



January 27, 2023

From: The Title IX Steering Committee for Compliance in Athletics

To: Members of the Trinity College Community

On November 4, 2021, President Joanne Berger-Sweeney announced to the community that Trinity had initiated a compliance audit of the College's athletic program through a law firm that was charged with assessing the program for gender equity and compliance with Title IX. This report details the key findings and recommendations resulting from the audit, as well as the College's plans to address identified shortcomings, with the goal of ensuring equitable participation opportunities for all student-athletes.

The Title IX Steering Committee members are Assistant Vice President for Diversity, Equity, and Inclusion and Compliance Pamela Whitley (chair); Vice President for Diversity, Equity, and Inclusion Anita Davis; Vice President for Student Success and Enrollment Joe DiChristina; Director of Athletics Drew Galbraith; and Associate Director for Athletics, Compliance and Student-Athlete Welfare Director Kristen Noone. The committee was advised by General Counsel and Secretary of the College Dickens Mathieu.

The Audit

In January 2022, the College engaged Education & Sports Law Group (ESLG) to conduct a gender equity audit of our athletic program. Over the course of that year, ESLG conducted an extensive examination of the 12 components of Title IX compliance that apply to Trinity as an NCAA Division III school. The audit included, among other facets, physical assessment of Trinity's athletic facilities; examination of operations, policies, procedures, customs, and practices; and numerous interviews with several athletic teams, coaches, parents, and administrators. Upon completion of the audit in late 2022, ESLG delivered a report of their findings and recommendations to the College's general counsel, who shared this information with the Title IX Steering Committee.

After thoroughly reviewing ESLG's findings and recommendations, the steering committee forwarded an initial action plan to President Joanne Berger-Sweeney at the end of the fall semester. Since then, the College has continued to move the review process forward, through meetings with a number of athletic teams, coaches, and trustee committees.

Findings and Recommendations

Based on their extensive evaluation of Trinity's athletic program, the attorneys from ESLG identified four areas of the program to which the College must devote significant time and resources to address the concerns detailed in the report. The following is a summary of these four areas.

1. Enhancing the facilities of the Softball Field and Robin L. Sheppard Field

Softball Field

For comparison, ESLG evaluated the Softball Field facility using the Murren Family Field at DiBenedetto Stadium, which is used primarily by the baseball team. They identified three particular areas of inequity and recommended associated actions.

- **Lack of lighting.** The lack of significant outdoor lighting at the Softball Field limits practice hours, which affects academic scheduling and general field usage and raises safety concerns. By comparison, the baseball facility has six light towers that provide sufficient lighting, allowing more flexibility and usage, including time earlier in the spring and later into the evenings.
- **Field quality.** The natural grass field for softball is more prone to irrigation challenges, which affects the team's ability to schedule practices and leads to issues with academic scheduling. Occasionally, standing water seeps into the dugout, where the student-athletes also store equipment. By comparison, the baseball field has synthetic turf over a free-draining stone base with underdrains, natural clay pitching areas, and no apparent drainage issues.
- **Limited seating, press box, and sound system.** The Softball Field has limited and poorly placed seating with insufficient sight lines to the field and obstructed views due to the dugout. There is a limited seating area for spectators behind home plate. The Softball Field does not have a press box or a sound system. By comparison, the baseball field has a press box, a sound system, and a permanent grandstand between the dugouts.

Action steps: The College plans to renovate the Softball Field in phases. The completion of work is dependent on the speed of zoning approvals by the city, final costs, and the pace of fundraising. For the upcoming 2023 season, a temporary grandstand with expanded seating capacity and a sound system will be in place. Phase one most likely will involve putting in a synthetic surface by spring 2024; the design work already has begun. In phase two, the goal is to complete the installation of outdoor lighting, permanent stands, and a press box by spring 2025.

Robin L. Sheppard Field

ESLG evaluated the Sheppard Field facility, which is used by the field hockey and women's lacrosse teams, in comparison with Jessee/Miller Field (JM), which is used by the football, men's lacrosse, and women's and men's track and field teams. They identified two particular areas of inequity and recommended associated actions.

- **Functional amenities.** Sheppard Field has no press box, video scoreboard, or permanent restrooms. By contrast, JM Field has a new and fully functional press box with appropriate technology, video scoreboard, and access to nearby restrooms.

- **Spectator seating.** Currently, the seating at Sheppard Field needs to be elevated for better viewing and we need to add additional seating towards the middle of the field. By comparison, JM Field has stadium seating which allows for full views of the field and includes some seats with chairbacks.

