

**Voluntary Resolution Agreement  
Harford Community College  
OCR Complaint #03142295**

To resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), Harford Community College (the College) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the College, nor does it constitute a determination by OCR of any violation of our regulations by the College.

The College affirms that, consistent with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulation at 34 C.F.R. Part 106, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in any interscholastic athletics and shall not provide any such athletics separately on such basis. In assessing compliance with this agreement, OCR will compare the availability, quality and kinds of benefits, opportunities, and treatment afforded to the College's male and female athletes in the identified program components to determine whether they are equivalent. Under this equivalency standard, identical benefits, opportunities, or treatment are not required as long as the effects of any differences are negligible. If a comparison of the benefits, opportunities and treatment afforded to males and females in the identified program components indicates that benefits, opportunities, or treatment are not equivalent, the College could still be in compliance with Title IX if the differences are shown to be the result of nondiscriminatory factors, such as the unique aspects of particular sports or athletic activities.

**I. COMMITMENTS**

**Athletic Program Component Areas**

**1. Equipment and Supplies**

- a. The College agrees to provide female and male student athletes equivalent benefits and opportunities with respect to equipment and supplies.
- b. By January 31, 2015, the College will complete an assessment of its provision of equipment and supplies, including uniforms and other apparel for athletes and coaches, sport-specific equipment, and general equipment provided to the men's and women's athletic teams. The assessment will consider, at a minimum:
  - i. A team-by-team list indicating which equipment, supplies, uniform items, and other apparel are provided by the College and which are provided by the student athlete;
  - ii. The quality and suitability of the equipment and supplies provided;
  - iii. Maintenance and replacement equipment and supplies;
  - iv. The number and availability of equipment and supplies, including any special equipment or supplies required by a particular sport.
- c. By January 31, 2015, if the College determines that the equipment and supplies

being provided to female and male student athletes are not comparable with respect to the above-noted factors or equivalent in terms of access thereto, the College will develop and, once approved by OCR, implement a plan to ensure that it provides equipment and supplies in an equivalent manner to male and female student athletes. If the College determines that the equipment and supplies currently provided to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which it is based.

## **2. Scheduling of Games and Practice Time**

- a. The College agrees to provide equivalent treatment, benefits, and opportunities to female and male student athletes with respect to the scheduling of games and practice time.
- b. By January 31, 2015, the College will complete an assessment of its competitive events and practice schedules to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The assessment will consider, at a minimum, whether the College's women's intercollegiate athletic teams are provided with comparable opportunities as provided to the men's intercollegiate athletic teams in the number of competitive events per sport, number and length of practice opportunities, time of day competitive events are scheduled, time of day practice opportunities are scheduled, and opportunities to engage in available pre-season and post-season competition.
- c. By January 31, 2015, if the College determines that the men's and the women's athletic teams are not receiving comparable scheduling for competitive events and/or practice times, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the competitive events and/or practice times currently provided to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which it is based.

## **3. Travel and Per Diem Allowance**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to travel and per diem allowances.
- b. By January 31, 2015, the College will complete an assessment of the provision of travel and per diem allowances to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The assessment will include, at a minimum:
  - i. A review of the modes or methods of transportation used by each team for each competition, such as institutionally owned, privately owned, or commercial vehicles. Specify the type of transportation used, e.g., car, van, bus, or plane.
  - ii. The per diem allowance for athletes, by team.

- iii. For each team, the size of the travel squad and the names and positions of additional personnel (including student assistants) who travel with the team to away games.
  - iv. For each home and away competition, information on whether the team spent any nights before or after the competition in a hotel.
- c. By January 31, 2015, if the College determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to travel and per diem allowances, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the travel and per diem allowances currently provided to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which it is based.

#### **4. Availability, Assignment, and Compensation of Tutors**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to the availability, assignment, and compensation of tutors.
- b. By January 31, 2015, if the College provides academic tutors for athletes, the College will conduct an assessment of the availability, assignment, and compensation of tutors, to ensure that female and male student athletes are provided with equivalent benefits and opportunities in this area. The assessment will include, at a minimum:
  - i. rates of pay;
  - ii. a description of the tutoring sessions, e.g., whether they are class or individual sessions;
  - iii. a summary of the tutors' qualifications and experience; and
  - iv. a description of the tutors' availability for athletes.
- c. By January 31, 2015, if the College determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to academic tutors, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the academic tutors currently provided to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which it is based.

