and reporting of hazing incidents, as well as determining compliance with applicable laws, regulations, University policies, and leading practices.

In summary, we concluded that the University adopted an anti-hazing policy as required but noted some instances of noncompliance and opportunities for process improvements to the University's hazing prevention efforts. We offered 23 recommendations to address the issues identified during the audit. Management has agreed to implement all recommendations offered.

We want to take this opportunity to express our appreciation to you and your staff for the cooperation and courtesies extended to us during the audit.

Attachment

C: FIU Board of Trustees

Kenneth A. Jessell, University President-Designate

Elizabeth M. Bejar, Interim Provost, Executive Vice President, and Chief Operating Officer

Aime Martinez, Interim Chief Financial Officer and Vice President for Finance and Administration

Javier I. Marques, Vice President for Operations & Safety and Chief of Staff, Office of the President

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EXECUTIVE SUMMARY

Introduction

The safety and well-being of the members of Florida International University's (FIU) community is the University's foremost concern. Hazing may pose a threat toward the furtherance of this mission. FIU does not condone or tolerate hazing. To safeguard students against hazing activities, FIU has implemented various hazing prevention efforts.

What We Did

We performed this audit to determine if the University's current policies and procedures are sufficient to prevent and monitor incidents of hazing.

What We Concluded

FIU adopted an anti-hazing policy and procedures to safeguard students against hazing activities. Our review of the University's prevention efforts identified the following opportunities for improvement:

- The University's student organization and group program is decentralized with no designated department or personnel to govern and oversee compliance with hazing prevention policies. All student organizations and groups should register with Campus Life and a department or person to centrally manage the University's hazing prevention efforts should be identified.
- We received inconsistent information related to Campus Life and Fraternity and Sorority Life (FSL) requirements for student organizations and groups. The departments should review and update their procedures to include student organization and group requirements, as well as any permitted deviations from them.
- Information and documents requested during the audit were not on file, readily available for review, or stored in accordance with FIU Regulation¹. Develop a record maintenance and retention plan and ensure proper storage per FIU Regulation.
- We noted the Office of Student Conduct and Academic Integrity (SCAI) does not have documented departmental procedures for the investigation, adjudication, and sanction processes. Creating a manual that documents SCAI's internal processes would serve as a guide for those responsible for executing and overseeing the processes.
- Certain members of student organizations and groups have anti-hazing attestation requirements with no centralized oversight and monitoring of the requirements. Create an anti-hazing attestation requirement and agreement form for all members of student organizations and groups and monitor its completion.
- As required by the State Statute² and BOG Regulation³, students are not provided with a copy of FIU's anti-hazing policy and some of the selected student organizations

¹ FIU Regulation FIU-2501, *Student Conduct and Honor Code*

² Florida Statute 1006.63, *Hazing prohibited*

³ Florida Board of Governors Regulation 6.021, *Hazing Prohibited*

and groups did not include the anti-hazing policy in their bylaws. Ensure proper dissemination of the FIU Regulation and that all student organizations and groups include the required information in their bylaws.

- The Hazing Incidents Annual Report submitted to the BOG Chancellor overstated the number of students found responsible for violating the University's anti-hazing policy. The report should be resubmitted, and in the future reviewed for accuracy prior to submission.
- The availability of hazing prevention training is not communicated to students and is not easily found. In addition, we found inconsistent and inaccurate information within the presentation. Promote the training's availability, encourage its completion, and ensure its accuracy.
- We found that hazing prevention training requirements and courses varied among a limited number of student organizations and groups and were not completed as required. Additionally, while most student organizations and groups require an advisor who is a full-time faculty or staff member, there is no hazing prevention training requirement for University employees. Revise and expand the University's hazing prevention education plan.
- FIU's anti-hazing website states preventative efforts that do not align with current practices. In addition, we compared the website to other State University System of Florida (SUS) institutions and found the website could be updated so that it is a stand-alone resource for hazing information. Review the website and ensure the information presented is accurate and consistent with the Florida Statute, BOG Regulation, and FIU's Regulation and procedures.
- Although the FIU Regulation is compliant with the Florida Statute and BOG Regulation, potential enhancements were identified. Consider adding key components to the FIU Regulation and creating a stand-alone anti-hazing resource document.
- Some departments did not report or were unaware that all suspected incidents of hazing should be reported to SCAI. SCAI should regularly communicate with management to ensure suspected conduct violations are reported to SCAI.
- We noted several instances where SCAI did not complete administrative processes and procedures for selected incident reports and cases. Ensure timely opening and closing of incident reports and cases, ensure required timelines are met, and perform follow-up discussions and meetings as needed. Additionally, monitor the completion of sanctions and ensure case statuses are accurately reflected in Maxient.

The reportable conditions found and the background giving rise to the foregoing recommendations are detailed in the Observations and Recommendations section beginning on page 8 of this report. We have also included the mitigation plans management has proposed in response to our observations and recommendations, along with their implementation dates and complexity ratings.

OBJECTIVES, SCOPE, AND METHODOLOGY

Pursuant to the Office of Internal Audit (OIA) approved annual plan for the 2022-2023 fiscal year, we completed an audit of Student Safety – Hazing Prevention. The primary objective of our audit was to evaluate the effectiveness of the University's hazing prevention efforts as it relates to: (a) appropriate governance, (b) awareness and training, and (c) monitoring and reporting of hazing incidents. In addition, the audit included assessing the University's compliance with applicable laws, rules, regulations, University policies, and leading practices.

Our audit period was January 1, 2021, through December 31, 2021. Additionally, we assessed current practices through August 2022.

The audit was conducted in conformance with the *International Standards for the Professional Practice of Internal Auditing*, promulgated by The Institute of Internal Auditors. The audit included tests of the supporting records and such other auditing procedures, as we considered necessary under the circumstances. Audit planning and fieldwork were conducted from February 2022 to August 2022.

During the audit, we:

- reviewed University policies and procedures, applicable laws, rules, and regulations, and interviewed responsible personnel,
- confirmed a hazing prevention policy and procedures exist and align with applicable laws, regulations, and leading practices,
- evaluated the University's hazing prevention awareness and training efforts to determine its effectiveness, and
- reviewed and evaluated the overall process for reporting, investigating, and adjudicating potential hazing incidents.

Sample sizes selected for testing were determined on a judgmental basis applying a nonstatistical sampling methodology.

We reviewed all internal and external audit reports issued during the last three years and found no reports with any applicable recommendations related to the scope and objective of this audit, which otherwise would have required follow-up.

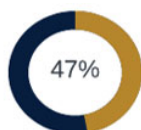
BACKGROUND

State University System of Florida Board of Governors Regulation 6.021, *Hazing Prohibited* (“BOG Regulation”), defines hazing as:

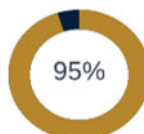
Any action or situation, which occurs on or off university property, that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation, admission into, affiliation with, or the perpetuation or furtherance of a tradition or ritual of any university student organization or group whether or not officially recognized by the university.

