



**KHSAA TITLE IX RE-VISIT
FINAL AUDIT REPORT**

(For schools re-visited during the 2012-2013 school year)

School: Bell County High School
 Prepared By: Gary W. Lawson
 Date of Re-Visit: October 24, 2012
 Telephone Number of Reviewer: **(859) 299-5472**
 Reviewed By: **Darren Bilberry, Asst. Commissioner**

1. Completed Required Forms

- Verification of Forms (Form GE-19) Yes No
- Participation Opportunities Summary Chart (Form T-1, T-2, T-3 & T-4) Yes No
- Benefits Summary Charts (Forms T-35 & T-36) Yes No
- Checklist Overall Athletics Program (Form T-41) Yes No
- Improvement Plan Summary Charts (Form T-60) Yes No

2. Opportunities Component of Title IX Compliance

Area of Compliance:
(Check One or More)

X	A	Substantial Proportionality
	B	History and Continuing Practice Of Programs Expansion
X	C	Full and Effective Accommodation of Interest and Abilities

- A). Was the Substantial Proportionality Test (T-1) an area in which the school met Title IX Opportunities compliance?
Yes No

Comments: The data submitted indicates that the school is currently meeting the standard established in Test 1 for provision of athletic opportunities. The T-1 form shows an exact 50/50 split in the number of scholastic participants per gender. This has not been the case in past reports. The number of male participants has dropped significantly the past two years, but the number of teams has remained the same.

- B). Was the History and Continuing Practice of Program Expansion Test (T-2) an area in which the school met Title IX Opportunities compliance?
Yes No

Comments: According to data submitted, the school has not met the standard established in Test 2 for provision of athletic opportunities during any of the past three school years. The 2011-12 annual report indicates that two girl's varsity teams with approximately 24 current participants have been added during the past five years.

- C). Was the Full and Effective Accommodations of Interest and Abilities Test (T-3) an area in which the school met Title IX Opportunities compliance?
Yes No

Comments: The data and responses submitted indicate that the school has met the standard established in Test 3 for provision of athletic opportunities during two of the past three school years (2010-11 and 2011-12) and is currently meeting that standard. The information on the most recent student athletic interest survey appears to support the responses on the T-3 form.

3. Is the school's most recent Student Interest Survey accurate in relation to the assessment of Interests & Abilities?
Yes No

Comments: The documentation submitted on the school's most recent T-63 form shows that a 96% return rate was received on the latest student athletic interest survey.



4. Checklist of the Title IX Components of the Interscholastic Program

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation of Interests and Abilities	X		<p>The October 16, 2002 school visit report showed this area to be <i>DEFICIENT</i> because at that time the data submitted indicated that the school was not meeting the minimum standard established in any of the three tests for provision of athletic opportunities. The February 17, 2005 audit report rated this area as <i>SATISFACTORY</i> stating that the school appeared to be meeting the standard established in Test 3 for the provision of athletic opportunities. The recent data, documentation, and responses given indicate that the school is currently meeting the standard established in both Tests 1 and 3 for the provision of athletic opportunities. In relation to Test 1 there seems to be a significant decrease in the number of male participants without a corresponding decrease in the number of male teams. School officials were <u>cautioned to be sure that all team rosters are accurate and submitted in a timely manner.</u> In regard to Test 3, the most recent student athletic interest survey appears to support the responses on the T-3 form. KHSAA representatives reviewed the school's most recent Improvement plans. School officials were reminded that all <u>advantages designated on the T-41 form should be addressed by an appropriate improvement action on the T-60 form.</u> KHSAA representatives reviewed the school's Title IX file. It was found to contain both previous Title IX audit reports, annual reports to KHSAA for the past five years, a board-approved extra service pay schedule for coaches, a listing of the current members of the Gender Equity Review Committee, recent game schedules for all school-sponsored sports, a football program, a school generated athletic handbook, written guidelines for booster clubs, written facility usage schedules for shared athletic facilities, written guidelines regarding posting of team and individual recognition banners (see Publicity), written designation of locker room and athletic storage spaces assigned to teams that use indoor</p>

Accommodation of Interests and Abilities continued			facilities (see Locker Room, Practice and Competitive Facilities and KHSAA Recommended Action), written minutes for Gender Equity Review Committee meetings for the past here years, and a written uniform review , rotation, and/or replacement plan which <u>does not show a full rotation cycle</u> (see Equipment and Supplies and KHSAA Recommended Action). <u>School officials were encouraged to continue to work toward the development of a comprehensive Title IX file.</u>
Equipment and Supplies	X		The October 16, 2002 report rendered this category to be <i>DEFICIENT</i> stating that spending had been disproportionate for the past three years and all uniforms were not available for review at the time of the visit. The February 17, 2005 audit report stated that this area was <i>SATISFACTORY</i> but did request that equitable written guidelines be developed for the review and/or replacement of uniforms. The most recent visit showed that these guidelines had been developed but they were not comprehensive enough to show a complete cycle of rotation. The school's athletic director stated that this plan was based on a four-year cycle (see KHSAA Recommended Action). All uniforms reviewed during the visit appeared to be comparable in both quality and quantity. According to data submitted, the school was spending approximately \$139 per female athlete and \$363 per male athlete for equipment and supplies. This spending strongly favors male athletes. (See Support Services and KHSAA Recommended Action.)
Scheduling of Games and Practice Time	X		According to game schedules provided, the number of competitive events scheduled for teams of "like" sports showed parity. All shared practice facilities appeared to be assigned equitably.
Travel and Per Diem Allowances		X	The October 16, 2002 audit report rendered this benefit category to be <i>DEFICIENT</i> since the school had no written guidelines for the equitable provision of travel and per diem. The