#### **5. Assignment, and Compensation of Coaches**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to the availability, assignment, and compensation

of coaches.

- b. By January 31, 2015, the College will complete an assessment of the assignment, availability, and compensation of coaches<sup>1</sup> to ensure the equivalent assignment, availability, and compensation of coaches for the women's and men's athletic programs. The assessment will also include, at a minimum:
  - i. A list of the members of any athletic department hiring committees who were actively engaged in hiring and/or recruitment during the 2012-2013 and 2013-2014 school years;
  - ii. A review of all coaching assignments, with the following information regarding the assignments:
    1. head coach and/or assistant coach;
    2. graduate or student assistant;
    3. full-time or part time as coach, and indicate percentage of full-time;
    4. length of contract or appointment;
    5. type of contract or appointment;
    6. other non-coaching duties at the institution and indicate the percentage of time;
    7. a summary of each coach's background and qualifications; and
    8. salary, stipend, or hourly compensation for coaching.
- c. By January 31, 2015, if the College determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to coaching, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the coaching currently provided to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which it is based.

## **6. Locker Rooms, Practice, and Competitive Facilities**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to access to locker rooms, practice fields and facilities, and competitive fields and facilities.

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<sup>1</sup> OCR does not enforce the Equal Pay Act; therefore, the terms of this agreement are limited to a review of compensation practices to determine whether student athletes are receiving equivalent quality and quantity of coaching under OCR's interpretation and application of the Title IX regulations at 34 CFR § 106.41(c)(6).

- b. By January 31, 2015, the College will complete a comprehensive assessment of the locker rooms, practice fields and facilities, and competitive fields and facilities, assigned to the men's and women's athletic teams to ensure the equivalent provision of locker rooms and practice and competitive facilities. The assessment will include, at a minimum:
  - i. A list of all locker rooms, practice fields and facilities, and competitive fields and facilities, including proximity of locker rooms to the practice and competitive facilities, quality of each facility (e.g., excellent, adequate, poor), amenities for each locker room (showers, laundry service, available trainers, accommodations for visiting teams), exclusive use of locker rooms, amenities for each practice and competitive field (concession facilities, public address systems, electronic scoreboards, special lighting on the fields, seating and housing at each field, maintenance of each facility, preparation of each practice and competitive field), the age of each facility, whether it is on or off-campus, and whether certain teams or programs have exclusive use of the facility, including a schedule showing when facilities are used for practice and competition and how long the locker rooms are assigned for use by each team;
  - ii. A copy of a campus map, which shows the locations of all the facilities.
- c. By January 31, 2015, if the College determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to locker rooms, practice fields and facilities, and competitive fields and facilities, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the locker rooms and fields and facilities currently assigned to the women's and men's athletic programs are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **7. Medical and Training Facilities and Services**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to medical and training facilities and services, including weight training and conditioning equipment.
- b. By January 31, 2015, the College will complete an assessment of the medical and training facilities and services for its athletics programs to ensure the equivalent provision of medical and training facilities and services to the men's and women's athletic programs. The assessment will include, at a minimum:
  - i. A review of the availability of medical personnel and assistance, a review of health, accident and injury insurance coverage, and a review of the availability and qualifications of athletic trainers;
  - ii. A review of each weight, training, and conditioning facility available to student athletes, the teams by sex that use the facility, the schedule of use, the location of the facility, and the name and type of equipment in each facility; and
  - iii. A copy of a campus map, which locates all of the facilities.