Hazing includes, but is not limited to, pressuring or coercing a student into violating state or federal law, any brutality of a physical nature, forced physical activity that could adversely affect the physical health or safety of the student, any activity that would subject the student to extreme mental stress, or forced activity that could adversely affect the mental health or dignity of the student.

There are no national reporting requirements related to hazing. This creates challenges in obtaining statistical information about the prevalence of hazing. The national study *Hazing in View: College Students at Risk* (2008)⁴ is one of the more comprehensive and frequently cited studies that illustrates the problems and challenges related to student hazing. The research was based on the analysis of 11,482 survey responses from undergraduate students enrolled in 53 colleges and universities and more than 300 interviews with students and campus personnel at 18 of those institutions. Its findings include:



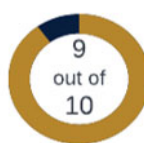
47% of students come to college having already experienced hazing.



In 95% of the cases where students identified their experience as hazing, they did not report the events to campus officials.



55% of college students involved in clubs, teams, and organizations experience hazing.



Nine out of ten students who have experienced hazing behavior in college do not consider themselves to have been hazed.

Statutory and Regulatory Requirements

Florida Statute 1006.63, *Hazing prohibited* (“Florida Statute”), requires public and nonpublic postsecondary educational institutions to adopt a written anti-hazing policy and under such policy adopt rules prohibiting students or other persons associated with any student organization from engaging in hazing. Additionally, the institution must provide a program for the enforcement of such rules and must adopt appropriate penalties for violations of such rules. Upon approval of the anti-hazing policy, the institution shall provide a copy of such policy, rules, and penalties to each student enrolled in the

⁴ Allan, E. J., & Madden, M. (2008). *Hazing in View: College Students at Risk*. Retrieved from <https://stophazing.org/research/national-hazing-study-hazing-in-view/>

institution and shall require the inclusion of such policy, rules, and penalties in the bylaws of every organization operating under the sanction of the institution.

In the state of Florida, hazing is a criminal offense. A person commits a third-degree felony or first-degree misdemeanor, when they intentionally or recklessly commit any act of hazing upon another person who is a member of or an applicant to any type of student organization and the hazing results in serious bodily injury or death of such other person or the hazing creates a substantial risk of physical injury or death to such other person.

In addition to the statutory requirements, the BOG Regulation requires:

- the anti-hazing policy state the circumstances that do not constitute a defense to allegations of hazing,
- training opportunities that are designed to reinforce the policy and increase awareness of the dangers of hazing be made available to students and student organizations and groups, and
- the University provide the Chancellor with an annual report, which contains the number of hazing incidents that resulted in a student or student organization or group being held responsible for a violation of the University's anti-hazing policy by October 1 of each year.

Florida International University's Anti-Hazing Efforts

FIU has approximately 470 student organizations and groups that are operating under the sanction of the University. The oversight of student organizations and groups is decentralized among various departments, including, but not limited to, Campus Life, FSL, Athletics, Wellness and Recreation, and various academic departments.

FIU does not condone or tolerate hazing and has implemented policies and procedures to safeguard students against hazing activities. FIU's anti-hazing policy is incorporated into FIU-2501, *Student Conduct and Honor Code* ("FIU Regulation"). The regulation defines, prohibits, and provides examples of hazing, as well as the investigation, adjudication, and penalties for violating the regulation.

FIU has a website dedicated to hazing prevention, which includes background information, prevention efforts, penalties for the violation of the anti-hazing policy, and a link to the Incident Reporting Form. Additionally, FIU students have access to a web-based Hazing Prevention 101 training course.

The primary reporting avenue for hazing incidents is through a web-based form linked on various pages of FIU's website. In addition, suspected hazing incidents may be reported directly to various departments such as the University Police Department ("FIU Police"), SCAI, and the Office of Civil Rights Compliance and Accessibility (OCRCA). Regardless of the reporting avenue, all hazing allegations against student organizations, groups, and/or individuals are adjudicated by SCAI.

SCAI received 3,326 incident reports during the audit period. The behaviors reported included academic misconduct, conduct violations, sexual misconduct, and sexual harassment. Below is a summary of the suspected hazing incidents reported, investigated, and adjudicated by SCAI during the audit period.



OVERALL ASSESSMENT OF INTERNAL CONTROLS

Our overall assessment of internal controls is presented in the table below.

INTERNAL CONTROLS ASSESSMENT			
CRITERIA	SATISFACTORY	OPPORTUNITIES TO IMPROVE	INADEQUATE
Process Controls		X	
Policy & Procedures Compliance		X	
Effect		X	
Information Risk	X		
External Risk	X		
INTERNAL CONTROLS LEGEND			
CRITERIA	SATISFACTORY	OPPORTUNITIES TO IMPROVE	INADEQUATE
Process Controls: Activities established mainly through policies and procedures to ensure that risks are mitigated, and objectives are achieved.	Effective	Opportunities exist to improve effectiveness	Do not exist or are not reliable
Policy & Procedures Compliance: The degree of compliance with process controls – policies and procedures.	Non-compliance issues are minor	Non-compliance issues may be systematic	Non-compliance issues are pervasive, significant, or have severe consequences
Effect: The potential negative impact to the operations - financial, reputational, social, etc.	Not likely to impact operations or program outcomes	Impact on outcomes contained	Negative impact on outcomes
Information Risk: The risk that information upon which a business decision is made is inaccurate.	Information systems are reliable	Data systems are mostly accurate but need to be improved	Systems produce incomplete or inaccurate data which may cause inappropriate financial and operational decisions
External Risk: Risks arising from events outside of the organization's control; e.g., political, legal, social, cybersecurity, economic, environment, etc.	None or low	Potential for damage	Severe risk of damage

OBSERVATIONS AND RECOMMENDATIONS

Areas Within the Scope of the Audit Tested Without Exception:

Anti-Hazing Policy

Florida Statute states that public and nonpublic postsecondary educational institutions whose students receive state student financial assistance must:

Adopt a written anti-hazing policy and under such policy adopt rules prohibiting students or other persons associated with any student organization from engaging in hazing.

Provide a program for the enforcement of such rules and must adopt appropriate penalties for violations of such rules.

Furthermore, BOG Regulation states:

Each university board of trustees shall establish an anti-hazing policy as part of the University's student code of conduct or as a separate regulation, that prohibits students or other persons associated with any university student organization or group from engaging in hazing.

Each anti-hazing policy must state that the following circumstances do not constitute a defense to allegations of hazing.

- (a) The consent of the victim had been obtained;*
- (b) The conduct or activity that resulted in the death or injury of a person was not part of any official organizational event or otherwise sanctioned or approved by the student organization or group; or*
- (c) The conduct or activity that resulted in the death or injury of a person was not done as a condition of membership into the student organization or group.*

Each anti-hazing policy must provide a program for the enforcement of such regulations and must adopt appropriate penalties for violations of such regulations, to be administered by the person at the institution responsible for the sanctioning of such organizations and groups.