Action steps: The College will address Sheppard Field in phases. The completion of work is dependent on the speed of zoning approvals, final costs, and the pace of fundraising. After a feasibility study, the College already has ordered a press box (estimated five to six months for delivery) to be positioned on the Broad Street side of the field. Also, the College is reviewing final costs and plans to order stands—with a proportional number of seats with chairbacks—with a goal of completing the stands by fall 2023. For the second phase, an assessment of how best to consider options regarding the video scoreboard and restrooms will begin immediately.

2. Gender equity in participation

In accordance with Title IX, Trinity must offer intercollegiate participation opportunities for female and male students in numbers substantially proportionate to their respective full-time undergraduate enrollment. During the 2021–22 academic year, Trinity’s female-male student ratio and female-male student-athlete ratio were approximately 9 percent from true proportionality, with roughly 130 more males than females participating on varsity teams.

Action steps: To achieve compliance with the specified ratio, we will work carefully to balance the reduction in the number of male student-athletes by fall 2025. Additional options to address any remaining difference in true proportionality include, but are not limited to, analysis of sport offerings for both genders and the possibility of additional women’s sports.

3. Compensation

The report identified concerns regarding inequities in salaries and benefits for the coaching staff of mirrored sports.

Action steps: The new compensation rubric developed by Human Resources will create greater structure and standardization of compensation practices. Effective spring 2023, the Department of Athletics will partner with Human Resources to review all coach salaries and benefits to ensure equity moving forward.

4. Provision of equitable support services and office spaces

While the current space in Ferris Athletic Center is at capacity, planning for an expansion of Ferris is underway. This expansion is an opportunity to ensure equity in assignment of offices and shared spaces.

Action steps: In advance of the start of construction, ESLG will review schematic plans for the Ferris renovation and expansion to ensure that we are allocating space equitably. Fundraising for this expansion is underway and is a priority within the College’s comprehensive capital campaign, which is in its “leadership” phase.

The remainder of this report addresses eight components of the Title IX audit that require, by comparison, considerably fewer resources or less time for the College to maintain and/or improve equity, as noted in the table below. Although ESLG identified many areas where

compliance was not an issue in the athletic program (e.g., scheduling of games and practice times, among others), the facets listed below focus on identifying needed improvements and the plans to address deficiencies in those areas.

Title IX Component	Action Steps
Recruitment of student-athletes	<ul style="list-style-type: none"> Review roster sizes, team plans, and expected roster size for the next recruitment cycle. Work with admissions, sports administrators, and each head coach to implement limits or restrictions where needed.
Provision of equipment and supplies	<ul style="list-style-type: none"> Continue to monitor equipment budgeting, procurement, and inventory to ensure equity across teams. Continued internal assessment required.
Scheduling of games and practice times	<ul style="list-style-type: none"> Continue to monitor and currently in compliance.
Travel and per diem allowance	<ul style="list-style-type: none"> Continue to centrally manage team travel and related meals to provide equitable opportunities, including monitoring factors such as missed class time and out-of-region travel. Require better standardized training in reporting of meal expenses and associated travel allowances by each program. Continued internal assessment required.
Opportunity to receive academic tutoring and assignment and compensation of tutors	<ul style="list-style-type: none"> Ensure that any academic support services provided in addition to those available to all students are accessible and equitable for all student-athletes and teams.
Provision of medical and training facilities and services	<ul style="list-style-type: none"> A sixth full-time athletic trainer was added in October 2022 to continue to provide full access and equitable services to all student-athletes. Continue to review and monitor sports medicine and strength and conditioning to ensure equitable coverage for all teams, including equitable access to treatment every day of the week.
Provision of housing and dining facilities and services	<ul style="list-style-type: none"> Trinity does not provide specialized housing for student-athletes. Monitor closely the provision of out-of-competition snacks by teams to ensure equity across genders and sports. Trinity is piloting a “nutrition station” for in-season athletes with the goal of providing higher-quality, nutritional snack options in an equitable manner.
Provision of publicity and marketing	<ul style="list-style-type: none"> Develop a comprehensive media, marketing, and publicity policy to be fully implemented by 2023–24, including communications plans for each team.

Future Communication

A leadership group from the Department of Athletics, composed of Director of Athletics Drew Galbraith, Associate Director of Athletics Kristen Noone, and other senior members of the department, is responsible for executing the action plans described above and for keeping the community informed regarding the College's progress. In partnership with the Office of Diversity, Equity, and Inclusion, the group will produce a quarterly monitoring report that will be posted on the Athletics website. Additionally, the group will provide monthly progress updates to the president and quarterly updates to the Board of Trustees.

Ensuring gender equity in the student-athlete experience is important, ongoing work, not only for legal compliance but also because it is the right thing to do. Trinity College will take the actions necessary to significantly improve the athletic experiences for our female student-athletes and coaches.