



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

(For schools re-visited during the **2004-2005** school year)

School: **Phelps High School**
Reviewed By: **Phyllis Catlett**
Date of Re-Visit: **April 12, 2005**
Telephone Number of Reviewer: **(859) 299-5472**

1. Completed Required Forms

- Verification of Forms (Form GE-50) Yes No
- Participation Opportunities Summary Chart (Form T-70) Yes No
- Benefits Summary Charts (Forms T-71 & T-72) Yes No
- Benefits Publicity (Form T-73) Yes No
- Corrective Action Plan Summary Charts (Form T-74) Yes No

2. Opportunities Component of Title IX Compliance

Area of Compliance:
(Check One or More)

	A	Substantial Proportionality
X	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:

It was brought to the attention of the school that the figures for Form T-1 had been incorrectly calculated for school years 2000-2001, 2002-2003 and 2003-2004.

- 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:

- 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:

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

Comments:

Good response from students.

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

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation of Interests and Abilities	X		
Equipment and Supplies	X		The school does have a uniform rotation policy. All uniforms were of equitable quality. Expenditures submitted on the 2004-2005 school report reflected a considerable difference spent on boys' basketball in comparison to what was spent on girls' basketball.
Scheduling of Games and Practice Time	X		Forty percent of the girls' 2004-2005 basketball games were played in prime time. It was brought to the attention of the school that the baseball team played ten more games than the softball team played. The report should reflect games scheduled for a season.
Travel and Per Diem Allowances	X		No discrepancies noted.
Coaching	X		No discrepancies noted except for noted salary increase for the boys' basketball coach; however, the salary disparity was due to experience difference in the two positions.
Locker Rooms, Practice and Competitive Facilities		X	A separate location needs to be established for a weight room and training room. All of the weights and weight machines the school has are antiquated and definitively not female friendly. The boys have an advantage in the number of lockers available for their use. School personnel need to develop a policy regarding what banners and posters will be displayed in their gymnasium and athletic fields. This policy should include retirement of jersey or number procedures.

Medical and Training Facilities and Services	X		The school does not have the service of a certified trainer for any sport, nor an appropriate training room.
Publicity	X		It was suggested that an athletic section be included in the Student Handbook. The school has a very nice Hall of Collegiate that recognizes their outstanding athletes who have gone on to college.
Support Services	X		It was noted that there was a recording error in the 2004-2005 expenditures report regarding volleyball. The school does not have any booster organization. Funds are generated through the efforts of each sport. All spending is approved by the Principal.
Athletic Scholarships			N/A
Tutoring			N/A
Housing and Dining Facilities and Services			N/A
Recruitment of Student Athletes			N/A

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

School personnel were requested that, when developing the Corrective Action Plan, it should reflect continuity in the items listed for improvement as well as progress or the lack of progress and the reasons why. Also, school personnel need to establish very clear and definitive target dates for completion.



6. **Observed Deficiencies in Overall Girls and Boys Athletics Programs**

The fact that four of the five high schools in their district have separate softball and baseball facilities to play on shows that the district has not stepped up and accepted the responsibility to improve this situation which was pointed out to school personnel and district officials in the 1999-2000 Title IX audit report. The boys' and girls' baseball and softball teams of Phelps High School do not, nor have not, the same experiences as the other students in the district because they are not playing or experiencing real game situations on a regulation baseball or softball field. Each field is uniquely different. As we know, no mound is on a softball field. The fence that surrounds this field is not of regulation for either sport but serves to keep fans off the football field that adjoins the two facilities.

It is time for the district to take immediate action regarding this glaring problem that has lingered for too many years. The students of Phelps High School deserve it.

7. **KHSAA Recommended Action in relation to new deficiencies**

N/A

8. **KHSAA Recommended Action in relation to reoccurring deficiencies**

School personnel needs support and immediate action by the school district officials in assisting the school on correcting the location of the weight room and the development of a training room. The promise of the use of the vacant building behind the gymnasium has not yet been followed through by the district. School personnel shall submit a written plan regarding the above correction no later than **June 30, 2005** to the KHSAA.

