

DEC -7 2009

Ms. Brigid DeVries
Commissioner, KHSAA
2280 Executive Drive
Lexington, KY xxxxx

December 5, 2009

Ms. DeVries,

You may be aware that I have raised some issues about gender equity in athletics in the Oldham County school district and, in particular, at North Oldham High School. The central issue at NOHS is the construction of a 1.1 million dollar field house for the boys while building nothing for the girls. You might be interested to know that when I asked the superintendent about getting this resolved, he stated that he was simply following KHSAA standards when he designed and built the boy's field house. I find it hard to believe that the KHSAA has a standard indicating that it is OK to have such an imbalance in facilities between the girls and boys, but I would like to hear from you on this. There are really 2 questions:

- A) Is there such a standard?
- B) If not, has the KHSAA done anything that would lead him to believe that? Or, conversely, is there anything more the KHSAA could have done that would have led him away from such a notion?

Also, after going through the gender equity reports from each high school, I have come up with a few recommendations for what the KHSAA could do to improve. I give you these for only one reason – I want equal treatment for my daughters. The KHSAA clearly has much more influence than I, as one person, could possibly have. So if you implemented these changes, it would help improve equality not merely for one school but for the entire state, so I hope you will give them some thought.

- Create a formal complaint resolution process for gender equity issues. This would add further weight to how seriously gender equity issues are considered.
- Clarify the annual gender equity reporting in several ways:
 - Discontinue the double counting of participants on multiple teams within the same sport
 - Provide for separate accounting of capital expenditures
 - Assure that all facility expenses (depreciation, maintenance, operations) are included
 - Assure that spending at both the district and the school level are included
 - Provide better education for the members of each school's gender equity committee
 - Change the membership of the gender equity committees to be more parent-based
- Publish (online) each school's annual gender equity report. Knowledge is power so publicizing the reports will give anyone with concerns some knowledge to act upon.
- Install better follow-up procedures to assure that each school implements the KHSAA's revisit recommendations.

I would be happy to provide additional specifics if you are interested. Thanks for your consideration.

Sincerely,



Dick Richards
998 Club Drive
Goshen, KY 40026
502-417-9766 cell

✓ cc: Darren Bilberry

To: Dick Richards

From: Darren Bilberry, KHSAA Asst. Commissioner

Date: October 2, 2009

Subject: North Oldham High School--Title IX Concerns

The following information is provided in response to questions in your email on 9/29/09.

- KHSAA will be conducting a regularly scheduled Title IX re-visit review at North Oldham High School on October 13, 2009. The re-visit will begin at approximately 1:00 pm and will conclude with the adjournment of the public comments session which is scheduled to begin at 5:00 pm. (A tentative agenda that is sent to all re-visited schools is attached.) It should be emphasized that this re-visit is not in response to any specific complaint.
- If you choose to share information you have related to Title IX compliance at North Oldham High School, it will be reviewed by the audit team who may share part or all of this disclosure as they deem appropriate with school officials and/or the Gender Equity Review Committee.
- A re-visit report will be completed by the Title IX auditors assigned to North Oldham High School. This report will summarize the findings from the re-visit review. The report will be sent to the school in approximately four to six weeks after the on-site visit. The school does have the right to file exceptions with the report. Once this process is completed the report becomes part of the school's Title IX file and is an open record which may be reviewed by the public.

I hope this answers your questions. If you decide to provide the information mentioned in your e-mail, please forward it to me at Kentucky High School Athletic Association, 2280 Executive Drive, Lexington, KY 40505.

To: Darren Bilberry

From: Gary W. Lawson

Subject: Alleged Title IX Issues—North Oldham High School

Date: July 16, 2009

Background Reasons for Visit

There was a request by a North Oldham High School administrator to do a partial review relating to a parental complaint alleging Title IX violations in relation to the following areas:

- distance of the softball field from the high school compared to that for the baseball field;
- coaches of girls teams at the school having less experience than those of boys teams;
- Provision of higher quality dressing areas for male athletes than female athletes.

Findings

A review of information provided by the school as well as a visit to the school and an interview with the principal on July 15, 2009, yielded the following information and findings of fact relating to the complaints.

- Both the softball and baseball fields are “on campus” facilities well within walking distance of the school. The softball field is a farther walk than the baseball field. The distance does not appear to be a burden or disadvantage for the softball team. The amenities provided at the softball and baseball fields appeared equitable. The storage areas seemed adequate at the softball field (i.e. not much equipment would have to be carried or transported), and the school’s principal said that transportation by a golf cart was available to fans who were unable to walk to the field from their parking spot. There did not appear to be enough disparity in this area to designate a disadvantage to the female athletes in the entire area of *Locker Rooms, Practice, and Competitive Facilities*
- A review of documents from the school’s 2005-06 re-visit forms indicates that there is some difference in the experience of coaches for male teams compared to those for female teams. Experience which relates to the “*quality*” of coaching is only one factor that should be evaluated in relation to compliance in this area. Other factors include, but are not limited to, equitable compensation, accessibility, and administrative evaluations. It was suggested that the school administrators look at all these factors in an attempt to evaluate the equity of coaching at the

school. The rotation of coaches on a yearly basis from boys teams to girls teams and vice versa does not appear to be a feasible alternative for this situation if an inequity actually exists.

- At the current time, the boys teams do seem to have an advantage in the provision of locker room (dressing) facilities. A major factor relating to this advantage is the provision of two very large, well appointed dressing rooms at the new field house which are used exclusively by the football team. A new gymnasium has been constructed which houses four new dressing rooms. The school also has two dressing rooms at the older auxiliary gym. Several alternative assignment schemes for the new dressing rooms were discussed with the principal during the July 15, 2009 visit. Suggestions included, but were not limited to, the use of the "visitor" dressing room at the field house by female teams, and use of the new gymnasium dressing rooms as well as those in the auxiliary gym to provide an advantage to female athletes. The school principal was encouraged to work through the school's Gender Equity Review Committee to come up with the best plan for student athletes when addressing this issue.

Summary

The school's principal and athletic director appear to be sensitive to gender related needs in athletics. KHSAA representatives requested that school officials to contact their office when the new assignment of dressing facilities has been implemented. North Oldham High School has been placed on the list for a full Title IX audit during the 2009-10 school year.