

Memo

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

From: Brigid L. DeVries, Commissioner

Date: July 25, 2002

Re: 2002 Title IX Forms Submission

School	Paintsville	Reviewed by	Phyllis Catlett
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The following is a status report regarding the required 2001 - 2002 Title IX submission of forms due in to the KHSAA office by April 15, 2002. Appropriate audit personnel have reviewed these forms and the following is a summary of this review.

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

<input checked="" type="checkbox"/>	GE 19 (Annual Verification)	<input checked="" type="checkbox"/>	T-35 (Budget Expenses)
	T-1 (Summary Program Chart 1)	<input checked="" type="checkbox"/>	T-36 (Budget Expenses)
	T-2 (Summary Program Chart 2)	<input checked="" type="checkbox"/>	T-41 (Checklist – Overall Interscholastic Program)
<input checked="" type="checkbox"/>	T-3 (Summary Program Chart 3)	<input checked="" type="checkbox"/>	T-60 (Corrective Action Plan)
	T-4 (Summary Program Chart 4)	<input checked="" type="checkbox"/>	T-63 (Interscholastic Survey Results)

II. Status

A.		2001 – 2002 Forms are satisfactory and no further information or action is necessary at this time.
B.	<input checked="" type="checkbox"/>	Errors have been noted with respect to the following forms and corrected copies are being returned to you for placement in your Title IX file to ensure proper submission in the future. Forms T-1, T-2, and T-4.
C.		The following forms were omitted and must be submitted by school representatives.
D.	<input checked="" type="checkbox"/>	Other Recommendation and Comments:
		The number of participants, both male and female for varsity, junior varsity and freshman should be the same on Form T-2, column #2 and Form T-1, columns #1 and #2. The total for participants should be the same for Form T-1, T-2, and T-4. Please resubmit Form T-1, T-2, and T-4. Resubmit Forms T-1, T-2, and T-4 by <b>August 15, 2002</b> . Also indicate which sports for Form T-3 and resubmit to us by <b>August 15, 2002</b> .

## 2001-2002 ACCOMMODATION OF INTERESTS AND ABILITIES SUMMARY PROGRAM CHART 1

### Participation Opportunities Test One

		(Column 1)	(Column 2)	(Column 3)	(Column 4)
	Program	Enrollment	Percentage of Total Enrollment	Number of Interscholastic Participants (double and triple count)	Percentage of Total Participation
Row 1	GIRLS	134	48.4%	104	46.4%
Row 2	BOYS	143	51.6%	120	53.6%
Row 3	Totals	277	100%	224	100%

Instructions:

\*Number of 8<sup>th</sup> grade students & below used in Column 4 calculations if applicable: 30

- 1) Determine the total number of girls enrolled, (place in Row 1, Column 1). Determine the total number of boys enrolled, (place in Row 2, Column 1).
- 2) Add the total number of girls and boys enrolled to determine total enrollment, (place in Row 3, Column 1).
- 3) Calculate the percentage of total enrollment that is female. (Divide Row 1, Column 1 by row 3, Column 1 and place in Row 1, Column 2.) Calculate the percentage of total enrollment that is male. (Divide Row 2, Column 1 by Row 3, Column 1 and place in Row 2, Column 2.) Note: Row 1, Column 2 plus Row 2, Column 2 should total 100%.
- 4) Ask the head coaches to review the most updated eligibility or squad lists for their teams. Ask coaches to confirm the names of those individuals who are on the team as of the first date of competition, and cross out the names of those who were cut from the team or quit the team prior to the first competitive event. Determine the total number of interscholastic athletics participants that are girls, (and place in Row 1, Column 3). In order to determine the total number of athletics participants, an individual should be counted each time he or she participates on a team. For example, if Jane Doe competes on the varsity volleyball team, the junior varsity volleyball team, the junior varsity basketball team, and the varsity softball team, she should be counted as four participants (**do not include club or intramural sports participants, cheerleaders, dance teams, or pom squads**). Calculate the same way for boys and girls. \* In addition, should 8<sup>th</sup> grade students and below play on a Freshman, Junior Varsity, or Varsity team, they should also be counted for each team and sport on which they participate. If applicable, please asterisk the above notation as to how many 8<sup>th</sup> grade students & below are included. Using the same procedure, determine the total number of interscholastic athletic participants that are boys, (and place in Row 2, Column 3). Add Row 1, Column 3 plus Row 2, Column 3 to get total participants and place in Row 3, Column 3.
- 5) Calculate the percentage of female participation. (Row 1, Column 3 divided by Row 3, Column 3 and place in Row 1, Column 4.) Calculate the percentage of male participation. (Row 2, Column 3 divided by Row 3, Column 3 and place in Row 2, Column 4.) Note: Row 1, Column 4 plus Row 2, Column 4 should total 100%.

