

University of North Carolina at Pembroke Reinstates Women's Golf, Will Comply with Title IX to Avoid Sex Discrimination Class Action Suit

12.21.2020

For Immediate Release - December 21, 2020

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Washington, DC - The University of North Carolina at Pembroke (UNCP) has agreed to reinstate its women's golf team, develop a gender equity plan, and come into full compliance with Title IX to avoid a threatened class action sex discrimination lawsuit. Title IX, a federal civil rights law passed as part of the Education Amendments of 1972, prohibits sex discrimination at any educational institution receiving federal funds.

On September 9, 2020, UNCP announced it was "suspending" its women's golf team for at least two years to save money. On November 24, 2020, Arthur Bryant of Bailey Glasser's office in Oakland, CA, wrote to UNCP's President on behalf of the team members and said the "suspension" violated Title IX. The law prohibits educational institutions receiving federal funds from eliminating (or "suspending") women's teams for which interest, ability, and competition are available unless "intercollegiate level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective enrollments." UNCP's undergraduate enrollment is 60.1% women, but the school offers women only 36.32% of the opportunities to participate in varsity sports.

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Bryant's letter said he and his co-counsel would file a class action lawsuit against UNCP for depriving women athletes and potential athletes of equal opportunities, athletic financial aid, and treatment unless the school agreed to reinstate the team and comply with Title IX. The settlement agreement, reached late Friday, December 18, 2020, avoids the need for the class action.

"We are delighted that UNCP has agreed to do the right thing: reinstate women's golf, comply with Title IX, and achieve gender equity," said Bryant. "It's time for schools across the country to stop violating Title IX. Under the law - which is almost 50 years old - women are entitled to equal opportunities, financial aid, and treatment. This agreement will make sure female student-athletes at UNCP get what Title IX requires. So should all other female student-athletes in America."

"I am excited the university reinstated the golf team, looking forward to playing in the upcoming season, and thrilled UNCP is going to get into compliance with Title IX," said UNCP freshman golfer Toni Blackwell, who was recruited to start playing this year after being named Patriot Athletic Conference Player of the Year all four years of high school in Fayetteville, NC.

UNCP's settlement agreement tracks a similar agreement Bryant and his co-counsel reached in October with William & Mary College, which announced the elimination of three women's varsity teams - gymnastics, swimming, and volleyball - and then agreed to reinstate all three, develop a gender equity plan, and get into compliance with Title IX to avoid being sued.

Under the agreement, UNCP will immediately reinstate its women's varsity golf team and develop a gender equity plan no later than December 31, 2021. The school will solicit input for the plan from student-athletes for all teams and expressly invite participation by the women's golf team. It will post the plan on UNCP's athletics department's website and ensure that UNCP's intercollegiate athletic program complies with Title IX during the 2023-24 academic year and beyond. The university will continue to monitor and manage the plan on an on-going basis (including prior to its official adoption) to maintain and improve UNCP's Title IX compliance.

Bryant was the lead trial counsel in the first Title IX case tried against a university for discriminating against its women athletes and potential athletes. He has successfully represented more women athletes and potential athletes in Title IX litigation against schools and universities than any lawyer in the country, including Brown University, Temple University, UCLA, and many more.

The legal team for the women student-athletes' at UNCP also includes Bailey Glasser Partner Cary Joshi in Washington, DC; Lori Bullock of Newkirk Zwagerman in Des Moines, IA; and Daniel K. Bryson, Jeremy Williams, and Sarah Spangenburg of Whitfield Bryson LLP in Raleigh, NC.

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Practice Areas

Name, Image, & Likeness (NIL)

Title IX