

**Resolution Agreement**  
**Fayetteville State University**  
**OCR Complaints Numbers 11-14-2234 through 11-14-2239**

Fayetteville State University (the University) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case Nos. 11-14-2234 through 11-14-2239. This Agreement does not constitute an admission by the University of a violation of Title IX of the Education Amendments of 1972 (Title IX) or any other law enforced by OCR. The University agrees to take the following steps and provide the following information.

**SECTION 1: STUDENT INTERESTS AND ABILITIES (I&A)**

**I. Part 1: DEMONSTRATION OF CURRENT COMPLIANCE**

The University agrees to provide participation opportunities in its intercollegiate athletics program for female and male students that equally and effectively accommodate the athletic interests and abilities of members of both sexes, consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(1), and applicable OCR policies. Accordingly, by June 1, 2018, the University will demonstrate compliance with the Three-Part Test used by OCR to assess whether the interests and abilities of members of both sexes are being effectively accommodated to the extent necessary to provide an equal opportunity to participate in intercollegiate athletics by documenting that the interests and abilities of students who are members of the underrepresented sex have been fully and effectively accommodated by the University's current intercollegiate athletics program (Part 3 of the "Three-Part Test").

Each part of the Three-Part Test is an equally sufficient and separate method of complying with the Title IX regulatory requirement to provide nondiscriminatory athletic participation opportunities. The University has elected to demonstrate compliance by meeting Part 3 but continues to have the option to choose the part of the Three-Part Test with which it will comply.

A. **Commitment:** To show accommodation of student interests and abilities, the University will conduct an objective assessment to determine the athletic interests and abilities of the underrepresented sex and whether the University is fully and effectively accommodating the athletic interests and abilities of members of the underrepresented sex. The assessment will be based on multiple indicators of interest and multiple indicators of ability, including:

1. Results of recent surveys of students or other information collected from students using a method that is designed to fully and accurately assess unmet athletic interests and abilities in intercollegiate sports among members of the underrepresented sex;
2. Identification of sports, squads, and levels of sports for members of the underrepresented sex that are not currently offered by the University that are offered by schools that compete within the athletic conferences in which the University

competes and by schools that are within the University's normal competitive region;

3. Review of any requests (whether oral or written, formal or informal) made to University administrators, coaches, or staff by or on behalf of current students who are members of the underrepresented sex to add a particular sport, squad, or level of sport, or to elevate an existing club or intramural sport to intercollegiate sport status. This review may be limited to requests that were received during the previous three complete academic years;
  4. Assessments made by University coaches or staff during tryouts, or observations of students participating in club or intramural competition, and other information reflecting the ability of students who are members of the underrepresented sex to compete in a particular sport, prior participation in that sport or a similar sport at the high school level or intramural or club level, general athletic ability, participation in other University intercollegiate sports, the nature of the particular sport, and other relevant factors;
  5. Participation in interscholastic sports by students and participation rates in sports in high schools, amateur athletic associations, and community sports leagues that operate in areas from which the University draws its students; and
  6. Any other information that demonstrates the athletic interests and abilities of the University's students who are members of the underrepresented sex.
  7. Where interest and ability in an intercollegiate sport not currently offered by the University is identified, the assessment will also consider whether there is a reasonable expectation of intercollegiate competition in the University's normal competitive region in that sport.
- B. **Reporting:** The University will provide OCR with a detailed report by **June 1, 2016**, about the assessment conducted pursuant to this section of this Agreement. The report will include, at a minimum, the following information:
1. Copies of any surveys administered under this section and the results of those surveys, including but not limited to a complete description of the methodology used to conduct the survey, including how the survey was distributed, the number of surveys distributed and the number of responses, any follow-up to the initial distribution of the survey, the names and contact information for the individual(s) who evaluated the responses to the surveys and a copy of any notes or other documents compiled during the review of the surveys;
  2. A summary of sports and squads for members of the underrepresented sex that are not currently offered by the University that are offered by schools that compete within the athletic conferences in which the University competes and by schools that are within the University's normal competitive region;

