

Voluntary Resolution Agreement
University of Maryland, Baltimore County
OCR Complaints #03192117 & #03192126

The U.S. Department of Education, Office for Civil Rights (OCR), received complaints against University of Maryland, Baltimore County (the University), pursuant to Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulation, at 34 C.F.R. §106.41, which prohibits discrimination based on sex by recipients of Federal financial assistance and specifically, the implementing regulations at 34 C.F.R. §§ 106.31(a); 106.41(a) and (c). The University, as a recipient of Federal financial assistance, is subject to the requirements of Title IX.

Prior to the completion of OCR's investigations in these complaints, the University agreed to resolve the issues of these investigations pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of these investigations, the University agrees to take the following actions. In entering into this Agreement, OCR acknowledges that it has not made a finding that the University failed to adhere to, abide by, or in any other way failed to observe the statutes and/or regulations that OCR enforces.

Action Step 1: Locker Rooms, Practice and Competitive Facilities

1. The University commits that the women in its athletic programs at the University, 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 men's athletics program, as a whole.
2. By February 28, 2020, the University will complete a fair and comprehensive evaluation and comparison of the locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, assigned to the men's and women's athletic programs at the University. The evaluation will include the following factors: quality and availability of the fields and/or facilities provided for practice and competitive events; exclusivity of use of facilities provided for practice and/or competitive events; availability of locker rooms; quality of locker rooms; maintenance of practice and competitive fields and/or facilities; and preparation of fields and/or facilities for practice and competitive events.
3. If the University determines that the men's and women's athletic programs are not receiving comparable locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, the University will correct the inequities of such locker rooms, fields and/or facilities to make them equivalent. If the University determines that the locker rooms, fields and/or facilities currently assigned to the men's and women's athletic programs are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based, as reflected in the Reporting Requirements, below.

Reporting Requirements:

1. By May 29, 2020, the University will provide OCR with its written report of its evaluation concerning the School's locker rooms, practice and competitive facilities. This report will

include a description of the process used in conducting the evaluations, the information, including appropriate documentation, considered, and the conclusions reached, pursuant to Action Step 1, above.

2. By May 29, 2020, if the University determines that the men's and women's teams are not receiving comparable locker rooms, practice and competitive facilities, the University will provide OCR with a finalized copy of the plan(s) developed to correct the inequities identified in the evaluations, and by October 30, 2020, and April 30, 2021, will provide OCR with reports concerning the status of the implementation of the plan(s).

Action Step 2: Publicity

1. The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to publicity consistent with the requirements of Title IX at 34 C.F.R. § 106.41(c)(10).
2. By February 28, 2020, the University 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:
 - a. 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.
 - b. A review of the types of publicity or promotional services the institution makes available to the men's and women's athletic programs.
 - c. The experience and qualifications of sports information personnel and the teams to which each person is assigned.
 - d. The dates that media guides are made available and distributed to the public for each team.

Reporting Requirement:

By May 29, 2020, if the University determines that the publicity currently provided to the men's and women's athletics programs is not comparable, the University 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 University determines that access to publicity is comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

Action Step 3: Scheduling of Softball Umpires

The University agrees to provide benefits and opportunities to the women's softball team in a manner that is equivalent to the men's baseball team and, specifically, agrees to schedule umpires for women's softball team competitions in a manner that is equivalent to men's baseball team competitions, consistent with the requirements of Title IX at 34 C.F.R. §§ 106.31(a) and 106.41(a). The University commits to having a third-party schedule umpires for the women's softball team in an equivalent manner in which it schedules umpires for the men's baseball team. The University also commits to verify that umpires have been scheduled for women's softball team competitions in an equivalent manner in which it verifies that umpires have been scheduled for men's baseball team competitions.

Reporting Requirement:

By July 24, 2020, after the conclusion of the 2020 softball and baseball seasons, the University shall provide OCR with the 2020 schedule of competition for the women's softball team and the men's baseball team, along with a description next to each home competition for softball and baseball as to whether umpires were present and if not, an explanation as to the reason(s) why umpires were present. The University shall provide this information for each pre-season, regular season and post-season game for the 2020 softball and baseball seasons, as applicable.

The University understands that by signing the Resolution Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Resolution Agreement. Further, the University understands that during the monitoring of the Resolution Agreement, if necessary, OCR may visit the University, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms and obligations of the Resolution Agreement.

Upon the University's satisfaction of the commitments made under the Agreement, OCR will close the cases.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

August 19, 2019

President or Designee
University of Maryland, Baltimore County

Date