



**KHSAA TITLE IX RE-VISIT
FIELD VISIT REPORT**

KHSAA Form T76
Rev..11/16

School:	Bishop Brossart
Prepared By:	Gary W. Lawson
Date of Re-Visit:	January 30, 2020
Staff Reviewed By:	Darren Bilberry, Asst. Commissioner
School Year:	2019-2020

ACCOMMODATIONS OF INTEREST AND ABILITIES REVIEW:

OPPORTUNITIES REVIEW (FROM PRIOR YEAR ANNUAL REPORT)	Completed
Test One – Substantial Proportionality	Satisfactory
Test Two – History of Continuing Practice of Program Expansion	
Test Three – Full and Effective Accommodation of Interest and Abilities	Satisfactory
Analysis Form Review	X

ACCOMMODATIONS OF INTEREST AND ABILITIES NOTES: The January 11, 2007 Title IX school visit report designated the accommodations of interest and abilities *Satisfactory*. This rating was based on information provided by the school showing that the standard established by Test 1 for provision of athletic opportunities was being met. The October 17, 2013 school visit report again designated this area *Satisfactory* based on data showing that the standard of Test 1 was being met. This report also noted that the school might be meeting the standard of Tests 2 and 3, but errors on the T-2 and T-3 forms made a complete analysis impossible. Reviews of the annual Title IX reports for the past two years give strong indication that the standard established by Tests 1 and 3 are currently being met. The 2018-19 report shows that the percentage of participation is within 5% of the percentage of enrollment for both male and female participants. In regard to Test 3, a review of the documentation on the T-3 and T-63 forms provided data showing that the indicated student interests are being accommodated. The T-63 form in the 2017-18 annual Title IX report shows that a 91.6% completion rate was received on the most recent student athletic interest survey. During the most recent visit, the school's Title IX file was examined. It was found to contain annual Title IX reports for the past five years, a principal-approved extra service pay schedule for coaches, game schedules for all varsity teams, and a written uniform review, rotation, and/or replacement plan. SCHOOL OFFICIALS WERE STRONGLY ENCOURAGED TO WORK WITH A GENDER EQUITY REVIEW COMMITTEE TO DEVELOP WRITTEN GUIDELINES AND REGULATIONS ADDRESSING EQUITABLE PROVISION OF OPPORTUNITIES AND BENEFITS FOR ALL STUDENT ATHLETES.

- See **Travel and Per Diem Allowances and KHSAA Recommended Action.**
- See **Scheduling of Games and Practice Times and KHSAA Recommended Action.**
- See **Locker Rooms, Practice and Competitive Facilities and KHSAA Recommended Action.**
- See **Medical and Training Facilities and KHSAA Recommended Action.**
- See **Publicity and KHSAA Recommended Action.**

Note: The school provided no written evidence of a functioning Gender Equity Review Committee. There were no minutes for any GERC meetings held during the past three years. (**See Other Actions Necessitated by this Visit.**)

BENEFITS REVIEW

BENEFIT	Satisfactory	Deficient
EQUIPMENT AND SUPPLIES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Uniform review / replacement plan	X	
Status of uniforms and equipment	X	
Equity of spending	X	

BENEFITS REVIEW- EQUIPMENT AND SUPPLIES: Both the 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. All the uniforms seen during the most recent visit appeared to be of mid-to-high quality and supplied in equitable quantities. A uniform review, rotation, and/or replacement plan based on a five-year cycle for all teams, except boys and girls golf and bowling which are replaced annually, was found in the Title IX file. Interviews with student athletes gave some indication of adherence to this plan. The 2017-18 and 2018-19 annual Title IX reports show that the school was spending approximately \$45 per female athlete and \$78 per male athlete for equipment and supplies.