3. Rates of participation by members of the underrepresented sex in club and intramural sports at the University;
4. Rates of participation by members of the underrepresented sex in interscholastic sports that operate in the geographic areas from which the University draws its enrollment;
5. Copies of any written requests and summaries of any non-written requests made by or on behalf of students who are members of the underrepresented sex to add a particular sport or squad, or to elevate an existing club or intramural sport to intercollegiate sport status;
6. Summaries of any assessments made during tryouts, or observations of students participating in club or intramural competition, and other information reflecting the ability of students who are members of the underrepresented sex to compete in a particular sport, prior participation in that sport or a similar sport at the high school level or intramural or club level, general athletic ability, participation in other University intercollegiate sports, the nature of the particular sport, and other relevant factors; and
7. Any other information that was considered by the University as part of its assessment in determining whether it is fully and effectively accommodating the athletic interests and abilities of members of the underrepresented sex.

## **II. Part 2: ACTIONS TO INCREASE ATHLETIC OPPORTUNITIES**

- A. **Commitment:** By **June 1, 2016**, if the University is unable to demonstrate compliance pursuant to the I&A section of this Agreement (Section I), the University will submit to OCR for review and approval its detailed plan with timeframes to effectively accommodate the interests and abilities of the underrepresented sex to the extent necessary to provide equal opportunity in its intercollegiate athletics program by the 2017-2018 academic year, including the steps noted below. In addition, the plan will include a description of interim steps that will be taken by the University during the 2016-2017 and 2017-2018 academic years to increase intercollegiate athletic participation opportunities for women. The University will begin implementation of the plan approved by OCR within 30 days of OCR's approval.
  1. **Sports currently offered:** The University will institute a squad size policy providing for increased participation opportunities for students who are members of the underrepresented sex to the maximum extent feasible consistent with the nature of each sport and the level of interest in each sport while still ensuring that meaningful intercollegiate athletic participation opportunities are being provided for all team members.

2. Sports not currently offered: The University will determine whether there is a sufficient number of students at the University who are members of the underrepresented sex with the interest and ability to support the addition of a team in sports not currently offered by the University as intercollegiate sports and sufficient competition in those sports within the University's normal competitive region. If so, the University will add a team in those sports and will hire a coaching staff, recruit student athletes and provide sufficient resources to the coaching staff during the 2016-2017 academic year to ensure that each team begins competition no later than the 2017-2018 academic year, consistent with the above determination.
3. Response to developing interests and abilities: For any sport that is not currently offered by the University in which there is a sufficient number of students who are members of the underrepresented sex who have the interest and ability to support a team in that sport, but where the University determines that there is not sufficient competition in that sport within the University's normal competitive region, the University will take ongoing steps to address such interest and ability. Steps may include establishment of intramural or club sports, exploring the establishment of competition in the University's normal competitive region, and elevating such sports to intercollegiate status when competition becomes available.
4. Elimination of athletic teams: OCR has made clear to the University that OCR does not require or encourage the elimination of any University intercollegiate athletic teams and that it seeks action from the University that does not involve the elimination of athletic opportunities, because nothing in Title IX or the Three-Part Test requires an institution to cut teams or reduce opportunities for students who are participating in intercollegiate athletics in order to comply with the provisions of Title IX relating to the effective accommodation of the interests and abilities of male and female students. OCR has also made clear to the University that Title IX provides institutions with flexibility and choice regarding how they will provide nondiscriminatory participation opportunities.
5. Additional intercollegiate opportunities: To the extent that the University adds any sports, the University will provide those team(s), in a manner comparable to other intercollegiate teams, with sufficient funds in its budget to cover expenses including, but not limited to: coaches, recruiting, equipment and supplies, travel, publicity and support services.

## **B. Reporting**

1. By **June 1, 2016**, the University will provide OCR a report that includes information and supporting documentation demonstrating its plan will effectively accommodate the interests and abilities of members of both sexes. The plan will include a description of interim steps that will be taken by the University during the 2016-2017 and 2017-2018 academic years to increase intercollegiate athletic participation opportunities for women.
2. By **June 1, 2017 and June 1, 2018**, the University will provide OCR status reports

regarding its implementation of its plan to effectively accommodate the interests and abilities of members of both sexes including as applicable, information demonstrating that a coaching staff has been hired for any new teams being added by the University, an update on the University's progress in recruiting student athletes for the added teams and a copy of the detailed budget provided to the teams to ensure they are able to begin competition during the 2016-2017 year. The status reports will also include documentation regarding the interim steps taken by the University to increase intercollegiate athletic participation opportunities for women during the 2016-2017 and 2017-2018 academic years

3. By **June 1, 2016**, and by the same date annually thereafter, the University will provide OCR a report that includes information demonstrating that its intercollegiate athletics program will equally effectively accommodate the athletic interests and abilities of its female students by the 2017-2018 academic year.