We obtained the FIU Regulation and confirmed it includes the anti-hazing policy and the elements required by the Florida Statute and BOG Regulation. However, although being compliant, recommendations related to enhancing the anti-hazing policy are discussed in Observation 6.

Hazing Prevention Training Opportunities

BOG Regulation states:

Each university shall make training opportunities available for students and student organizations and groups that are designed to reinforce the policy and increase awareness of the dangers of hazing.

FIU engaged Prevent.Zone by AliveTek (“Prevent.Zone”), a third-party vendor, to provide a suite of courses designed to educate college students on current safety issues. The courses offered include a Hazing Prevention 101 course and two hazing prevention add-on courses: Fraternity and Sorority Life and Athletics. The three courses are accessible to all students, thus, accomplishing the requirement set forth by the BOG Regulation. Observations related to hazing prevention training are discussed in Observation 4.

Periodic Review of Hazing Prevention Policy and Efforts

We inquired if reviews or updates to the anti-hazing policy and prevention efforts were completed during the audit period. Besides a one-year contract extension for Prevent.Zone, no other initiatives or evaluations were conducted during the audit period. However, we noted hazing prevention efforts are being reviewed and updated during the current 2022 calendar year.

Areas Within the Scope of the Audit Tested With Exception:

1. Management Controls, Policies, and Procedures

Management Controls

The University's student organization and group program is decentralized among several departments, making it difficult to obtain a list of all the University's student organizations and groups. To compile a list of all student organizations and groups officially recognized by the University, we petitioned the following departments:

- Army ROTC
- Athletics
- Campus Life
- Center for Leadership and Service
- Fraternity and Sorority Life
- Housing and Residential Life
- Marching Band
- Student Health and Wellness*
- Wellness and Recreation

* Liaison for Academic Departments

Obtaining the list of student organizations and groups from Campus Life and the various academic departments was not timely and was challenging. We combined the lists provided and eliminated duplicate organizations. This resulted in 633 student organizations and groups being included in our audit population. While sampling and testing the information included in the lists, we noted various inactive organizations and groups that were inadvertently included in the population. Table 1 below details how we arrived at an adjusted total population of 472 student organizations and groups.

Table 1 - Total Student Organizations and Groups Active During the Audit Period			
Department	Original List	Inactive	Total Active
Academic	195	(2)	193
Athletics	3	-	3
Campus Life	365*	(158)	207
Center for Leadership and Service	1	-	1
Fraternity and Sorority Life	33	-	33
Housing and Residential Life	9	-	9
Marching Band	1	-	1
Wellness and Recreation	26	(1)	25
Total	633	(161)	472

* Original list included all student organizations and groups regardless of status.

Based on the decentralized formation and issues encountered during testing, we cannot confirm the list of 472 student organizations and groups is complete.

We noted there is no designated department or personnel to oversee and centrally manage compliance with hazing prevention laws, regulations, and policies pertaining to student organizations and groups. The decentralized structure has led to inconsistent application of requirements, policies, and procedures. Furthermore, as we inquired of the hazing prevention requirements and documentation throughout the audit, it was evident that several University personnel (who were student organization and group advisors) were unaware of the hazing prevention laws, regulations, and requirements.

Departmental Policies and Procedures

Departmental policies and procedures serve as a source of reference for employees, clarify employee roles and responsibilities, and provide guidance during employee transitions.

Student Life and Development

The Department of Student Life and Development (SLD) includes Campus Life and FSL. During the audit, we received inconsistent information related to Campus Life and FSL requirements for student organizations and groups. Furthermore, we obtained Campus Life's policy and noted it contained outdated information and inaccurate student organization and group requirements. Management stated they were aware of the document's inaccuracies and plan to update it this year. Consistent and accurate procedures should include the requirements, as well as any permitted deviations to the requirements, for student organizations and groups and their members and would serve as a guide for those responsible with oversight of the processes.

Student Conduct and Academic Integrity

SCAI does not have departmental procedures for the investigation, adjudication, and sanction processes. Upon request, management advised the department follows the process documented in the FIU Regulation. We compared the FIU Regulation and the process followed by SCAI and noted inconsistencies. Creating a manual, which documents SCAI's internal investigation, adjudication, and sanction processes would serve as a guide for those responsible for executing and overseeing the processes.

Record Maintenance and Retention

FSL

Throughout the audit we requested various types of documentation from FSL. We noted the department did not have the constitutions and/or bylaws for selected organizations on file and readily available for review. Additionally, FSL was unable to provide the list of officers and the anti-hazing attestation forms for selected organizations due to records being mishandled or lost during the transitioning of staff. Student organization and group rosters are often requested by SCAI for investigative purposes, reinforcing the need for maintaining accurate roster information.

Campus Life

Student organizations and groups registering with Campus Life are required to complete an application form in Panther Connect.⁵ Among other requirements, the organization or group must provide the list of officers and attach the organization's bylaws and/or constitution to the application. Despite these requirements, management noted and we confirmed that the information presented on a student organization or group's Panther Connect page may not be accurate or up to date.

Athletics

We requested the student-athlete ("SA") rosters for the audit period from Athletics. As advised by the department, we combined the list of new SAs and the previous year's All Sport Rosters received from Athletics with rosters we obtained from the FIU Sports website. We then refined the list by eliminating duplicate SAs. This resulted in 531 SA's being included in our audit population. Athletics management subsequently provided two Squad Lists that they noted were the official SA rosters. We confirmed the SA's selected for testing throughout the audit were included in the Squad Lists without exception. However, due to the challenges encountered with the rosters, we cannot confirm the list of 531 SAs is complete.

Each SA is required to sign a Student-Athlete Handbook Conduct Agreement, acknowledging their agreement to abide by the Student-Athlete Handbook and other applicable policies. Upon inquiry, the Athletics Department was unable to locate the football program's Student-Athlete Handbook Conduct Agreements due to records being mishandled or lost during the transitioning of staff.

Academic Departments

Throughout the audit, we requested various documents from academic student organization and group advisors. From the inquiries, it was apparent that faculty and staff advisors were not aware of hazing prevention laws, regulations, and policies, did not have the documents requested readily available, and in some cases, were not able to obtain the information. Given their oversight role, advisors should maintain up-to-date records for their respective student organizations and groups.

Student Conduct and Academic Integrity

Pursuant to FIU Regulation,

All student conduct-related records, including records involving conduct violations, Academic Misconduct violation, FIU Regulation 105, will be housed in the web-based system maintained by SCAI.

⁵ Panther Connect is an online platform for students to find organizations, attend events, and track involvement in student organizations and groups.

SCAI utilizes Maxient, a centralized web-based reporting and record keeping software, to assist with the management of conduct records. Various forms of communication can be initiated and tracked via Maxient, utilizing e-mail and letter templates. Additionally, the software can be used to document case notes, upload case documentation, and monitor sanction completion.

We noted that in most of the cases selected for testing, information such as e-mail communications and interview notes were stored in SCAI employees' e-mail and OneDrive accounts and not subsequently uploaded to Maxient. This resulted in incomplete case records and an inability to close Maxient cases because pertinent documentation could not be located. In addition, this caused delays in providing us with requested case information.

