

**Voluntary Resolution Agreement
Chambersburg Area School District
OCR Complaint #03191345**

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and the Chambersburg Area School District (the District) enter into this Agreement to resolve the above-referenced complaint in order to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex by recipients of Federal financial assistance. The District, as a recipient of Federal financial assistance, is subject to the requirements of Title IX and its implementing regulations.

The District affirms that, consistent with the Title IX implementing regulation at 34 C.F.R. 106.41(a), 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 that it shall not provide any such athletics separately on such basis. The District assures OCR that it will take the following actions to comply with Title IX and its implementing regulations, and specifically, the following provisions of the Title IX regulations which are at issue in this complaint: 34 C.F.R. §106.31; 34 C.F.R. §§ 106.41(a); (c)(4), (c)(7), (c)(8) and (c)(9).

Prior to the completion of OCR's investigation of the complaint, the District agreed to resolve the allegations of the complaint pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the allegations of this complaint, the District agrees to take the following actions. In entering into this Agreement, OCR acknowledges that it has not made a finding that the District failed to adhere to, abide by, or in any other way failed to observe the statutes and/or regulations that OCR enforces. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

Action Step 1: Medical and Training Facilities and Services

1. The District commits that the females in its athletic programs at the Chambersburg Area High School (the School), as a whole, will receive and have equivalent access to medical and training facilities and services, including weight training and conditioning equipment, comparable to that provided to males in the athletics program, as a whole.
2. By January 31, 2021, the District will complete a fair and comprehensive assessment of the medical and training facilities and services for the girls' and boys' athletic programs at the School, including benefits and opportunities provided through booster clubs and other outside sources. The assessment will include the following factors:

- a. 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; and
 - b. 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.
3. By March 31, 2021, if the District determines that the boys' and the girls' athletic teams are not receiving comparable benefits and opportunities with respect to medical and training facilities and services, the District will develop and, once approved by OCR consistent with the provisions outlined in this Agreement, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the District determines that the medical and training facilities and services currently assigned to the girls' and boys' athletic programs are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

Reporting Requirements:

1. The District agrees that, by March 31, 2021, it will provide OCR with a report on the assessment related to the provision of medical and training facilities and services, as required in Action Step 1, above. The report will include: a description of the process followed in the assessment, including the methodology used to ensure that the findings accurately reflect program benefits and opportunities provided through booster clubs and other outside funding; 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 District provides equal athletic opportunity in the provision of medical and training facilities and services, including timeframes for any necessary changes resulting from the assessment. OCR agrees to complete its review of the monitoring assessment and notify the District of its conclusions or to give feedback within 75 days of receipt of the District's March 2021 monitoring report.
2. Implementation. The District will implement the plans developed as a result of its assessment within 30 days of OCR's approval. The District will provide OCR with reports by October 31, 2021 and March 31, 2022, on its progress in implementing the changes. If additional actions are needed during the 2021-22 academic year to implement changes needed to ensure compliance with any of the above provisions, the District will provide OCR with a report by September

30, 2022, containing information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of medical and training facilities and services.

Action Step 2: Locker Rooms, Practice and Competitive Facilities

1. The District commits that the girls' athletic programs at the School, as a whole, will receive and have equivalent access to locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, comparable to that provided to the boys' athletics program, as a whole.
2. By January 31, 2021, the District will complete a fair and comprehensive assessment of the locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, assigned to the boys' and girls' athletic programs at the School, including benefits and opportunities provided through booster clubs and other outside sources. The assessment will include:
 - a. a list of all locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, including proximity of locker rooms to the practice and competitive facilities;
 - b. quality of each locker room, field and/or facility (e.g., excellent, adequate, poor);
 - c. amenities for each locker room (e.g., showers, laundry service, accommodations for visiting teams);
 - d. exclusive use of locker rooms, including information as to how long the locker rooms are assigned for use by each team;
 - e. amenities for each practice and competitive field and/or facility (e.g., concession facilities, public address systems, electronic scoreboards, special lighting on the fields, seating and housing at each field, maintenance and preparation of each practice and competitive field and/or facility);
 - f. the age of each practice and competitive field and/or facility;
 - g. whether each practice and competitive field and/or facility is on or off-campus; and
 - h. whether certain teams or programs have exclusive use of the field and/or 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.