## **SECTION 2: ATHLETIC PROGRAM COMPONENT AREAS**

### **I. Part 3: COMMITMENTS**

#### **A. Equipment and Supplies**

The University agrees to provide female and male student athletes equivalent benefits and opportunities with respect to equipment and supplies consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(2), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:
  - a. A team-by-team list indicating which equipment, supplies, uniforms, and other apparel items are provided by the University and which of these items are provided by the student athlete, a donor, or some other source;
  - b. The quality and suitability of the equipment and supplies provided;
  - c. Maintenance and replacement equipment and supplies; and
  - d. The number and availability of equipment and supplies, including any special equipment or supplies required by a particular sport.
2. By **June 1, 2016**, if the University 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 University will

develop and, once approved by OCR, implement a plan to ensure that by June 1, 2017 it provides equipment and supplies in an equivalent manner to male and female student athletes. If the University determines that the equipment and supplies currently provided to the women's and men's athletic programs are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which that determination is based.

#### B. Scheduling of Games and Practice Time

The University agrees to provide equivalent treatment, benefits, and opportunities to female and male student athletes with respect to the scheduling of games and practice times consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(3), and applicable OCR policies.

1. By **June 1, 2016**, the University 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 University'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.
2. By **June 1, 2016**, if the University determines that the men's and the women's athletic teams are not receiving comparable scheduling for competitive events and/or practice times, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2018 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that the competitive events and/or practice times currently provided to the women's and men's athletic programs are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which that determination is based.

#### C. Travel and Per Diem Allowance

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to travel and per diem allowances consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(4), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:

- 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; the type of transportation used, e.g., car, van, bus, or plane; and the policies and procedures for making these determinations;
  - 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; and
  - d. for each home and away competition, information regarding whether the team spent any nights before or after the competition in a hotel and the distance traveled.
2. By **June 1, 2016**, if the University 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 University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2017 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that the travel and per diem allowances currently provided to the women's and men's athletic programs are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which that determination is based.

#### D. Availability, Assignment, and Compensation of Tutors

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to the availability, assignment, and compensation of tutors consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(5) and (6), and applicable OCR policies.

1. By **June 1, 2016**, if the University provides academic tutors for athletes, the University 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:
  - a. rates of pay;
  - b. a description of the tutoring sessions, e.g., whether they are class or individual sessions;
  - c. a summary of the tutors' qualifications and experience; and

- d. a description of the tutors' availability for athletes.
2. By **June 1, 2016**, if the University determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to academic tutors, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2017 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that the academic tutors currently provided to the women's and men'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.

E. Availability Assignment, and Compensation of Coaches

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to the availability, assignment, and compensation of coaches consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(5) and (6), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:
  - a. A list of the members of any athletic department hiring committees who were actively engaged in hiring and/or recruitment during the 2013-2014 and 2014-2015 school years; and
  - b. 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 **June 1, 2016**, if the University determines that the men's and the women's athletic teams are not receiving comparable benefits and opportunities with respect to coaching, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2018 female and male student athletes

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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).

are provided with equivalent benefits and services in this area. If the University determines that the coaching currently provided to the women's and men's athletic programs is comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation upon which that determination is based.