Recommendations

The Division of Academic and Student Affairs should:	
1.1	Require that all student organizations and groups register with Campus Life and identify a person or department to monitor compliance with anti-hazing laws, regulations, and policies.
1.2	Review and update departmental procedures and ensure they include accurate and consistent requirements, for student organizations and groups and their members, as well as any permitted deviations to the requirements.
1.3	Develop and implement a departmental record maintenance and retention plan.
1.4	Ensure student organization and group advisors maintain up-to-date records and documents for their respective student organizations and groups.

Student Conduct and Academic Integrity should:	
1.5	Create a departmental manual, which documents SCAI's internal investigation, adjudication, and sanction processes.
1.6	Ensure all student conduct-related records are housed in a web-based system per the FIU Regulation.

Management Response/Action Plan

- 1.1 Student Life and Development (SLD) has already started work towards this goal. The greatest challenge will be to require this for student organizations housed outside of SLD (e.g., academic colleges). This will require the Provost and Deans to mandate that all of their student organizations formally register (and renew annually) through Panther Connect.

In terms of a staff member to manage compliance, SLD and Student Health and Wellness (SHW) will work collaboratively in the next year to roll out these recommendations. However, for a comprehensive model to be sustainable, recurring institutional funding will be needed for a risk prevention specialist.

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

- 1.2 Based on audit findings, SLD has created a list of procedures that necessitate updates and are working towards completion.

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

- 1.3 Once procedures are updated, a SharePoint group will be created with appropriate channels/folders by department (e.g., Campus Life, Fraternity & Sorority Life, Athletics, academic colleges).

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

- 1.4 This is connected to Recommendations 1.1 - 1.3.

Additionally, a detailed list of expectations will be created for all relevant staff and advisors, and will be included in the messaging to be sent to all organizations once procedures have been updated.

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

- 1.5 All processes for violations of Regulation 2501 (i.e., Student Conduct and Honor Code) are detailed within. Student Conduct and Academic Integrity (SCAI) staff will pull out all sections/processes related to hazing violations and create a standalone document, inclusive of communication trees between relevant partners (e.g., SCAI, FSL, Athletics, SLD, SHW, FIU Police).

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

- 1.6 All documents that fall within the Florida Sunshine Laws and relevant to the student/organization's case will be uploaded in Maxient. Staff training would take place throughout November and December.

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

2. Anti-Hazing Attestation Statement

According to management and corroborated by our review of the University's anti-hazing website, certain members of student organizations and groups have anti-hazing attestation requirements. We noted the requirements varied among the selected organizations and groups (as summarized in Table 2 below) and there was no centralized oversight and monitoring of the requirements. As we requested documentation, we also noted that certain University personnel (who were student organization and group advisors) were unaware of the requirement.

Table 2 – Anti-Hazing Attestation Requirements	
Organization/Group	Requirement
Athletics	Signed Student-Athlete Handbook Conduct Agreement.
FSL	Anti-hazing attestation statement signed by the organization's president. Additionally, new members must sign a Consent Form, which includes the FIU Zero Tolerance Hazing Policy.
Marching Band	Signed Marching Band Compliance Agreement Form.
Other	Anti-hazing attestation statement signed by the organization's president.

We selected 37 students for testing and found, 24 (65%) where the attestation statement was not properly executed or could not be found. For the 24 students, the following was noted:

- 10 (42%) were not signed due to personnel with oversight responsibilities being unaware of the attestation requirement,
- three (13%) were not signed due to oversight,
- two (8%) anti-hazing attestation statements were signed by a student member versus the organization's president, and
- nine (37%) records could not be located.

In addition, while we noted no exceptions for the students who were required to sign the Marching Band Compliance Agreement Form, we found that the form did not reference the most recent Florida Statute.

Recommendation

The Division of Academic and Student Affairs should:	
2.1	Create an anti-hazing attestation requirement and agreement form for all members of student organizations and groups and monitor its completion.

Management Response/Action Plan

- 2.1 Fraternity & Sorority Life (FSL) has already received approval for an attestation form for its members. However, given the goal is to make this a comprehensive plan (see 4.3), we would like to create a more automated system. Since the hazing violations are located within Regulation 2501, the attestation - to be completed through the FIU Develop system - would ask students to confirm they have read/reviewed the following regulations/websites: (1) Student Conduct & Honor Code, (2) Anti-Hazing Website, and (3) report.fiu.edu. The complexity of this project is related to the queries and dashboards needed - to be created by the DoIT - to track the multiple student classifications necessary for compliance tracking (e.g., student athlete, band member, FSL member).

Additionally, Executive Leadership must provide guidance on what, if anything, will occur for non-compliance (e.g., removal from organization, enrollment hold) and how often they would like the attestation to occur (e.g., once in FIU career, annually).

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

3. Anti-Hazing Statutory and Regulatory Requirements

Florida Statute and BOG Regulation include several requirements for the dissemination of the anti-hazing policy, rules, and penalties. Among the requirements is for the anti-hazing policy, rules, and penalties to be included in the bylaws of every student organization and group and for each student to be provided with a copy of said policy, rules, and penalties.

In addition, the BOG Regulation requires that each university provide the Chancellor with an annual report of the number of hazing incidents that resulted in a student or student organization or group being held responsible for a violation of the anti-hazing policy.

Inclusion of Anti-Hazing Policy in Student Organization and Group Bylaws

We selected 40 organizations and groups for testing and ultimately settled on reviewing the 27 organizations and groups that were active. We requested the bylaws and/or constitution for the 27 student organizations and groups and noted three (11%) did not have bylaws or a constitution and 21 (78%) did not include or reference the FIU Regulation. Of the 21 selections that did not include or reference the FIU Regulation, six (22%) discussed anti-hazing policies.

Providing Students with the Anti-Hazing Policy, Rules, and Penalties

As noted above, each student enrolled in the University must be provided with a copy of the anti-hazing policy, rules, and penalties. FIU's anti-hazing policy is incorporated in the FIU Regulation and Student Handbook. Management informed us that the two documents are available on FIU's website but are not provided directly to students. Management also stated that the FIU Regulation is discussed during SCAI's student orientation presentation. We obtained SCAI's presentation for 2021-2022 and confirmed it referenced the FIU Regulation, the required expectations, and the hazing amnesty.

Board of Governors Annual Reporting Requirement

Pursuant to BOG Regulation,

Each university shall provide an annual report to the Chancellor of the number of hazing incidents that resulted in a student or student organization or group being held responsible for a violation of the anti-hazing policy. The report shall be compliant with the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. s. 1232g, and the federal regulations issued pursuant thereto, and shall be submitted to the Chancellor by October 1 of each year.

We obtained the University's 2020-2021 Hazing Incidents Annual Report and confirmed its compliance with FERPA and submission by the required deadline.