3. By March 31, 2021, if the District determines that the boys' and the girls' athletic teams are not receiving comparable benefits and opportunities with respect to locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, the District will develop and, once approved by OCR consistent with the provisions outlined in this Agreement, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the District determines that the locker rooms, practice fields and/or facilities, and competitive fields and/or facilities currently assigned to the girls' and boys' athletic programs are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

Reporting Requirements:

1. The District agrees that, by March 31, 2021, it will provide OCR with a report on the assessment related to the provision of locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, as required in Action Step 2, above. The report will include: a description of the process followed in the assessment, including the methodology used to ensure that the findings accurately reflect program benefits and opportunities provided through booster clubs and other outside funding; 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 District provides equal athletic opportunity in the provision of locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, including timeframes for any necessary changes resulting from the assessment. OCR agrees to complete its review of the monitoring assessment and notify the District of its conclusions or to give feedback within 75 days of receipt of the District's March 2021 monitoring report.
2. Implementation. The District will implement the plans developed as a result of its assessment within 30 days of OCR's approval. The District will provide OCR with reports by October 31, 2021 and March 31, 2022, on its progress in implementing the changes. If additional actions are needed during the 2021-22 academic year to implement changes needed to ensure compliance with any of the above provisions, the District will provide OCR with a report by September 30, 2022, containing information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of locker rooms, practice fields and/or facilities, and competitive fields and/or facilities.

Action Step 3: Housing and Dining Facilities and Services

1. The District commits that the girls' athletic programs at the School, as a whole, will receive and have equivalent access to housing and dining facilities and services, comparable to that provided to the boys' athletics program, as a whole.
2. By January 31, 2021, the District will complete a fair and comprehensive assessment of the housing and dining facilities and services, assigned to the boys' and girls' athletic programs at the School, including benefits and opportunities provided through booster clubs and other outside sources. The assessment will include the following factors:
 - i. A description of any special housing or dining arrangements, including any housing or dining provided by booster clubs, for specific teams or student athletes;
 - j. A list of any special housing or dining facilities for student athletes, including their location, capacity, and teams by sex using the facilities.
3. By March 31, 2021, if the District determines that the boys' and the girls' athletic teams are not receiving comparable benefits and opportunities with respect to housing and dining facilities and services, the District will develop and, once approved by OCR consistent with the provisions outlined in this Agreement, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the District determines that the housing and dining facilities and services currently assigned to the women's and men's athletic programs are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

Reporting Requirements:

1. The District agrees that, by March 31, 2021, it will provide OCR with a report on the assessment related to the provision of housing and dining facilities and services, as required in Action Step 3, above. The report will include: a description of the process followed in the assessment, including the methodology used to ensure that the findings accurately reflect program benefits and opportunities provided through booster clubs and other outside funding; 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 District provides equal athletic opportunity in the provision of housing and dining facilities and services, including timeframes for any necessary

changes resulting from the assessment. OCR agrees to complete its review of the monitoring assessment and notify the District of its conclusions or to give feedback within 75 days of receipt of the District's March 2021 monitoring report.

2. Implementation. The District will implement the plans developed as a result of its assessment within 30 days of OCR's approval. The District will provide OCR with reports by October 31, 2021 and March 31, 2022, on its progress in implementing the changes. If additional actions are needed during the 2021-22 academic year to implement changes needed to ensure compliance with any of the above provisions, the District will provide OCR with a report by September 30, 2022, containing information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of housing and dining facilities and services.