#### F. Locker Rooms, Practice, and Competitive Facilities

The University 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 consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(7), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:
  - a. A list of all locker rooms, practice fields and facilities, and competitive fields and facilities, including:
    - (1) proximity of locker rooms to the practice and competitive facilities;
    - (2) quality of each facility (e.g., excellent, adequate, poor);
    - (3) amenities for each locker room (e.g., showers, laundry service, available trainers, accommodations for visiting teams);
    - (4) exclusive use of locker rooms;
    - (5) amenities for each practice and competitive field and facility (e.g., concession facilities, weight rooms, public address systems, electronic scoreboards, special lighting on the fields, internet connections, seating and housing at each field or facility, maintenance of each field or facility, preparation of each practice and competitive field);
    - (6) the age of each facility;
    - (7) whether it is on or off-campus;
    - (8) whether certain teams or programs have exclusive use of the facility;
    - (9) schedules showing when facilities are used for practice and competition; and
    - (10) how long the locker rooms are assigned for use by each team; and
  - b. A copy of a campus map, which shows the locations of all the facilities.
2. By **June 1, 2016**, if the University 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 University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2018 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that the locker rooms and fields and facilities currently assigned to the women's and men's athletic

programs are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which that determination is based.

#### G. Medical and Training Facilities and Services

The University 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 consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(8), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:
  - 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.
2. By **June 1, 2016**, if the University 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 University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2018 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that access to such medical and training facilities and services is comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which that determination is based.

#### H. Housing and Dining Services

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to housing and dining services consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(9), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:

- a. A description of any housing or dining arrangements, including any dining tables or residences, for specific teams or student athletes; and
  - b. A list of any housing or dining facilities for student athletes, including their location, capacity, and teams by sex using the facilities.
2. By **June 1, 2016**, if the University determines that the housing and dining services currently provided to the men's and women's athletics programs are not comparable, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2017 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that the housing and dining services are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which that determination is based.

#### I. Publicity

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, the Title IX implementing regulation at 34 C.F.R. § 106.41(c)(10), and applicable OCR policies.

1. By **June 1, 2016**, 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; and
  - d. The dates that media guides are made available and distributed to the public for each team.
2. By **June 1, 2016**, 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 by June 1, 2017 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 that determination is based.

#### J. Support Services

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to support services consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c), and applicable OCR policies.

1. By **June 1, 2016**, 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 also include, at a minimum:
  - 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; and
  - e. A list of fund-raising activities in which student athletes or coaches participate.
2. By **June 1, 2016**, if the University determines that the support services currently provided to the men's and women's athletics programs are not comparable, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2018 female and male student athletes are provided with equivalent benefits and services in this area. 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 that determination is based.

#### K. Recruitment

The University agrees to provide equivalent benefits and opportunities to female and male student athletes with respect to recruitment consistent with the requirements of Title IX, the Title IX implementing regulation at 34 C.F.R. § 106.41(c), and applicable OCR policies.

1. By **June 1, 2016**, the University 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:
  - a. 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;
  - b. 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 University; and
  - c. 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.
2. By **June 1, 2016**, if the University determines that the benefits and opportunities currently provided to men's and women's athletics programs with respect to recruitment are not comparable, the University will develop and, once approved by OCR, implement a plan to ensure that by June 1, 2017 female and male student athletes are provided with equivalent benefits and services in this area. If the University determines that benefits and opportunities in this area are comparable, the University will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which that determination is based.

## **II. Part 4: MONITORING PROVISIONS**

- A. **Athletic Program Component Areas:** The University agrees that, by **June 1, 2016**, it will provide for OCR's review and approval 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; a detailed analysis of each factor required by each subsection above; the results of the assessment; and detailed plans to ensure that the University provides equal athletic opportunity, including timeframes for any necessary changes resulting from the assessment and identification of personnel responsible for implementing the plans.
- B. **Implementation:** Once approved by OCR, the University will implement the plans developed as a result of its assessment within 30 days. The University will provide OCR

with reports by June 1, 2017, and June 1, 2018, on its progress in implementing the changes. If additional actions are needed during the 2016-2017 academic year to implement changes needed to ensure compliance with any of the above provisions, the University will provide OCR with a report by June 1, 2018, containing information that demonstrates that the University is in compliance with the requirements of Title IX with regard to the equivalent provision of athletic benefits and services.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University 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 case.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the University understands that during the monitoring of this 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 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 case.

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 a minimum of sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/S/\_\_\_\_\_  
Chancellor James A. Anderson

\_\_6/24/2015\_\_\_\_\_  
Date