OP
10/12/05

School personnel shall also submit to the KHSAA a written plan regarding the intended improvements of the softball and baseball facility by **June 30, 2005**. This plan shall include drawings or any other arrangements involving this matter with definitive dates for completion not exceeding another season.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Denise Campbell

District Level Title IX Coordinator: Ancie Casey

Name	Title	Telephone
Robert Gannon	Student	606-456-7788
Jamie Keene	Parent	606-456-4013
Andy Dotson	Principal	606-456-7009
Mike Hamilton	Athletic Director	606-456-3677
Clay Campbell	Teacher/Coach	606-456-3987
Denise Campbell	Teacher/Coach/Title IX Coor.	606-456-7621
Deborah Stiltner	Teacher/Coach	606-456-7434
Phyllis Catlett	KHSAA Audit Team	859-299-5472
Fran Edwards	KHSAA Audit Team	859-299-5472

10. Comments

The permanent Title IX folder and materials were well organized. The Gender Equity Review Committee had met regularly and had recorded minutes of those meetings. No one attended the public meeting; the KHSAA Audit Team left the campus at 5:15 p.m.

Will: Please give
to Auditor
Jahj

10-25-05

PHELPS HIGH SCHOOL PLAN FOR DEFICIENCIES

Weight Room/Training Room

-After initial consultation with Ancie Casey, County Athletic Director, the old Phelps Day Treatment Building has been undergoing renovation since May 2005. The completed facility will include a weight room, weights, and a training room that will be gender equitable.

Softball/Baseball Field

-Contact was made with Ancie Casey, County Athletic Director, concerning the need for an updated softball/baseball facility. Mr. Casey stated that the school board is in the process of negotiating with a property owner adjacent to the current facility in order to purchase the property. If the additional property purchase is successful, a newly redesigned softball/baseball facility will be constructed. The additional property will allow for a separate softball and baseball field which will reduce liability issues with the mound and provide gender equitable facilities.



Kentucky High School Athletic Association

2280 Executive Drive • Lexington, KY 40505 • (859) 299-5472 • (859) 293-5999 (fax)

May 6, 2005

Mike Hamilton

Dear Phyllis,

I have reviewed your audit report of **Phelps High School** and concur with your findings. You have requested the following information be provided to you by this school on the dates below:

- **June 30, 2005** – Plan for locating the weight room/training room
- **June 30, 2005** – Plans for improvement of baseball/softball facility

OK 10/12/05
OK 10/21/05

Please make note of these deadlines for the submission(s) you have requested and be prepared to follow up on these no later than **July 1, 2005**. Please inform me when completion of your request has been met.

If I may be of any assistance to you, please give me a call.

Sincerely,

Larry

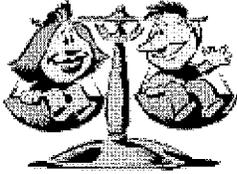
Larry Bucher
KHSAA Assistant Commissioner

*Have begun improvement of the weight room
Have acquired land next to the school for a new softball facility.*

*John do need
AD Mike Hamilton
8/23/05*

received written info 8/22/05

Review letter from Phelps regarding Feb 2/13/06



**KHSAA TITLE IX
ANNUAL REPORT SUBMISSION
STATUS REPORT
2004-2005**

KHSAA
Form T65
Revised 4/05

TO: KHSAA Member School Superintendents, Principals, and Athletic Directors

FROM: Brigid L. DeVries, Commissioner
Larry Boucher, Assistant Commissioner

DATE: June 29, 2005

School	<u>Harps A.C.</u>	Reviewed by	<u>Raymond C. Hertz</u>
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The following is a status report regarding the required 2004 - 2005 Title IX Annual Report submission of forms due into the KHSAA office by April 15, 2005. Appropriate KHSAA Audit Team personnel have reviewed these forms and the following is a summary of this review.

I. Checklist of Forms properly submitted in a satisfactory manner:

GE 19 (Annual Verification)	T-35 (Budget Expenses)
T-1 (Summary Program Chart 1)	T-36 (Budget Expenses)
T-2 (Summary Program Chart 2)	T-41 (Checklist - Overall Interscholastic Program)
T-3 (Summary Program Chart 3)	T-60 (Corrective Action Plan)
T-4 (Summary Program Chart 4)	

II. Status

A.	2004 - 2005 Forms are satisfactory and no further information or action is necessary at this time.
B.	Errors have been noted with respect to the following forms:
C.	The following forms were omitted and must be submitted by school representatives:
D.	Other Recommendation and Comments:

6/27/05
Left a message with Pina, Andy, Brian regarding updates that is needed regarding rooming, weight room and status of softball/baseball field relocation

OK
Softball field complete

Smith, Atkins & Thompson, PLLC
Attorneys at Law

Neal Smith
Edward B. Atkins
Max K. Thompson
Brian Reed

140 Scott Avenue
P.O. Box 1079
Pikeville, Kentucky 41502
Tel. (606) 432-2156
Fax (606) 437-7894

February 3, 2006

KHSAA
2280 Executive Drive
Lexington, Kentucky 40505
ATTENTION: PHYLLIS CATLETT

OK
2/13/06

RE: Girls Softball Field at Phelps High School

Dear Ms. Catlett:

Assistant Superintendent Paul Dotson requested that I write to you to advise you as to the status of our efforts in acquiring property that is immediately contiguous to the Phelps High School football field for the purpose of constructing a girl's softball field. The property in question is owned by Gary Prater and his ex-wife, Debra. This is the only property in the area that would be suitable for a softball field.

