

**Voluntary Resolution Agreement  
Towson University  
OCR Complaint No. 03-20-2033**

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and Towson University (the University) enter into this Agreement to resolve Allegations 1.a-1.e of 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 University, as a recipient of Federal financial assistance, is subject to the requirements of Title IX and its implementing regulations.

The University 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 interscholastic athletics and that it shall not provide such athletics separately on such basis. The University 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), (c)(5), (c)(6), (c)(7), (c)(8) and (c)(10).

Prior to the completion of OCR's investigation of the complaint, the University agreed to resolve Allegations 1.a through 1.e of the complaint pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve Allegations 1.a through 1.e of this complaint, 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. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the University.

**ITEM 1: Assignment and Compensation of Coaches**

**A. ACTION STEPS**

1. By May 31, 2022, the University will complete an assessment of the assignment, availability, and compensation of coaches to ensure the equivalent assignment, availability, and compensation of coaches for the female and male student athletes. The assessment will include:
  - a. A list of all University staff who were actively engaged in hiring and/or recruitment of coaches at the University during the 2019-2020 and 2020-2021 school years;
  - b. A review of all coaching assignments, with the following information regarding the assignments:
    - i. Head coach and/or assistant coach;
    - ii. Graduate or student assistant;
    - iii. Full-time or part time as coach, and indicate percentage of full-time;
    - iv. Length of contract or appointment;

- v. Type of contract or appointment;
- vi. Other non-coaching duties at the institution and indicate the percentage of time;
- vii. A summary of each coach's background and qualifications; and,
- viii. Salary, stipend, or hourly compensation for coaching.

## **B. REPORTING REQUIREMENTS**

By June 30, 2022, if the University determines that female and male athletes at the University are not receiving comparable benefits and opportunities with respect to coaching, the University will develop and provide to OCR, for its review and approval, a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The University will implement the plan once it has been approved by OCR. If the University determines that the coaching currently provided to female and male athletes are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

## **ITEM 2: Locker Room, Practice and Competitive Facilities**

### **A. ACTION STEPS**

1. By May 31, 2022, the University will complete an assessment of all practice and competitive facilities and locker rooms assigned to each male and female athletic team. The assessment must include an evaluation of the following: quality and availability of the facilities provided for practice and competitive events; exclusivity of use of facilities provided to male and female teams for practice and competitive events; availability of locker rooms; quality of locker rooms; maintenance of practice and competitive facilities; and preparation of facilities for practice and competitive events. The assessment will include:
  - a. Identification of all locker rooms, practice and competitive facilities, including their proximity to each other and to coaches' offices;
  - b. Quality of each facility including, but not limited to, the quality of playing surfaces, field drainage and field lighting;
  - c. Amenities for each locker room (seating, showers, laundry service, space available for trainers) and accommodations for visiting teams;
  - d. Amenities for each practice and competitive field (concession facilities, public address systems, electronic scoreboards, special lighting on the field of play, wiring for television/online streaming coverage, seating, and housing at each field);
  - e. Maintenance of each locker room, practice, and competitive facility;
  - f. Preparation of each practice and competitive facility for events;
  - g. The age of each locker room, practice, and competitive facility;
  - h. Whether each locker room, practice, and competitive facility is on or off campus; and
  - i. The availability of each locker room, practice and competitive facility, including

whether certain teams or programs have exclusive use of the facility, and a schedule indicating when facilities are used for practices and competitions and how long the locker rooms are assigned for use by each team.

## **B. REPORTING REQUIREMENTS**

By June 30, 2022, if the University determines that female and male athletes at the University are not receiving comparable locker rooms, practice and competitive facilities, the University will develop and provide to OCR, for its review and approval, a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The University will implement the plan once it has been approved by OCR. If the University determines that the locker rooms, practice and competitive facilities currently provided to female and male athletes are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

### **ITEM 3: Medical and Training Facilities and Services**

#### **A. ACTION STEPS**

1. By May 31, 2022, the University will complete an assessment of the medical and training services and facilities it provides to each of its male and female athletic teams. This assessment will include:
  - 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;
  - 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; and
  - c. A copy of a campus map, which locates all of the facilities.

#### **B. REPORTING REQUIREMENTS**

By June 30, 2022, if the University determines that female and male athletes at the University are not receiving comparable medical and training facilities and services, the University will develop and provide to OCR, for its review and approval, a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The University will implement the plan once it has been approved by OCR. If the University determines that the medical and training facilities and services currently provided to female and male athletes are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

#### **ITEM 4: Publicity**

##### **A. ACTION STEPS**

1. By May 31, 2022, 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. This assessment will include:
  - 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 athletic team.
  - b. A review of the types of publicity or promotional services the University makes available to the female and male athletes.
  - 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.

##### **B. REPORTING REQUIREMENTS**

By June 30, 2022, if the University determines that female and male athletes at the University are not receiving comparable publicity, the University will develop and provide to OCR, for its review and approval, a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The University will implement the plan once it has been approved by OCR. If the University determines that the publicity currently provided to female and male athletes are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

#### **ITEM 5: Support Services**

##### **A. ACTION STEPS**

1. By May 31, 2022, the University 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 include:
  - a. A review of organizational charts that show the lines of authority for all persons involved in athletics.
  - b. A review of the supervisory, administrative and clerical support personnel assigned to each organizational unit.
  - c. A review of the office assignments for coaching staff.
  - d. For each organizational unit in the athletic department, including teams, list the names of all personnel assigned to that unit and their titles.
  - e. A list of fund-raising activities in which student athletes or coaches participate.

## **B. REPORTING REQUIREMENTS**

By June 30, 2022, if the University determines that the support services currently provided to the male and female athletic teams are not comparable, the University will develop and provide to OCR, for its review and approval, a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area. The University will implement the plan once it has been approved by OCR. If the University determines that access to support services is comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

The University understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the University understands that during the monitoring of the 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 University has fulfilled the terms and obligations of the Agreement. Upon the recipient's satisfaction of the commitments made under the Agreement, OCR will close the case.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the University representative below.

/s/

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President or Designee  
Towson University

01/07/22

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Date