Notwithstanding the compliant reporting, we noted errors in the report. The Hazing Incidents Annual Report indicated that eight students were found responsible for a violation of the University's anti-hazing policy. However, our review of the associated cases noted that only six students were found responsible for a violation of the anti-hazing policy. We discussed the observation with management who noted the number of students charged with a violation of the anti-hazing policy was disclosed instead of those held responsible.

Recommendations

The Division of Academic and Student Affairs should:	
3.1	Ensure all student organizations and groups include the anti-hazing policy, rules, and penalties in their bylaws and/or constitution.
3.2	Provide students with a copy of the anti-hazing policy as required by the Florida Statute and BOG Regulation.
3.3	Resubmit the Hazing Incidents Annual Report, and in the future, review the report for accuracy prior to submission.

Management Response/Action Plan

- 3.1 As part of Recommendations 1.1 - 1.4, all student organizations in the newly centralized system will be required to incorporate and reference the FIU Regulation and antihazing.fiu.edu in their bylaws/constitution.

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

- 3.2 SHW - via the VPDSA@fiu.edu email - will email all registered students twice per year with details about the Regulation 2501 - by April 1st of each year (i.e., in anticipation of National Sexual Assault Month) and by October 1st of each year (i.e., prior to National Hazing Prevention Week). The email will include the following: (1) how to locate all FIU regulations and policy, but highlighting the Student Conduct & Honor Code, (2) information on the anti-hazing website, (3) information on how to report violations of any University policy/regulation, and (4) information on SHW resources.

Implementation date: November 1, 2022

Complexity rating: 1 – Routine

- 3.3 SCAI will prepare the updated report and send to relevant personnel by October 21. Provost will contact BOG staff with an explanation of resubmission.

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

4. Hazing Prevention Training

Statutory and Regulatory Requirements

As required by BOG Regulation,

Each university shall make training opportunities available for students and student organizations and groups that are designed to reinforce the policy and increase awareness of the dangers of hazing.

We noted that web-based Hazing Prevention 101 training courses are available to all students as previously discussed on page 9.

Although the training is accessible to all students, its availability is not communicated to students, its completion is not encouraged, and it is not easy to find. This has resulted in low utilization rates for FIU as compared to other SUS institutions (refer to Table 3 below).

Table 3 – Prevent.Zone Training Utilization (April 2015 - December 2021)			
University	Completed	University	Completed
FAMU	8,479	NCF	1,574
FAU	7,022	UCF	75,507
FGCU	20,744	UF	25,706
FIU	3,570	UNF	7,944
FL Poly	3,341	USF	5,099
FSU	40,378	UWF	3,446
Institutions have completed 202,810 trainings.			

Source: BOG SUS Hazing Prevention Update, January 25, 2022.

Management informed us they are working on a proposal to increase Prevent.Zone's training awareness and utilization. Management's plan will be implemented in conjunction with recommendations from this report.

Accuracy of Training Information

Customized slides can be added to Prevent.Zone's training courses to include unique photos, links, resources, policies, and reporting procedures. We reviewed the three training courses available and noted the Hazing Prevention 101 Course – College Edition contained customized slides with FIU-specific information. Our review of the customized slides noted the following inconsistencies and inaccuracies:

- One slide instructs the user to click on a graphic to read the hazing section of FIU's Student Handbook. However, when activated, the link directs the user to FIU's anti-hazing website.

- The user is provided with three options for reporting suspected hazing incidents. Among the options is an anti-hazing hotline. However, the phone number provided corresponds to FIU's Counseling and Psychological Services 24-hour hotline, which is not intended for reporting incidents.
- Another slide provides the user with additional resources, which includes a link to the University Anti-Hazing Task Force. The link, when activated, instead routes the user to the main Division of Academic and Student Affairs website where hazing prevention is not discussed. Additionally, there is no active Anti-Hazing Task Force at the time of this report.

Management was not aware a hotline was listed as a hazing reporting avenue and immediately contacted Prevent.Zone to remove the information from the training. Additionally, management requested the link to the University Anti-Hazing Task Force be updated to reflect FIU's anti-hazing website.

Student Focused Training

According to management and as corroborated by our review of the University's anti-hazing website, the hazing prevention training requirements and courses varied among the student organizations and groups selected for testing.

Fraternity and Sorority Life

FSL has various training requirements and courses as noted below:

- New FSL members are required to complete Prevent.Zone Hazing Prevention 101 course and the FSL add-on course. During our testing, we obtained the list of new incoming members for a sample of five FSL student organizations. We selected three new members for testing and found that none had completed the required training courses. To examine further this requirement, we then tested the complete list of new members for the five selected FSL organizations and noted that 27 (87%) of the 31 new FSL members had not completed the training as required.
- Executive members of each chapter are required to attend a Greek Council Leadership Retreat (also referred to as a Spring Leadership Retreat), which includes anti-hazing topics. However, management advised us that the attendance requirements were adjusted during the audit period only to require the attendance of the president or designee. This change was not documented, but we were able to confirm that either the president or designee of each Greek chapter attended the training.

- National Hazing Prevention Week is an annual educational program, which focuses attention on hazing prevention at numerous universities. During the audit period, FIU made two social media posts and hosted one event named 'Hazing Prevention: Breaking the Cycle' via Zoom. Although the social media post advertising the event stated 50 percent of each FSL organization's members are required to attend the event and the event was held over Zoom, management advised us that there was no attendance requirement due to COVID-19. We obtained the event's Attendee Report and were unable to determine each organization's attendance since attendees were not required to provide their organization affiliation.

Athletics

The Athletics department applies for an annual grant to access *myPlaybook: The Freshman Experience* training; a program designed for NCAA freshmen that includes a module dedicated to hazing prevention. We received inconsistent information as to which population of SA's were required to complete the training. Upon follow-up during our examination of this requirement, management further clarified that SAs did not complete the training during the audit period because the Athletics department did not apply for the grant due to COVID-19. The training requirement could have been satisfied by utilizing Prevent.Zone's Hazing Prevention 101 course and the corresponding Athletics course. Furthermore, incoming transfer SAs could benefit from completing the required training program.

Other University Departments

We inquired of the Marching Band, Housing and Residential Life, Wellness and Recreation, Campus Life, and various academic departments to determine if hazing prevention training opportunities were communicated to students. We noted these departments do not communicate the availability of or require hazing prevention training by the student organizations and groups associated with their departments. Although not a formal training, we noted that Wellness and Recreation provided the Sport Clubs Council members with the Prevent.Zone training link and instructions for reporting incidents.

Overall, the population of students who are required to complete hazing prevention training(s) is focused on incoming FSL members and incoming freshmen SAs. Other



Source: FIU's Fraternity and Sorority Life (@fiufsl) Instagram account.

student populations and student organizations and groups at-risk of hazing could benefit from completing hazing prevention training.

Employee Focused Training

Most student organizations and groups registered with a University department require the organization or group to secure an advisor who is a full-time faculty or staff member. Despite the importance of faculty and staff member roles, there is no hazing prevention training requirement for University employees.

Training for all student organization and group advisors, coaches, and personnel of departments with oversight would increase awareness of the University's anti-hazing policy and procedures, and would assist University personnel in recognizing, preventing, and reporting suspected hazing incidents.

