

Resolution Agreement
University of Maryland, Baltimore County
OCR Docket Number 03-21-2061

The U.S. Department Education, Office for Civil Rights (OCR), enters into this Voluntary Resolution Agreement (Agreement) with the University of Maryland, Baltimore County (the University), to resolve the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the University.

The University assures OCR that it will take the following actions to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation, at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin, and Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex.

Prior to the completion of OCR's investigation, the University agreed to resolve the issues presented in this complaint pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues under investigation, the University agrees to take the actions outlined below.

I. Programs Administered by the University

- A. By August 30, 2022, the University will conduct a review of the following programs to determine whether they contain restrictions based on race or sex:
 - 1) Returning Women Students;
 - 2) Center for Women in Technology;
 - 3) Women of Color Collective.
- B. By September 30, 2022, the University will provide OCR, for review and approval, a list of its determinations regarding each of the programs referred to in Action Step I.A. For each program, the University determines does not contain a restriction based on race or sex, the University will provide OCR with an explanation and supporting documentation of its conclusion.
- C. Within 90 days of OCR's approval of the determinations reached pursuant to Action Step I.B., the University will take one of the following steps for each program determined to contain a restriction based on race or sex:
 - 1. The University will ensure that the program is made coeducational, change the name to eliminate any suggestion that it is for a single sex or race, and ensure that all communications related to the program effectively communicate that the program is coeducational (these communications will include the name of the program, the design and content of the website, and the promotion of and recruitment for the program); or

2. The University will ensure that the program is made coeducational and that it may maintain its name, provided that the University can develop and implement strategies to effectively communicate to the applicable University community and the public as applicable that the program, notwithstanding the name, is open to all students and participants regardless of race or sex (these communications will include the design and content of the website, and the promotion of and recruitment for the program); or
3. The University will cease to offer the program.

Reporting Requirement:

1. By September 30, 2022, the University will provide OCR with the results of its review, and any required supporting documentation of its determinations, in accordance with Action Steps I.A. and I.B.
2. Within 90 days of OCR's approval of the determinations reached pursuant to Action Step I.B., the University will submit a report to OCR stating whether it opted to implement Action Steps I.C.(1) or I.C.(2) and include documentation demonstrating that the University has met the requirements of Action Steps I.C.(1) or I.C.(2) as appropriate. Specifically:
 - a) If proceeding under Action Step I.C.(1), the University will provide a report of all steps taken by the University to make the program coeducational, including documentation showing the program has been made coeducational, its name has been changed to eliminate any suggestion that it is for a single sex or race, and that all communications related to the program effectively communicates that the program is coeducational.
 - b) If proceeding under Action Step I.C.(2), the University will provide a strategic plan or other materials which demonstrate how it will effectively communicate to the University community and the public that the program is coeducational despite its name. In addition, by December 1, 2022, and for the 2022-2023 and 2023-2024 academic years, the University will collect the following information and submit to OCR:
 - i. A list of all individuals who applied for participation in the program by name or unique identifier, race and sex;
 - ii. an indication whether they were permitted to participate; and
 - iii. for those individuals who applied but were not permitted to participate, the reason(s) for not allowing the participation.
 - c) If proceeding with Action Step I.C.(3), the University will provide documentation showing that it has ceased to offer the program.

II. Scholarships Administered by the University

- A. By August 30, 2022, the University will conduct a review of the following scholarships administered by the University to determine whether (1) they contain restrictions or preferences based on sex; and if so (2) whether the scholarship was established pursuant

to a domestic or foreign will, trust, bequest, or similar legal instrument or by an act of a foreign government:

- a) Charlotte W. Newcombe Scholarship;
 - b) Jodi Mister/Newcombe Scholarship;
 - c) Bryson-Neville Scholarship;
 - d) Rosalie Tydings Scholarship;
- B. By September 30, 2022, the University will provide OCR, for review and approval, a list of its determinations regarding each of the scholarships referred to in Action Step II.A. For each scholarship the University determines does not contain a restriction or preference based on sex, and for each scholarship the University determines was established pursuant to a domestic or foreign will, trust, bequest, or similar legal instrument or by an act of a foreign government, the University will provide OCR with an explanation and supporting determination of its conclusion.
- C. Within 90 days of OCR's approval of the determinations reached pursuant to Action Step II.B., the University will take one of the following steps for each scholarship determined to contain a restriction or preference based on sex:
- 1) The University will cease to offer the scholarships; or
 - 2) The University will remove the sex restriction or preference from the scholarships and will take the steps necessary to communicate effectively that the scholarship is offered without regard to sex; or
 - 3) The University will continue to offer the scholarship with the restriction or preference based on sex, but will develop and use procedures that ensure the nondiscriminatory awarding of assistance, including: (a) students must be selected for award of financial assistance on the basis of nondiscriminatory criteria and not on the basis of availability of funds restricted to members of a particular sex; (b) an appropriate restricted scholarship, fellowship, or other form of financial assistance must be allocated to each student selected; and (c) no student shall be denied the award of financial assistance for which he or she was selected because of the absence of a scholarship, fellowship, or other form of financial assistance designated for a member of that student's sex.

Reporting Requirements:

- A. By August 31, 2022, the University will provide OCR with the results of its review, and any required supporting documentation of its determinations, in accordance with Action Steps II.A. and II.B.
- B. Within 90 days of OCR's approval of the determinations reached pursuant to Action Step II.B., for each scholarship determined to contain a restriction on the basis of sex, the University will submit a report to OCR stating whether it opted to implement Action Steps II.C.(1), II.C.(2), or II.C.(3) and include documentation demonstrating that the

University has met the requirements of Action Steps II.C.(1), II.C.(2), or II.C.(3) as appropriate. Specifically:

- a) If proceeding with Action Step II.C.(1), the University will provide documentation showing that it has ceased to offer the scholarship.
- b) If proceeding under Action Step II.C.(2), the University will provide a report of all steps taken by the University to make remove the restriction or preference based on race, national origin, or sex, including documentation showing the scholarship no longer contains a restriction or preference based on sex, its names has been changed to eliminate any suggestion that it is for students of a particular sex, and that all communication related to the program effectively communicates that the scholarship does not contain a restriction or preference based on sex.
- c) If proceeding under Action Step II.C.(3), the University will provide, for OCR's review and approval, the procedures developed to satisfy the requirements of Action Step II.C.(3). In addition, by December 1, 2022, for the 2022-2023 and December 1, 2023, for the 2023-2024 academic years, the University will collect the following information and submit to OCR:
 - i. A list of all individuals who applied for participation in the program by name or unique identifier and sex;
 - ii. an indication whether they were permitted to participate; and
 - iii. for those individuals who applied but were not permitted to participate, the reason(s) for not allowing the participation.

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 University has fulfilled the terms and obligations of the resolution agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100 and Title IX and its implementing regulation at 34 C.F.R. Part 106, with respect to the matters that were at issue in this case. Upon the University's satisfaction of the terms and obligations of the resolution agreement and OCR's determination that the University is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100 and Title IX and its implementing regulation at 34 C.F.R. Part 106, with respect to the matters that were at issue in this case, OCR will close the case.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution 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's President or designated representative, below.

/s/

President or designee
University of Maryland, Baltimore County

July 1, 2022
Date