BENEFIT	Satisfactory	Deficient
SCHEDULING OF GAMES AND PRACTICE TIMES		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Like sports scheduling	X	
Scheduling of shared practice facilities		X
Optimal playing times	X	

BENEFITS REVIEW- SCHEDULING OF GAMES AND PRACTICE TIMES: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. Information provided and signed for accuracy by the athletic director showed that the number of competitive events scheduled for teams of "like" sports was comparable. According to the athletic director, the gym, weight training room, and soccer practice field are shared per gender for practices. USAGE SCHEDULES FOR THESE VENUES SHOWING EQUITABLE FEMALE ACCESS WERE NOT PROVIDED. Some verification of equitable sharing of some of these facilities was provided by interviews with student athletes. Because equitable scheduling of shared practice facilities could not be verified, this benefit category is designated **deficient**. (See *KHSAA Recommended Action*.) The scheduling of athletic events during the most opportune playing times on an equitable basis was discussed with school officials who were encouraged to continue to strive for parity in this endeavor.

BENEFIT	Satisfactory	Deficient
TRAVEL AND PER DIEM		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Mode of transportation		X
Provision for meals and housing		X
Equity of spending	X	

BENEFITS REVIEW- TRAVEL AND PER DIEM: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. The 2013 report stated that an error on the T-35 form listing girls basketball expenditures made it difficult to fully evaluate this benefit. A review of documentation made available during the most recent visit did not include any regulations for the provision of parity in regard to the mode of transportation, or the provision of meals and lodging for student athletes. Interviews with student athletes gave some indication of consistent provision of lodging. Because there was no evidence that equivalence was provided in the three major components of this benefit category, it is designated **deficient**. (See *KHSAA Recommended Action*.) The 2017-18 and 2018-19 annual Title IX reports show that approximately \$49 per female athlete and \$56 per male athlete was spent for travel and per diem.

BENEFIT	Satisfactory	Deficient
COACHING	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Compensation	X	
Accessibility		X
Competence	X	

BENEFITS REVIEW- COACHING: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. The 2013 report documented a disparity in the number of coaches for the softball team in comparison to that for baseball. During the most recent school visit, it was learned during the administrative interviews that the athletic director and the principal are responsible for the evaluation of all head coaches. At this time, a written instrument is not used for documentation of this process. A review of the principal-approved extra service pay schedule for coaches indicated parity in regard to *salaries* of coaches for “like” sports and for the *number* of coaches compensated for teams of “like” sports. The T-35 form in the 2018-19 annual Title IX report indicates that the total spending for coaching salaries for teams of “like” sports was comparable. Information provided by the athletic director during the most recent visit revealed that the coaching ratio is 13 participants per coach for females and 9.7 participants per coach for males. This ratio strongly favors the male participants and should be investigated by the GERC. (Note: A.D. reported there are nine baseball coaches and five softball coaches.) Data gathered during this visit shows that 71% (5/7) of the head coaches of girl’s teams and 57% (4/7) of the head coaches of boy’s teams are on-campus employees.

BENEFIT	Satisfactory	Deficient
LOCKER ROOMS, PRACTICE AND COMPETITIVE FACILITIES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Competition and practice venues	X	
Dressing areas		X
Equipment storage areas		X

BENEFITS REVIEW- LOCKER ROOMS, PRACTICE AND COMPETITIVE FACILITIES: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. The 2013 report documented a significant disparity between the baseball and softball fields. The baseball field had an electric scoreboard, and the softball field had no scoreboard at all. The tour of facilities during the most recent school visit revealed that the softball and baseball fields are at the same locations as in 2013, but the softball field now has an electronic scoreboard. While a definite improvement, it should be noted that the softball scoreboard does not show equivalence when compared to the baseball scoreboard which has an inning by inning scoring summary that the one at the softball field does not. The softball and baseball fields offer essentially the same amenities as in 2013. However, the more recent construction of a large athletic complex near the school campus houses a high quality turf field that is used for game competitions for football, girl's soccer, boys soccer, girls track and boys track. This state of the art complex includes a fieldhouse with two large dressing areas that serve all the teams that compete at the athletic complex according to the athletic director. The school's failure to provide the requested listing of assigned dressing rooms made it very difficult to determine if all school teams had equitable dressing areas. **(See KHSAA Recommended Action.)** The same situation existed in regard to equipment storage space. The requested listing for all school teams was not provided, and the tour of facilities did not offer any documentation. **(See KHSAA Recommended Action.)** The amenities provided by all other outdoor and indoor facilities appeared to be equitable.