Note: While being within three percent is not a formal compliance standard; if the percent listed in Row 1, Column 4 is within 3% of Row 1, Column 2, then it provides a good target within which compliance is likely.

Principal's Signature: *Wayne D. Boyd* Date: 4/11/02

**ACCOMMODATION OF INTERESTS AND ABILITIES**  
**SUMMARY PROGRAM CHART 2**

Participation Opportunities Test Two

			Column 1	Column 2	Column 3	Column 4	Column 5
Program			Number of Teams Currently Offered	Number of Participants	Number of Teams Added in Last Five Years	Number of Participants Added in Last Five Years	Percent of Total Participation By Sex Added in Last 5 Years
GIRLS	Row 1	varsity:	7	96	1	20	
	Row 2	j.v.:	3	37	1	10	
	Row 3	frosh:	0	0			
	Row 4	total:	10	133	2	30	28.8%
BOYS	Row 5	varsity:	7	117			
	Row 6	j.v.:	3	45			
	Row 7	frosh:	1	8			
	Row 8	total:	11	170			0%

- List the number of interscholastic teams offered for girls and boys at each competitive level (for example, varsity, junior varsity, and freshman levels). Total each of the entries in Column 1 into Row 4, Column 1 and Row 8, Column 1.
- List the number of interscholastic teams that have been added in the last five years at each competitive level. Total each of the entries in Column 3 into Row 4, Column 3 and Row 8, Column 3.
- List the number of participants that are currently on each level of the teams that were added in the last five years. Total each of the entries in Column 2 into Row 4, Column 2 for girls and Row 8, Column 2 for boys. If a team was added previously but no longer exists, there are no current participants to be added for that team.
- List the number of participants added in the last 5 years. Total each of the entries made in Column 4 into Row 4, Column 4 for girls and Row 8, Column 4 for boys.
- Calculate the percentage of participants that have been added in the last five years (Column 4 divided by Column 2 on each line). For example, if girls' varsity soccer (22 participants), junior varsity soccer (18 participants), junior varsity golf (8 participants), and freshman softball (15 participants) have been added in the last five years, then 63 participation opportunities have been added for girls. If the total number of female participants in the program is 96 (taken from Form T-1, Row 1, Column 3), then 65.6% of the current opportunities (63 of 96) have been added in the last five years. Perform similar calculations for male participants.

Note: If the percentage of current participants added in the last five years is 25% or greater, compliance with test two may be possible. If less than 25%, then compliance with test three should be analyzed. **CAUTION:** 25% is not a formal compliance standard.

Principal's Signature: \_\_\_\_\_

Date: 4/11/02

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2001-2002  
ACCOMMODATION OF INTERESTS AND ABILITIES  
SUMMARY PROGRAM CHART 3

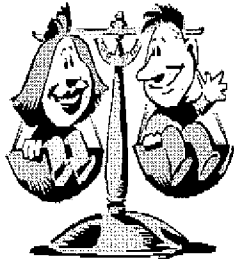
Participation Opportunities Test Three  
For any question answered "YES" identify the respective sport(s).

	GIRLS (Yes/No)		BOYS (Yes/No)
1. Is there an intramural team offered in a sport not now available in the interscholastic athletics program? (YES or NO)	NO		NO
2. For a sport <u>not</u> currently offered, is there sufficient interest to form a viable interscholastic team based on participation on an intramural team or community recreation teams? (YES or NO)	Yes		Yes
3. For a sport <u>not</u> currently offered, is there sufficient interest to form a viable interscholastic team with the interscholastic survey.	Yes		Yes
4. For a sport currently offered, is there interest to form a viable team for a junior varsity, freshman, or other intramural level that is not currently offered? (YES or NO)	NO		NO
5. If you answered YES to question (1), (2), (3) or (4), are there enough high schools in your geographic area offering the sport (at the appropriate level) to allow for the development of a reasonable schedule of competition. (YES or NO)	NO		Yes

*Handwritten note:* What sport?

Principal's Signature: *Wayne R. Becht* Date: 4/11/02





## TITLE IX FINAL AUDIT REPORT

(For schools visited during the 2002-2003 school year)

School: **Paintsville High School**

Reviewed By: **Allen W. Jackson**

Date Of Visit: **April 22, 2003**

Telephone Number of Reviewer: **(859) 299-5472**

### 1. Completed Required Forms

GE-19 Yes  No

Survey Student Interest Form Yes  No

Summary Forms T-1 Thru T-41 Yes  No

Corrective Action Plan (Form T-60) 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.) If Substantial Proportionality is chosen; does it appear that the school has performed the calculation correctly?