			February 17, 2005 report rated this category as <i>SATISFACTORY</i> . The school's Title IX file did not contain any written guidelines for provision of travel and per diem at the time of the most recent visit. Interviews with students and coaches indicated that no consistent guidelines were being implemented. The T-35 and T-36 forms included in the 2011-12 annual report showed that the school was spending approximately \$71 per female athlete and \$140 per male athlete for travel and per diem. The lack of equitable written guidelines and the current disparity in expenditures render this category to be <i>DEFICIENT</i> at this time. (See KHSAA Recommended Action.)
Coaching	X		Both the earlier school visit reports from 2002 and 2005 deemed this category to be <i>SATISFACTORY</i> . The information submitted on the T-35 and T-36 forms indicates that the total amount spent for coaches' salaries for teams of "like" sports is comparable. The district's extra service pay schedule and the number of coaches provided teams of "like" sports shows parity. According to information gained during the school visit, <u>15%</u> of boys head coaches and <u>63%</u> of the girls head coaches are employed off-campus. <u>It was emphasized to school representatives that access to competent coaching is an important benefit under Title IX.</u>
Locker Rooms, Practice and Competitive Facilities	X		This benefit category was rendered <i>DEFICIENT</i> in the October 16, 2002 school visit report which stated that the provision of locker rooms favored the male athletes and that KHSAA representatives were not allowed to view all athletic equipment storage areas. Again in the February 17, 2005 report, this area was designated as <i>DEFICIENT</i> . The facilities for track and tennis and the storage area for volleyball were mentioned in the report as well as the off-campus softball field. The report stated that a plan was "in place" for construction of a new softball field on the school campus. During the recent visit, the school's file showed that all "indoor teams" had locker room and athletic storage space

			<p>assigned. The school tour showed that outdoor teams also had these amenities. (See KHSAA Recommended Action.) While being interviewed, <u>one coach with eight years experience stated that she had never been told her team had a space to store equipment or a locker room for her team to dress.</u> (See KHSAA Recommended Action.) The most recent visit showed that a new and very well appointed track has been constructed. New tennis courts have also been built and KHSAA representatives were shown a small storage room for volleyball. The softball field is still off campus (about three miles from the school), but several improvements have been made at this facility since the 2005 visit. The field has large block dugouts, fence, electric scoreboard, lights, and a large press box with storage. An indoor hitting facility and dressing room are located adjacent to the field. Some of these amenities are not provided at the on-campus baseball field. The fact that the softball field is located on a flood plain is still a "significant concern." The locker room assignments that were provided by the school's athletic director appeared to be equitable. All other competitive venues seem to offer comparable amenities. Those venues that were shared appear to be assigned equitably.</p>
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<p>Medical and Training Facilities and Services</p>	<p>X</p>		<p>Both the 2002 and the 2005 school visit reports rendered this category to be <i>SATISFACTORY</i>. The school currently has two weight training facilities. The one that is located adjacent to the football dressing room is mainly used by male athletes, but, according to the athletic director, females are allowed access. The facility appears to have equipment that is better suited for use by male athletes. The second weight training room located in the school building is solely for use by females. The equipment in this facility appears very appropriate for females. <u>KHSAA representatives did request that a usage schedule for the facility that is used by both males and females be developed, posted at the facility, and placed in the school's Title IX file.</u> A full time athletic trainer is provided for all student athletes on an equitable basis through a contract with Tri-State Physical Therapy. Free physical examinations are provided to all student athletes on an equitable basis by the health department in conjunction with a local physician.</p>
<p>Publicity</p>	<p>X</p>		<p>The October 16, 2002 rated this benefit category as <i>SATISFACTORY</i>. The February 17, 2005 report deemed this area as <i>DEFICIENT</i>. The report cited the fact that written documentation and publications were not made available to KHSAA representatives for review. During the most recent visit, publications and written guidelines were a part of the Title IX file. It was recommended that the current guidelines for athletic recognition be expanded to include awards and awards banquets.(See KHSAA Recommended Action.)</p> <p>According to information provided by the school's cheerleading sponsor, there is currently one cheer squad which offers support at all football games (home and away), at all home boys and girls basketball games and at away games on Friday nights for both squads. They also cheer at all post season games for all three teams mentioned above. The T-35 and T-36 forms in the annual report showed the school was spending approximately \$87</p>