As counsel for the Pike County Board of Education I retained Dixon Nunnery of Prestonsburg, Kentucky to appraise the property. Mr. Nunnery appraised the property for \$150,000.00. I then contacted Mr. Prater who advised me that he would take no less than \$300,000.00 for the property. He further advised me that he and his wife had divorced and that he owned the property while his wife and two children lived in the house. We later contacted Debra who advised that she was a joint owner of the property. I then checked the divorce records of the Pike Circuit Court and was able to determine that indeed Debra and Gary jointly own the property. We are currently working with Debra in an effort to buy her interest in the property. We could then initiate a lawsuit seeking a sale due to indivisibility which would enable us to bid for the property at the courthouse door.

Let me assure you that we are actively pursuing acquisition of this property for the construction of a girl's softball field. If necessary we would institute condemnation proceedings to acquire the property, but we would first prefer to negotiate with Debra Prater in hopes that we could buy her undivided one-half interest and then pursue acquisition of Gary's interest.

If you should have any questions regarding this matter please do not hesitate to contact me.

Very truly yours,

SMITH, ATKINS & THOMPSON, PLLC

BY: *Neal Smith*
NEAL SMITH

NS/dc

PHELPS HIGH SCHOOL PLAN FOR DEFICIENCIES

OK
10/12/05

Weight Room/Training Room

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Softball/Baseball Field

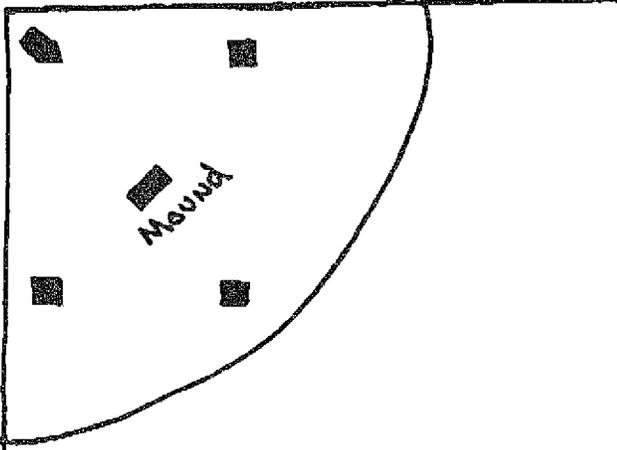
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*Made a phone call 7/31/04
regarding program involving
softball/baseball facilities.*

New Baseball / Softball Facility

Visitor

Home



Football Field

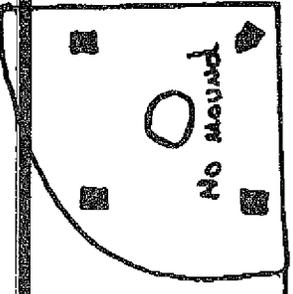
Fence For Softball

New Softball Facility

Visitor

Removable Fence

Home

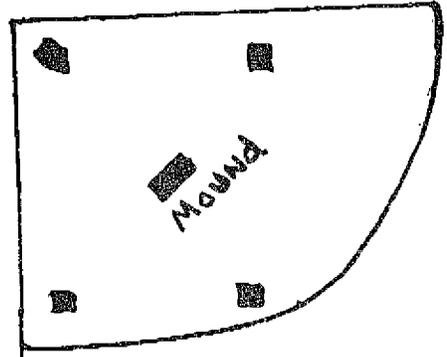


Fence

Hwy 63a

WILSON Baseball -
Softball Facility

Mountain



Baseball / Softball
Field

Football Field

Well road →
Fence

Private Property
Owner's
(School board is
Negotiating)

Gas

Fence

Smith, Atkins & Thompson, PLLC
Attorneys at Law

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Edward B. Atkins
Max K. Thompson
Brian Reed

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P.O. Box 1079
Pikeville, Kentucky 41502
Tel. (606) 432-2156
Fax (606) 437-7894

February 3, 2006

KHSAA
2280 Executive Drive
Lexington, Kentucky 40505
ATTENTION: **PHYLLIS CATLETT**

Handwritten signature and date: 2/13/06

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SMITH, ATKINS & THOMPSON, PLLC

BY: 
NEAL SMITH

NS/dc