Yes  No

(If No, include in comments section and analysis of what is incorrect in the calculation.)

Comment:

B.) If History and Continuing Practice Of Program Expansion are chosen; does it appear that the school has performed the calculation correctly?

Yes  No

Comment:
Calculations were not performed correctly for the 1999-2000, 2000-2001, or 2001-2002 school year. The errors were due to wrong information on Form T-1. Corrections have been made and placed in the Title IX file.

C.) If Full and Effective Accommodation of Interest and Abilities is chosen, does it appear that the school provides opportunities in areas of students' interest?

Yes  No

Comment:
All sports that students indicate an interest on the student survey are provided with the exception of swimming. <u>Swimming cannot be offered because of the lack of facilities.</u> There are some students interested in soccer but not enough to start a team.

**3. Has the school properly surveyed its student body to accurately assess the interests and abilities of its students?**

Yes  No

Comment:

The surveys were filled out in home rooms by students in grades 7-11. Two-hundred-forty-eight surveys were given out and all were returned.

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

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation of Interests and Abilities	X		The opportunities section of the Title IX file indicate that the school is accommodating the interests and abilities of students.
Equipment and Supplies	X		School personnel should <sup>6</sup> establish a written policy for the purpose of rotating and purchasing athletic uniforms. Additional storage is needed for equipment and supplies. Form T-8 did not include information for the junior varsity and freshman teams. The athletic director will fill in this information and place it in the Title IX File.
Scheduling of Games and Practice Time		X	In 2001-2002, 0% of the girls' basketball games were played during "prime time", and in 2002-2003, 11% of the games were played during "prime time". The athletic director will send a letter to the KHSAA no later than <b>June 15, 2003</b> listing all "prime time" home games for girls' basketball that will be played during the 2003-2004 season. This letter will list all dates, times, and opponents as well as the percentage that this represents of all home games played. The KHSAA has asked all schools to play 50% of the girls' basketball games during "prime time". The KHSAA Audit Team recommended to the Gender Equity Review Committee that at least 40% of all home games played by the girls' basketball team be during "prime time" for the 2003-2004 season and to achieve the 50% goal by the 2004-2005 season.
Travel and Per Diem Allowances	X	<sup>6</sup>	No deficiencies were found. However, the KHSAA Audit Team recommends that the school <u>establish a policy for the purchase of pre and post game meals.</u>



<b>Coaching</b>	<b>X</b>		No deficiencies were found.
<b>Locker Rooms, Practice and Competitive Facilities</b>		<b>X</b>	Form T-26 needs to be filled out for each locker room and placed in the Title IX file. <u>Each athletic team should be assigned to a specific locker room.</u> The softball field is approximately 2 ½ miles from the school. The baseball field is approximately one mile from the school. Both fields are owned by the city. The <u>softball field has</u> a few bleachers, small dugouts that are open, no scoreboard, no press box, no lights, and a small snow fence in the outfield. The baseball field has adequate bleachers, concrete enclosed dugouts, a press box, lights, scoreboard, two batting cages and storage for equipment. A letter outlining a plan of action dealing with this inequity as well as a timetable will be sent to the KHSAA no later than <b>June 15, 2003.</b>
<b>Medical and Training Facilities and Services</b>	<b>X</b>		No deficiencies were found. However, <u>a schedule for the use of the weight room should be posted.</u>
<b>Publicity</b>		<b>X</b>	There is one <u>cheerleading squad</u> that cheers for the boys' basketball team and the football team only. Also, the proposed extra duty salary schedule has the boys' varsity cheerleading coach in the top pay Category A. Although there is no girls' cheerleading coach, the proposed extra duty salary schedule shows that this person would be in Category C that provides lower pay. A letter outlining a plan for the purpose of addressing these Gender Equity issues will be sent to the KHSAA no later than <b>June 15, 2003.</b>
<b>Support Services</b>		<b>X</b>	The 1999-2000 <u>budget reflects expenditures for equipment and supplies</u> of \$149.95 spent per female athlete, and \$304.49 spent per male athlete. The 2001-2002 budget shows expenditures for equipment and supplies of \$118 spent for female athletics, and \$342.04 spent for male athletics. These figures show that the gap is widening. Submitted budgets also show a big difference in pay for girls' basketball and softball coaches in comparison to boys' basketball and baseball