Action Step 4: Travel and Per Diem Allowance

1. The District commits that the girls' athletic programs at the School, as a whole, will receive and have equivalent travel and per diem allowance, comparable to that provided to the boys' athletics program, as a whole.
2. By January 31, 2021, the District will complete a fair and comprehensive assessment of the travel and per diem allowances provided to the boys' and girls' athletic programs at the School, including benefits and opportunities provided through booster clubs and other outside sources. The assessment will include the following factors:
 - a. 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, District-owned bus, Charter bus, or plane.
 - b. The per diem allowance for athletes, by team.
 - c. 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.
 - d. For each home and away competition, information on whether the team spent any nights before or after the competition in a hotel.
3. By March 31, 2021, if the District determines that the boys' and the girls' athletic teams are not receiving comparable benefits and opportunities with respect to travel and per diem allowances, the District will develop and, once approved by

OCR consistent with the provisions outlined in this Agreement, implement a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. If the District determines that the travel and per diem allowances currently assigned to the women's and men's athletic programs are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

Reporting Requirements:

1. The District agrees that, by March 31, 2021, it will provide OCR with a report on the assessment related to the provision of travel and per diem allowances, as required in Action Step 4, above. The report will include: a description of the process followed in the assessment, including the methodology used to ensure that the findings accurately reflect program benefits and opportunities provided through booster clubs and other outside funding; 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 District provides equal athletic opportunity in the provision of travel and per diem allowance, including timeframes for any necessary changes resulting from the assessment. OCR agrees to complete its review of the monitoring assessment and notify the District of its conclusions or to give feedback within 75 days of receipt of the District's March 2021 monitoring report.
2. Implementation. The District will implement the plans developed as a result of its assessment within 30 days of OCR's approval. The District will provide OCR with reports by October 31, 2021 and March 31, 2022, on its progress in implementing the changes. If additional actions are needed during the 2021-22 academic year to implement changes needed to ensure compliance with any of the above provisions, the District will provide OCR with a report by September 30, 2022, containing information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of travel and per diem allowances.

Action Step 5: Athletic Program Funding

The District recognizes its responsibility under Title IX to ensure that equivalent benefits and services are provided to members of both sexes in its athletics programs, regardless of the funding source(s) for these benefits and services and additionally, benefits and services provided through the use of private funds and contributions, including booster club funding, funds raised through concession stand sales, donations,

and in-kind contributions, in combination with all other benefits and services, are relevant in satisfying this obligation.

1. Where private funds and contributions provide benefits or services that assist only teams of one sex, the District agrees to ensure that teams of the other sex receive equivalent benefits and services. If private funds and contributions provide benefits and services to athletes of one sex that are greater than what the District is capable of providing to athletes of the other sex, then the District agrees to take action to ensure that benefits and services are equivalent for both sexes.
2. By March 31, 2021, the District will develop a comprehensive policy to regulate outside funding and contributions, including booster club funding, funds raised through concession stand sales, donations, and in-kind contributions, flowing into the athletics programs at all schools in the District. This policy will provide a process for the District to monitor the amounts raised through outside funding and contributions, including booster club funding, funds raised through concession stand sales, donations, and in-kind contributions, with regard to any of the components outlined at 34 C.F.R. § 106.41(c). This policy will establish procedures for receiving and managing funding and contributions from outside sources, such as individual booster clubs, to include guidelines for fundraising, the means of fund distribution, and any restrictions on either fundraising or fund distribution. Where the District determines that outside funding and/or contributions provide greater benefits for one sex, this policy will also provide a process for the District to ensure that the other sex receives equivalent benefits through District funds, the redistribution of outside funding and/or contributions, and/or other methods.

Reporting Requirements:

1. The District agrees that, by March 31, 2021, it will provide to OCR a draft policy for review and approval, along with a plan for implementing the policy. OCR agrees to complete its review of the draft policy and plan for implementing the policy and notify the District of its conclusions or give feedback within 75 days of receipt of the District's March 2021 monitoring report.
2. Implementation. The District will implement the policy and plan for implementing the policy within 30 days of OCR's approval. The District will provide OCR with reports by October 31, 2021 and March 31, 2022, on its progress in implementing the policy and plan. If additional actions are needed during the 2021-22 academic year to implement changes needed to ensure compliance with any of the above provisions, the District will provide OCR with a report by September 30, 2022, containing information that demonstrates that it is in