Recommendations

The Division of Academic and Student Affairs should:	
4.1	Promote the availability of Prevent.Zone's Hazing Prevention training and encourage its completion by students.
4.2	Review and update anti-hazing training material to ensure it is accurate and consistent with FIU's anti-hazing policy and procedures.
4.3	<p>Create a consistent, ongoing, and comprehensive anti-hazing education plan that expands the population of students required to complete hazing prevention training. The plan could also include the following:</p> <ul style="list-style-type: none">• Requiring students to complete hazing prevention training prior to participating in a student organization or group.• Regularly assessing the education plan to address trends in student safety.• Incorporating various formats of hazing prevention training courses such as in-person and peer-to-peer training and discussions.• Monitoring completion of training requirements.
4.4	Consider implementing an anti-hazing training requirement for all student organization and group advisors, coaches, and personnel of departments with oversight.

Management Response/Action Plan

- 4.1 SHW Marketing has already started additional communication to students. Three examples: (1) in the September 2022 SHW Resource Guide, which is sent to all students, antihazing.fiu.edu and Prevent.Zone were promoted, (2) connected to #1, education was also posted to social media, and (3) the Prevent.Zone platform was added to the shw.fiu.edu "self-help online" page.

With the audit report as a guide, efforts will continue throughout the year with our new partners in this process (refer to recommendation 4.3 for additional examples).

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

- 4.2 All critical edits have already been made and noted as such within the audit report. Once the aforementioned procedures are finalized, we will further refine the training materials with Prevent.Zone and relevant partners.

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

- 4.3 This is something that was in progress prior to the start of this audit. In terms of the Prevent.Zone training, SHW received Tech Fee funding starting in 2022 to continue funding the platform. The University Registrar has already agreed to add the Prevent.Zone training to all student To Do Lists. However, we intentionally held the project back until this audit was completed. Now that we are aware of how all pieces would intersect, we support the original plan. However, the complexity of this project is related to the LTI integration required between Prevent.Zone and FIU Develop as well as the relevant data dashboard so that we can track completion rates.

As it relates to supplemental training, further assessment is required, but ideas that have been discussed include: (1) University-wide hazing prevention programming and education; not just FSL-focused (2) In-person follow-up training for high-risk student populations like FSL members (i.e., new member training) and student-athletes (i.e., My Freshman Playbook).

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

- 4.4 This is connected to recommendations 1.1 - 1.4 and 3.1 and would be included in the aforementioned plans.

Implementation date: October 1, 2023

Complexity rating: 4 – Exceptional

5. Anti-Hazing Website

FIU has a website dedicated to hazing and prevention (antihazing.fiu.edu). Among the information provided on the website is the criminal penalties for violation, the circumstances that do not constitute a defense, examples of hazing violations, a list of hazing prevention efforts, and background information from the National Study of Student Hazing.

Website Content

We conducted a review of the other SUS anti-hazing websites and found there is a wide variety of topics included on the websites (Table 4). While the content on FIU's website is comparable to that of the other SUS institutions, the website could be updated to include additional information to create a stand-alone resource for hazing information. At a minimum, the website should include a link to the applicable Florida Statute, incident reporting instructions, training courses, and frequently asked questions (FAQs).

Table 4 – SUS Anti-Hazing Website Matrix*											
Topic	FIU	FAMU	FAU	FGCU	FPU	FSU	UCF	UF	UNF	USF	UWF
Dedicated Website	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Link to State Statute		✓	✓			✓	✓	✓	✓	✓	✓
Link to BOG Regulation									✓		
Link to Anti-Hazing Policy	✓	✓				✓	✓	✓	✓	✓	✓
Background Information	✓						✓				
Define Hazing	✓	✓	✓	✓			✓	✓	✓	✓	✓
Define Charges	✓	✓									
Warning Signs		✓						✓			
Hazing Examples	✓	✓	✓					✓	✓		
Alternatives to Hazing								✓			
Reporting Instructions		✓		✓	✓		✓	✓	✓	✓	✓
Prevention Efforts	✓	✓									
Online Reporting Form	✓		✓	✓	✓	✓	✓	✓	✓		✓
Link to Training Courses				✓	✓	✓	✓	✓	✓	✓	✓
Knowledge Quiz		✓	✓			✓					
Community Oath			✓								
Additional Resources	✓	✓		✓		✓	✓	✓	✓	✓	✓
FAQs		✓		✓			✓				✓

* New College of Florida does not have an anti-hazing website and was excluded from the table above.

Accuracy of Information

We reviewed the website for accuracy and consistency with the Florida Statute, BOG Regulation, and FIU Regulation. We noted the description of when a person commits an act of hazing punishable as a third-degree felony or first-degree misdemeanor is not consistent with the description in the Florida Statute. The description on FIU's website omits that a person commits hazing when he or she "...solicits a person to commit, or is actively involved in the planning of any act of hazing" upon another person who is "a former member of" any type of student organization and the hazing results in "permanent injury."⁶

In addition, the website states the University has implemented eight preventative efforts directed at educating students regarding hazing. We requested documentation for each of the items listed and found that six (75%) of the efforts stated on the website are not in alignment with FIU's current practices, as noted below.

- **The Sorority and Fraternity Life website has a link to the FIU statement on hazing.**

We reviewed the FSL website and noted it includes the link without exception.

- **Order of Omega, in conjunction with Campus Life, plans a Hazing Prevention week annually.**

According to management and corroborated by our review of social media, we noted one event hosted and two social media posts were made during hazing prevention week. For additional information related to hazing prevention week, refer to Observation 4.

- **All student organization presidents must sign an understanding and agreement of the anti-hazing policy to become recognized by the University.**

This item resulted in an exception as noted in Observation 2.

- **Student Conduct and Academic Integrity conducts hazing prevention and sanctioned workshops for Greek organizations, FIU Athletics, and club sports. These workshops are tailored to the targeted audience.**

According to management, sanctioned workshops are performed by SCAI as needed. However, an exception was noted because general hazing prevention workshops were not completed as indicated.

⁶ Information in quotation marks was omitted from the description.

- **All hazing allegations against organizations and/or individuals are adjudicated by Student Conduct and Academic Integrity.**

This item resulted in an exception as noted in Observation 7.

- **The Department of Campus Life policies and the constitution of all Greek Councils clearly prohibit hazing and give rationale and resources.**

We reviewed the Campus Life policy and the constitutions of the four Greek Councils with a presence at FIU and found that while none of the documents provided anti-hazing rationale and resources, three (60%) of the five documents contained a section that defined and prohibited hazing.

- **All students who sign a bid to participate in a sorority or fraternity must sign a consent form, which includes the FIU Zero Tolerance Hazing Policy.**

This item resulted in an exception as noted in Observation 2.

- **Hazing prevention training is covered annually in the Spring Leadership retreat with the executive board of every sorority and fraternity.**

This item resulted in an exception as noted in Observation 4.