			coaches' salaries. The Gender Equity Review Committee indicated that this has been eliminated. However, the extra duty salary schedule that has been proposed put the softball head coach in a lower category than the baseball head coach and assistant softball coach in a lower category than the assistant baseball coach. The volleyball coach is also in a lower category than other head coaches. This must be corrected for the 2003-2004 season and submitted to the KHSAA by <b>June 15, 2003</b> . These categories are definitely in violation of Title IX. A more equitable funding for male and female athletes must be achieved.
<b>Athletic Scholarships**</b>	<b>X</b>		No deficiencies were found.
<b>Tutoring**</b>	<b>X</b>		No deficiencies were found.
<b>Housing and Dining Facilities and Services **</b>	<b>X</b>		No deficiencies were found.
<b>Recruitment of Student Athletes**</b>	<b>X</b>		No deficiencies were found.

**5. Brief Summary/Analysis of The Corrective Action Plan (T-60)**

The 1999-2000 Corrective Action Plan was submitted with only an NA. The 2000-2001 Corrective Action Plan was submitted with a statement, "No items for correction at this time." The 2001-2002 Corrective Action Plan has two statements. 1. "With existing athletics, we have no corrections." 2. "We are looking at the possibility of adding one more sport for each gender, soccer for girls and wrestling for boys, 2-3 years."

The KHSAA Audit Teams discussed the unacceptable Corrective Action Plans submitted by the Gender Equity Review Committee. There are several items that need to be included on the school's Corrective Action Plan. The KHSAA Audit Team will review the 2003-2004 Corrective Action Plan to see if it reflects an accurate assessment of the items needed for correction as well as a realistic timetable.

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

Deficiencies include: 1. Increase "prime time" opportunities for the girls' basketball team. 2. Making improvements in the softball field and elevating it to a more equitable facility. 3. Establishing a plan in which cheerleaders of equal ability shall perform at an equal number of boys' and girls' basketball games. 4. A more equitable funding for male and female athletes including coaches' salaries.

7. **Facility Recommendations or Concerns**

More storage space is needed. However, the most urgent concern is that of the softball field. The concerns of this inequitable facility are outlined in Item 4 of this report.

8. **KHSAA Recommended Action**

Notify Office Of Civil Rights and Request Federal Investigation of Possible Violations

Notify Equity Division and KBE of Potential Title IX Violations

Suspension From the Association

Prohibition From Post Season Play

Probation For

Fine In The Amount of \_\_\_\_\_

None At This Time

School shall submit the following additional information:

On or before **June 15, 2003**, school personnel are requested to provide information to the KHSAA concerning the number of "prime time" home games scheduled (games to be played on Friday/or Saturday nights) for its girls' varsity basketball team during the 2003-2004 season. School personnel will list all dates, times, and opponents as well as the percentage of the total home games that this represents.

On or before **June 15, 2003**, school personnel are requested to provide information to the KHSAA concerning the manner in which cheerleaders are selected for boys' and girls' teams. Also, include how cheerleaders will be assigned to cheer for boys' and girls' teams.

On or before **June 15, 2003**, school personnel will submit a T-35 and T-36 Form for 2003-2004 school year. The school will also submit an extra duty salary schedule for the 2003-2004 school year.

On or before **June 15, 2003**, school personnel will submit a letter to the KHSAA outlining a plan of action in dealing with the inequity of the softball field as well as a timetable.

**9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING**

**High School Title IX Coordinator: Bill Mike Runyon**

**District Level Title IX Coordinator: Bill Mike Runyon**

<b>Name</b>	<b>Title</b>	<b>Telephone</b>
<b>Gary W. Lawson</b>	<b>KHSAA</b>	<b>502-875-3817</b>
<b>Allen W. Jackson</b>	<b>KHSAA</b>	<b>859-299-5472</b>
<b>Tyler Adkins</b>	<b>Student</b>	<b>606-789-2656</b>
<b>Julie Whitaker</b>	<b>Student</b>	<b>606-789-2656</b>
<b>Terry Compton</b>	<b>Counselor</b>	<b>606-789-2606</b>
<b>Sara Daniels</b>	<b>Board Member</b>	<b>606-789-4558</b>
<b>Coy Samons</b>	<b>Principal</b>	<b>606-874-0035</b>

**10. Comments**

On the T-41 Forms submitted all benefits were checked as an advantage to neither program.

The public forum was held at 6:00 p.m. in the library. Two parents were in attendance along with two of their children. They indicated that they had some concerns but would wait to see the report, and then if they wanted to discuss them, they would make an appointment with the principal. The principal was also in attendance.