- c. By January 31, 2015, if the College determines that the access to medical and training facilities and services currently provided to the men's and women's athletics programs is not comparable, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that access to such medical and training facilities and services is comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **8. Housing and Dining Services**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to housing and dining services.
- b. By January 31, 2015, the College will complete an assessment of housing and dining services to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The assessment will include, at a minimum:
  - i. A description of any special housing or dining arrangements, including any training tables, for specific teams or student athletes;
  - ii. A list of any special housing or dining facilities for student athletes, including their location, capacity, and teams by sex using the facilities.
- c. By January 31, 2015, if the College determines that the housing and dining services currently provided to the men's and women's athletics programs are not comparable, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that the housing and dining services are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **9. Publicity**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to publicity.
- b. By January 31, 2015, the College will complete an assessment of publicity services to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The assessment will include, at a minimum:
  - i. A review of all publications and promotional materials of the athletic department available to the general public and/or distributed to students, staff, and alumni, including press releases, press guides, recruitment brochures, schedule cards, samples of game programs, and similar publications and/or promotional materials for each men's and women's team.
  - ii. A review of the types of publicity or promotional services the institution makes available to the men's and women's athletic programs.

- iii. The experience and qualifications of sports information personnel and the teams to which each person is assigned.
- iv. The dates that media guides are made available and distributed to the public for each team.
- c. By January 31, 2015, if the College determines that the publicity currently provided to the men's and women's athletics programs is not comparable, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that access to publicity is comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **10. Support Services**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to support services.
- b. By January 31, 2015, the College will complete an assessment of support services to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The assessment will also include, at a minimum:
  - i. A review of organizational charts that show the lines of authority for all persons involved in athletics.
  - ii. A review of the supervisory, administrative and clerical support personnel assigned to each organizational unit.
  - iii. A review of the office assignments for coaching staff.
  - iv. For each organizational unit in the athletic department, including teams, list the names of all personnel assigned to that unit and their titles.
  - v. A list of fund-raising activities in which student athletes or coaches participate.
- c. By January 31, 2015, if the College determines that the support services currently provided to the men's and women's athletics programs are not comparable, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that access to support services is comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **11. Recruitment**

- a. The College agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to recruitment.
- b. By January 31, 2015, the College will complete an assessment of recruitment to ensure that female and male student athletes are provided with equivalent benefits

and services in this area. The assessment will include, at a minimum:

- i. For each team, a review of the geographic area of recruitment, the names of personnel who recruit, the number of full-time or part-time recruiters, and a list of recruitment trips made by each person. Provide the methods of recruitment used by each person. Indicate the approximate percent of time each person spent on recruiting in relation to all of their job duties.
  - ii. List the number of prospective student athletes who visited campus, and the number of prospective student athletes who had their trip to the campus subsidized in any way by the College.
  - iii. Describe the benefits each prospective student athlete received on their visit. For example, indicate how many student athletes received meal vouchers in the dining hall; how many received accommodations in student housing; or how many received individual and/or parent meals, hotel stays, or had travel paid for.
- c. By January 31, 2015, if the College determines that the benefits and opportunities currently provided to men's and women's athletics programs with respect to recruitment are not comparable, the College will develop and, once approved by OCR, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the College determines that benefits and opportunities in this area are comparable, the College will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## II. MONITORING PROVISIONS

1. Athletic Program Component Areas. The College agrees that, by February 15, 2015, it will provide OCR with a report on the assessments related to the provision of athletic benefits and services for male and female student athletes, as required in each of the subsections above. The report will include: a description of the process followed in each area of assessment; a list of the individuals involved in the assessment process; a description of non-documentary information considered; a copy of any documents relied upon in the process; the results of the assessment; and a description of any plans to ensure that the College provides equal athletic opportunity, including timeframes for any necessary changes resulting from the assessment.
2. Implementation. Once approved by OCR, the College will implement the plans developed as a result of its assessment within 30 days. The College will provide OCR with reports by June 30, 2015 and December 31, 2015, on its progress in implementing the changes. If additional actions are needed during the 2015-2016 academic year to implement changes needed to ensure compliance with any of the above provisions, the College will provide OCR with a report by June 15, 2016, containing information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of athletic benefits and services.

The College agrees to comply with the terms of this Agreement until OCR has released it from monitoring. OCR will not close the monitoring until it determines that the College has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX, at 34 C.F.R. § 106.41, which was at issue in this complaint.