Recommendations

The Division of Academic and Student Affairs should:	
5.1	Consider updating the anti-hazing website to include additional information/facts so that it is a stand-alone resource for hazing information.
5.2	Review the website and ensure the information presented is accurate and consistent with the Florida Statute, BOG Regulation, and FIU's Regulation and procedures.

Management Response/Action Plan

- 5.1 Based on audit findings and examples from other SUS institutions, SHW Marketing is working on all recommendations to improve antihazing.fiu.edu.

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

- 5.2 Based on audit findings and examples from other SUS institutions, SHW Marketing is working on all recommendations to improve antihazing.fiu.edu.

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

6. Anti-Hazing Policy, Rules, and Penalties

We reviewed FIU's Regulation and noted that an anti-hazing policy that prohibits students or other persons associated with any student organization or group from engaging in hazing has been established as required by the State Statute and BOG Regulation (see page 8). Additionally, FIU's Regulation provides a program for the enforcement of the anti-hazing policy and states the circumstances that do not constitute a defense to allegations of hazing.

Although not explicitly required, including the following components within the FIU Regulation would further align it with the Florida Statute and BOG Regulation.

- Penalties imposed by the University are in addition to any penalty imposed for a violation of Statute, criminal laws of the state, and/or any other regulation of the University.
- Proceedings under FIU's Regulation may be carried out prior to, simultaneously with, or following civil or criminal proceedings.

Additionally, creating a comprehensive stand-alone anti-hazing resource would:

- create a primary source of information, which would include definitions, examples, rules, reporting, amnesty, investigations, adjudication, etc.,
- ensure clear and consistent anti-hazing information and requirements are communicated to the University community,
- simplify the inclusion of anti-hazing information in various FIU platforms and student organization and group bylaws, and
- provide an effective method of disseminating and training the University community (including faculty and staff) on hazing prevention information

Recommendations

Student Conduct and Academic Integrity should:	
6.1	Consider including additional key components from the Florida Statute and BOG Regulation in FIU's Regulation (anti-hazing policy).
6.2	Consider creating a stand-alone anti-hazing resource document.

Management Response/Action Plan

- 6.1 Revisions to FIU Regulation 2501 will be made by placing all relevant information in the same section instead of throughout the Code. However, this would require a Code revision, which requires a formal review and vote by the Board of Trustees. Since this audit report will not be presented until the December 2022 BOT meeting, a change to the Code would not occur until 2023.

Implementation date: October 1, 2023

Complexity rating: 4 - Exceptional

- 6.2 BOG Regulation 6.021 states that "Each university board of trustees shall establish an anti-hazing policy as part of the university's student code of conduct or as a separate regulation." As noted in the audit report, FIU is compliant with the BOG Regulation since all relevant hazing definitions and violations are noted within Regulation 2501. Assuming that all other recommendations noted within the audit report are met by referenced deadlines, we believe the updated antihazing.fiu.edu website would serve as this resource.

Implementation date: January 6, 2023

Complexity rating: 2 - Moderate

7. Incident Reporting Processes and Procedures

Various incident reporting avenues are available to students. Among the options are completing an Incident Reporting Form via FIU's website and reporting the incident directly to SCAI, OCRCA, FIU Police, or the Athletics department. Regardless of the reporting avenue, each incident should be forwarded to SCAI for investigation and adjudication.

Incidents Reported to SCAI

We obtained the list of 3,326 incident reports submitted to SCAI during the audit period. During the audit, we tested a total of 30 incident reports and noted they were timely addressed by SCAI.

Incidents Reported to Other Departments

FIU Police Department

We inquired of the FIU Police's process for hazing complaints. According to management, if a hazing complaint is received, they will first determine if the complaint is criminal. Once they determine a complaint is not criminal, the incident is immediately transferred to SCAI for investigation and adjudication. If a complaint is found to be criminal, the FIU Police will complete a joint investigation with SCAI. Management asserted that no hazing complaints were received during the audit period.

We obtained the FIU Police's Case Log for the audit period and selected 16 case reports for testing. None of the selected reports disclosed or reported incidents of hazing. Therefore, we were unable to verify the process described by management.

Athletics Department

Based on our review of the Student-Athlete Handbook, SAs are advised to report any observance of hazing or suspicious activity to the sport's administrator, the Senior Associate Athletic Director, or by completing an Incident Reporting Form via SCAI's website. Additionally, management stated that SAs may report a hazing activity upon answering a hazing related question in the Student-Athlete Experience Surveys and Exit Interviews that occur at the end of each sport's season. If an incident is reported directly to Athletics personnel, management stated they would immediately report the incident to SCAI for investigation.

We obtained the list of Student-Athlete Experience Surveys and Exit Interviews completed during the audit period and selected a total of 10 surveys and interviews for review. We found one (10%) survey reported that an unidentified softball SA either witnessed or experienced hazing. Upon inquiry, management informed us they had discussed an incident with a softball SA. Management determined the incident was not hazing related and did not report the incident to SCAI. However, there is no

documentation or determinable connectors to link the incident management discussed to the incident reported in the survey. Notwithstanding the reporter's anonymity and the discussion with the SA, the incident should have been reported to SCAI for further investigation as they have processes and procedures in place for anonymous reports.

Marching Band

Based on our review of the Marching Band Members Handbook and confirmed by management, there is no mention of the University's incident reporting process and no formal incident reporting or tracking process for the department. If an incident is reported directly to management, they would only refer the incident to SCAI or to the FIU Police based on the severity of the behavior versus following the University's incident reporting process. Our review of incident reports and discussions with management did not reveal any instances of hazing related to the Marching Band. Therefore, we were unable to verify the incident reporting process described by management.

Partnerships between SCAI and management of at-risk student organizations and groups would assist with the dissemination of anti-hazing information and ensure all suspected hazing incidents are reported to SCAI for further investigation.

Recommendation

Student Conduct and Academic Integrity should:	
7.1	Regularly communicate with management to ensure all suspected conduct violations are reported to SCAI for investigation.

Management Response/Action Plan

7.1 With the consolidated reporting page (report.fiu.edu) and the aforementioned communication plans, we believe this has been and will continue to be addressed. However, in addition, the President, Provost and Senior Vice President of Human Resources will ensure that an annual notification be sent specifically to all student organization advisors and relevant staff (inclusive of Academic Deans, Athletics and Band).

As required by BOG Regulation, the University must submit the Annual Hazing Incidents Report to BOG by October 1st of each year. This year's report was already submitted; it was prepared by the Director of SCAI and reviewed by the Associate Vice President of SHW, Vice President of Student Affairs, Provost, and the Associate General Counsel.

Additionally, the University President receives a monthly report from SCAI related to cases involving charges for drug distribution and/or sales (Section 5(i)(2)), endangerment (Section 5(j)), hazing (Section 5(p)), stalking (Section 5(y)), and weapons (Section 5(dd)).

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

8. Incident Investigation and Adjudication Processes and Procedures

Florida Statute and BOG Regulation state each anti-hazing policy must:

Provide a program for the enforcement of such rules and must adopt appropriate penalties for violations of such rules, to be administered by the person at the institution responsible for the sanctioning of such organizations.