BENEFIT	Satisfactory	Deficient
MEDICAL AND TRAINING FACILITIES AND SERVICES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Weight room location and access	X	
Weight room usage schedule		X
Appropriate equipment for female use	X	
Athletic Training services	X	
Physical Exams	X	

BENEFITS REVIEW- MEDICAL AND TRAINING FACILITIES AND SERVICES: The 2007 and 2013 Title IX school visit reports designated this benefit area *Satisfactory*. The 2013 report suggested that the school offer more weight training equipment suitable for female use. The tour of facilities during the most recent visit revealed there was a large weight training room located in the "firehouse" adjacent to the school building. This venue is easily accessible and appears to have several training options appropriate for female athletes. The school did not have a usage schedule showing equitable female access as part of the requested documents for the school visit. There was no usage schedule for this venue posted at the facility as requested. **(See KHSAA Recommended Action.)** Access to an athletic trainer is available daily on an equitable basis through a contract with St. Elizabeth Health Care. Students are responsible for getting their own athletic physical examinations.

BENEFIT	Satisfactory	Deficient
PUBLICITY		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Support group assignments	X	
Written regulation for recognition		X
Equity of spending	X	

BENEFITS REVIEW- PUBLICITY: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. The school currently has one varsity cheerleading squad that is assigned to cheer at all home and away football games. They also cheer at all home boys and girls basketball games. The school does not have a band at this time. The 2017-18 and 2018-19 annual Title IX reports show that \$2 per female athlete and \$2.60 per male athlete was spent for awards and recognition. During the most recent visit, the school failed to provide the requested written guidelines for this benefit category to address (1) the equitable posting of banners for athletic recognition; (2) the equitable provision of athletic awards; (3) the equitable provision of post season banquets; or (4) the criteria for induction into the school's athletic hall of fame. Due to the lack of documentation in this benefit category, evaluation was not possible, and it is rendered **deficient**. (See *KHSAA Recommended Action*.)

BENEFIT	Satisfactory	Deficient
SUPPORT SERVICES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Office access	X	
Booster Support	X	
Overall spending for athletic support		X

BENEFITS REVIEW- SUPPORT SERVICES: The 2007 and 2013 Title IX school visit reports designated this benefit category *Satisfactory*. At the time of both reports, total athletic spending appeared to show parity in regard to the purchase of athletic benefits at a football-playing school. The tour of facilities during the most recent visit showed that two coaching offices are shared by all the school's coaches. One is at the gym and the other one is at the athletic fieldhouse. According to interviews with administrators, the school has booster clubs supporting all teams. These clubs house their funds within school accounts. All booster purchases must be approved by either the principal or athletic director. These administrators have responsibility for monitoring parity in regard to athletic purchases. An analysis of spending for the past two years shows that the average per athlete spending during 2017-18 and 2018-19 was approximately \$163 per female and approximately \$327 per male. This significant disparity is outside of generally accepted parameters for the provision of parity. There are two notable factors that impact this analysis. The first being that during the 2018-19 school year, the internal summary for that year's annual Title IX report indicates that boys were the underrepresented gender. Secondly, facility improvement expenditures were a significant contributing factor to this disparity. According to the T-35 form in the 2018-19 annual report, \$11,559 was spent for improvements at male athletic facilities compared to \$745 at female athletic facilities. The gender allotment of facility expenditures is difficult to understand. School officials were requested to closely monitor the submittal of expenditures shown on the T-35 form in the annual reports and all athletic expenditures for the provision of parity.