			per male athlete and \$29 per female athletes for awards. (See Support Services.)
Support Services		X	The October 16, 2002 report deemed this category to be <i>DEFICIENT</i> primarily due to the school's failure to accurately report athletic expenditures. In February, 2005, a second visit resulted in another <i>DEFICIENT</i> designation because athletic spending had favored male athletes for <u>four</u> consecutive years. Information provided in conjunction with the most recent visit shows the school is still <i>DEFICIENT</i> in this area. The data submitted indicate that <u>72%</u> of athletic spending in 2010-11 was for male athletes who made up <u>56%</u> of the participants while <u>28%</u> of the spending was for female athletes who made up <u>44%</u> of the participants. That translates into approximately <u>\$770</u> being spent per male athlete compared to <u>\$373</u> per female athlete. During the 2011-12 school year, <u>64%</u> of spending was for male athletes who made up <u>50%</u> of the participants while <u>36%</u> of spending was for female athletes who made up <u>50%</u> of the participants. This represents approximately \$1,022 spent per male compared to \$572 per female. This spending is obviously far outside of accepted parameters for provision of parity on both a percentage and per athlete basis. (See KHSAA Recommended Action.)
Athletic Scholarships	NA		
Tutoring	NA		
Housing and Dining Facilities and Services	NA		
Recruitment of Student Athletes	NA		

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5. Brief Summary/Analysis of the Improvement Plan (Form T-60)

The school's most recent Improvement Plan call for the following:

- improved administrative oversight of booster club spending;
- implementation of a uniform review, rotation, and/or replacement plan;
- initiation of a girls soccer program;
- construction of restroom facilities for baseball and tennis;
- development of guidelines for equitable provision of athletic banquets;
- development of equitable guidelines for the provision of athletic awards.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

It should be noted that this school has been given a combined total of nine deficiencies as a result of the two previous Title IX visits. The most recent visit reveals the school has two deficiencies and several "areas of concern" that need to be addressed. The deficiency in **Support Services** seems to be the greater challenge. This area of deficiency has persisted since the Title IX evaluation process began in 2002. The failure to provide administrative oversight of athletic spending has been evident. IT SHOULD BE NOTED THAT DURING THE INTERVIEW PHASE OF THE MOST RECENT VISIT, NEITHER THE SCHOOL PRINCIPAL NOR THE DISTRICT TITLE IX COORDINATOR WERE AVAILABLE. A **team effort** is required to address the significant challenges outlined in this report.

7. KHSAA Recommended Action in relation to new deficiencies

(Travel and Per Diem Allowances)

On or before February 15, 2013, the school is to submit to KHSAA equitable written guidelines for the provision of travel and per diem for student athletes. These guidelines should include, but not be limited to, the mode of transportation and the provision of food and motel rooms. These guidelines should become a part of the school's Title IX file.

The following **areas of concern** should be addressed in an effort to avoid future deficiencies.

(Equipment and Supplies) On or before February 15, 2013, the school is to submit to KHSAA an expansion of the uniform, review, rotation, and/or replacement plan that shows a full (four year) cycle of rotation for each school sponsored team.

(Locker Rooms, Practice, and Competitive Facilities) On or before February 15, 2013, the school is to submit to KHSAA an expanded listing showing all locker rooms and athletic storage equipment areas assigned to each team. This document is to be signed by all current head coaches of the school's athletic teams verifying that each is aware of the location of their assigned locker rooms and athletic storage areas. This document should become a part of the school's Title IX file.

(Publicity) On or before February 15, 2013, the school is to submit to KHSAA an expansion of the current guidelines for awards and recognition which include equitable provision of awards and athletic banquets. This document should become a part of the school's Title IX file.

8. KHSAA Recommended Action in relation to reoccurring deficiencies

Although continued work is needed (see *areas of concern*), a sufficient number of the elements within *Locker Rooms, Practice, and Competitive Facilities* and *Publicity* seem to have been addressed to designate them as *satisfactory*.

(Support Services) Because this category has been designated as *deficient* by all three school visits since 2000, the following steps should be taken and appropriate written documentation submitted to KHSAA on or before February 15, 2013.

- The first step is a written summary of a self-analysis of athletic spending. By using per athlete spending, this analysis should designate the benefit categories (i.e. equipment and supplies, travel, publicity, etc.) that are most in need of attention.
- The next step is to designate the team expenditures requiring the most attention within these benefit categories.
- The third step will be to delineate the actions that will be taken by school administrators to monitor spending of identified teams in the designated benefit categories in order to bring spending within acceptable parameters for the provision of parity.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Steve Ely, 25 E, Pineville, KY (606) 337-7061

District Level Title IX Coordinator: Jeff Saylor, 211 Virginia, Pineville, KY (606) 337-7051

Name	Title	Telephone
Gary W. Lawson	KHSAA	(502) 875-3817
Steve A. Ely	Asst. Principal/ A. D.	(606) 337-7061
Jeanetta Goodin	Parent	(606) 337-2216
David Teague	Girls Basketball Coach	(606) 337-3104
Kathy Johnston	KHSAA	(859) 299-5472

10. Comments

No one from the community attended the Public Comments session. The meeting was adjourned at 3:45 EDT.