FIU's Regulation includes information related to jurisdiction, investigation, and pre-adjudication procedures, resolution options, hearing procedures, sanctions, and appeals as required. Furthermore, FIU's Regulation specifies:

Authority for student discipline and the student conduct system rests with the University President. Although the University President holds the ultimate authority for Student discipline, this authority is delegated to the Senior Vice President for Academic & Student Affairs, who is responsible for implementing the student disciplinary system. The Senior Vice President for Academic & Student Affairs delegates authority for the execution and implementation of the Code to the SCAI Director.

As noted in Observation 1 on page 10, SCAI does not have departmental procedures for these processes. To complete our review, we relied on the processes documented in FIU's Regulation and discussions with management.

From the list of 3,326 incident reports received by SCAI, we selected 20 reports where the reporting party did not list "hazing" as the nature of the report. We then determined if the case included a hazing component that was properly identified and adjudicated by SCAI. We found that 17 (85%) of the selected incidents did not involve hazing and three (15%) of the selected incidents involved suspected incidents of hazing, which SCAI properly identified as hazing.

In addition, we requested documentation for all suspected hazing incidents investigated by SCAI and all incident reports where the reporting party selected "hazing" as the nature of the report during the audit period. This resulted in a population of 13 incident reports, inclusive of the three suspected hazing reports mentioned in the preceding paragraph. The 13 incident reports were merged into five student organization and group cases and eight individual student cases. Our review resulted in the following exceptions:

- Five incident reports were still open in Maxient although fact-finding had been completed and/or an investigation would not be pursued. The dates of the incident reports ranged between February 2021 and October 2021.
- For one case, there was a 33-business day period between the removal of the interim suspension and educational discussion with the student organization and the case being marked as closed in Maxient.

- In four cases, the period between the date of the Summary Resolution and the issuance of the written decision exceeded the 14 business days timeframe required by the FIU Regulation. The delays ranged between 15 and 24 business days.
- In three cases, the time between the completion of imposed sanctions and the case closure in Maxient ranged between 37 and 159 business days.
- E-mail documentation provided by management noted the need to have follow-up discussions and meetings with FIU departments and student organizations and groups. However, the discussions and meetings were either not completed or there was no evidence the meeting occurred.
- In one case that resulted in sanctions for a student organization, we noted that three of seven sanctions had not been completed and two of the outstanding sanctions were past the assigned due dates. The due dates ranged between July 2021 and May 2022.
- One case was improperly marked as “closed” in Maxient even though one sanction is pending completion.

Recommendations

Student Conduct and Academic Integrity should:	
8.1	Timely open and close incident reports and cases.
8.2	Send written decisions to respondents within 14 business days from the date of the Summary Resolution, as required by the FIU Regulation.
8.3	Complete follow-up discussions and meetings with FIU departments and student organizations and groups.
8.4	Monitor the completion of sanctions and ensure case statuses are accurately reflected in Maxient.

Management Response/Action Plan

- 8.1 This is connected to recommendation 1.6; during SCAI's weekly triage, a portion of the meeting will be devoted to verifying administrative actions for cases have been completed. Additionally, staff members will be encouraged to block a two-hour time period each week for case management and document uploading and renaming. SCAI is also actively working to fill vacancies, which will also help to address timeliness of case management.

Implementation date: April 30, 2023

Complexity rating: 3 - Complex

- 8.2 This is connected to Recommendation 1.6; during SCAI's weekly triage, a portion of the meeting will be devoted to verifying administrative actions for cases have been completed. Additionally, staff members will be encouraged to block a two-hour time period each week for case management and document uploading and renaming.

However, during the audit it was uncovered that some of the delay in responses related to multi-party cases. The process for such cases is not clearly delineated in FIU Regulation 2501, and would therefore require a Code revision (i.e., formal review and vote by the BOT). Since this audit report will not be presented until the December 2022 BOT meeting, a change to the Code would not occur until 2023.

Implementation date: April 30, 2023

Complexity rating: 3 - Complex

- 8.3 This is connected to recommendation 1.5 and 1.6; during SCAI's weekly triage, a portion of the meeting will be devoted to verifying administrative actions for cases have been completed. Additionally, staff members will be encouraged to block a two-hour time period each week for case management, including working to ensure follow-up with campus partners. SCAI is also actively working to fill vacancies, which will also help to address timeliness of case management.

Implementation date: November 1, 2022

Complexity rating: 1 - Routine

- 8.4 This is connected to Recommendation 1.6; staff training will take place annually in November and December. Given the current staffing structure (i.e., temporary staff and vacancies), training will need to be continuous throughout 2023. Additionally, during SCAI's weekly triage, a portion of the meeting will be devoted to verifying administrative actions for cases have been completed. Additionally, staff members will be encouraged to block a two-hour time period each week for case management, including working to ensure follow-up with campus partners. SCAI is also actively



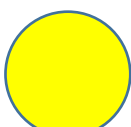



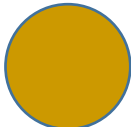
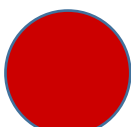

working to fill vacancies, which will also help to address timeliness of case management.

To address these unique challenges, SCAI will benchmark with other SUS institutions to determine how they manage situations when an individual on suspension/probation graduates but then returns to pursue another degree. If the sanctions will be extended to their time pursuing a new degree, we will develop a process to track these students to ensure that their sanctions are reapplied when they re-enroll.

Implementation date: April 30, 2023

Complexity rating: 3 - Complex

APPENDIX I – COMPLEXITY RATINGS LEGEND

Legend: Estimated Time of Completion		Legend: Complexity of Corrective Action	
	Estimated completion date of less than 30 days.		Routine: Corrective action is believed to be uncomplicated, requiring modest adjustment to a process or practice.
	Estimated completion date between 30 to 90 days.		Moderate: Corrective action is believed to be more than routine. Actions involved are more than normal and might involve the development of policies and procedures.
	Estimated completion date between 91 to 180 days.		Complex: Corrective action is believed to be intricate. The solution might require an involved, complicated, and interconnected process stretching across multiple units and/or functions; may necessitate building new infrastructures or materially modifying existing ones.
	Estimated completion date between 181 to 360 days.		
	Estimated completion date of more than 360 days.		Exceptional: Corrective action is believed to be complex, as well as having extraordinary budgetary and operational challenges.

*The first rating symbol reflects the initial assessment based on the implementation date reported by Management, while the second rating symbol reflects the current assessment based on existing conditions and auditor's judgment.

APPENDIX II – OIA CONTACT AND STAFF ACKNOWLEDGMENT:

OIA contact:

Joan Lieuw 305-348-2107 or jlieuw@fiu.edu

Contributors to the report:

In addition to the contact named above, the following staff contributed to this audit in the designated roles:

Leslie-Anne Triana (auditor in-charge);
Vivian Gonzalez (supervisor and reviewer); and
Stephanie Price (independent reviewer).

Definition of Internal Auditing

Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organization's operations. It helps an organization accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.