CURRENT DEFICIENCIES

Observed Deficiencies in Overall Girls and Boys Athletics Programs	Recommended Actions in relation to current deficiencies	Date for Verification of Action to address deficiency
<p>(Scheduling of Games and Practice Times)</p> <p>The school did not provide the requested usage schedules for shared practice facilities.</p>	<p>The school is to submit to KHSAA usage schedules showing equitable female access for the following venues: (1) soccer practice field, (2) weight training room, (3) gym. These schedules are to be signed by all members of the GERC, all head coaches, principal, and athletic director. These documents are to become part of the school's Title IX file.</p>	<p>On or before <u>August 1, 2020</u>.</p>
<p>(Travel and Per Diem Allowances)</p> <p>The school failed to present the requested regulations for the provision of parity for this benefit category.</p>	<p>The school is to submit to KHSAA regulations addressing the equitable provision of the mode of <u>transportation, meals, and lodging</u> for student athletes. These regulations are to be signed by all members of the GERC, all head coaches of school teams, principal, and athletic director. These regulations are to become part of the school's Title IX file.</p>	<p>On or before <u>August 1, 2020</u>.</p>
<p>(Publicity)</p> <p>The school failed to provide the requested written regulations for the provision of parity for this benefit category.</p>	<p>The school is to submit to KHSAA written guidelines for the provision of parity in regard to (1) posting athletic banners, (2) awards for athletic recognition and participation, (3) post season banquets, and (4) the criteria for induction into the school's athletic hall of fame. These guidelines are to be signed by all members of the GERC and head coaches of all varsity teams and are to be placed in the school's Title IX file.</p>	<p>On or before <u>August 1, 2020</u>.</p>

RECURRING DEFICIENCIES

Observed Deficiencies in Overall Girls and Boys Athletics Programs	Recommended Actions in relation to recurring deficiencies	Date for Verification of Action to address deficiency
<p>No deficiencies were designated as a result of the October 17, 2013 Title IX school visit report.</p>		

OTHER ACTIONS NECESSITATED BY THIS VISIT

Action	Due Date
<p>(Locker Rooms, Practice and Competitive Facilities)</p> <p>The school is to submit to KHSAA a written listing of the locations of dressing rooms for <u>all school sponsored varsity teams</u>. This listing is to be signed by all members of the GERC and to become part of the school's Title IX file.</p>	On or before <u>August 1, 2020</u> .
<p>(Medical and Training Facilities and Services)</p> <p>The school is to submit to KHSAA a photograph of the usage schedule for the weight training room <u>posted at the facility</u>.</p>	On or before <u>August 1, 2020</u> .
<p>(Accommodations of Student Interest and Abilities)</p> <p>The school is to submit to KHSAA minutes for three (3) Gender Equity Review Committee meetings held during the 2019-2020 school year. These minutes are to be signed by the committee members in attendance and the school principal.</p>	On or before <u>August 1, 2020</u> .
<p>The fall Gender Equity Review Committee meeting should be open to the general public and allow for comments from anyone who decides to attend. Notices put out to the general public for these meetings as well as minutes and a record of attendance at this meeting should be submitted to the KHSAA.</p>	On or before <u>October 1, 2020</u> .

PERSONNEL IN ATTENDANCE AT FIELD VISIT MEETING

Name	Title
Gary W. Lawson	KHSAA
Abby N. Cook	Student Athlete
Carson A. Schirmer	Student Athlete
Kyra Wheat	Cheer Coach
Dave Schuh	Girls Track and Cross Country Coach
Dan Ridder	Principal
Kathy Steffen	Director of Counseling
Kevin Bundy	Athletic Director

OTHER GENERAL OBSERVATIONS

Although not part of the current Title IX evaluation, as per request, the school was asked to provide a copy of its Athletic Facility Emergency Medical Plan (KRS 160.445). The plan made available during this visit was comprehensive and venue-specific as requested by the statute.

As per request, school officials were asked to identify the location of its Automated External Defibrillators. According to the athletic director, there is a permanent AED on the wall outside the gym. There are three portable AED's assigned to specific teams by the athletic trainer. A fourth portable AED is carried by the trainer to various athletic venues.

NOTE: THE REQUIRED PUBLIC COMMENTS SESSION WAS NOT HELD BECAUSE SCHOOL OFFICIALS FAILED TO PUBLICIZE THE MEETING AS REQUESTED BY KHSAA.

School officials were requested to establish a working Gender Equity Review Committee to assist in the implementation and oversight of equitable provision of opportunities and benefits for student athletes.

It was emphasized that the person(s) responsible for implementing Title IX in athletics at this school should attend a KHSAA sponsored Title IX workshop at the earliest date available.

The meeting was adjourned at 3:25 pm EST.