



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

(For schools re-visited during the 2016-2017 school year)

School: Butler County
 Prepared By: Gary W. Lawson
 Date of Re-Visit: January 24, 2017
 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
- Corrective Action 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
X	B	History and Continuing Practice Of Programs Expansion
	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: According to the rosters and data submitted, the school met the standard established by Test 1 for provision of athletic opportunities during the 2015-16 school year. The internal audit report for 2015-16 shows that the minimum standard of subtest 1 under Test 1 was met because the percentage of participation for females was 46.4% and their percentage of enrollment was 51.3%-- a difference of 4.9%.

- 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 the rosters and information submitted, the school met the standard established by Test 2 for provision of athletic opportunities during 2015-16. The T-2 form in the 2015-16 annual Title IX report, shows that the school has added five teams for female competition during the past five years. The teams have approximately 62 current participants. The addition of these participants has increased the total percentage of female participation by 31.5%.

- 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 responses and information provided on the T-3 form shows that the indicated interest in soccer is being pursued, but no evidence was submitted showing that the indicated interest in bowling was being addressed for validity. Therefore, it does not appear that the minimum standard established by Test 3 is being met.

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

Comments: Information on the T-63 form in the 2015-16 annual Title IX report shows that the school received an 81.3% completion rate on the most recent student athletic interest survey.

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

Benefit to Students	Satisfactory	Deficient	Comments
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Accommodation of Interests and Abilities	X		<p>The February 20, 2002 and the November 6, 2010 Title IX school visit reports rated this category <i>Satisfactory</i>. The 2002 report based its rating on the fact that the school appeared to meet the standard established by Test 2 for provision of athletic opportunities. In 2010, it seemed likely that the standard established by Test 3 was being met. A review of recent annual Title IX reports gives strong indication that the standards established by Tests 1 and 2 are being met. The internal audit report for 2015-16 documents that subtest 1 of Test 1 is being met. The addition of five female teams—varsity archery, freshman softball, junior varsity soccer, varsity swimming, and freshman volleyball—during the past five years has increased the percentage of female participation by 31.5% resulting in successfully meeting the standard established for Test 2. Once documentation is provided showing the indicated interest in bowling is being addressed, it appears that the standard established by Test 3 would also be met. For a detailed explanation of each of the three opportunities tests, see page 2 of this report. During the most recent visit, the school’s Title IX file was reviewed. It was found to contain the two previous Title IX school visit reports, annual Title IX reports 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, current game schedules for all school sponsored varsity teams, team programs for all fall and winter sports, written and signed booster club agreements, written facility usage schedules for the gym and weight training room (see <i>Scheduling of Games and Practice Times</i> and <i>KHSAA Recommended Action</i>), written guidelines addressing equity in regard to awards and recognition of athletic accomplishments, a written designation of locker room and athletic equipment storage space assigned each team, minutes for all Gender Equity Review Committee meetings for the past three years, a uniform review, rotation, and/or replacement plan, regulations addressing the equitable provision of per diem</p>
Accommodation of Interests and Abilities			

continued			(see <i>Travel and Per Diem Allowances</i>), and the school's Athletic Facility Emergency Medical Plan (KRS 160.445). It was suggested to school officials that this plan be more specific in regard to specific emergencies at designated athletic venues. School officials were highly commended for the development and maintenance of a comprehensive Title IX file.
Equipment and Supplies	X		The 2002 Title IX school visit deemed this benefit category <i>Satisfactory</i> while suggesting that an equitable uniform review/rotation plan be put into place. The 2010 report rendered this category <i>Deficient</i> citing the school did not provide accurate expenditures for equipment and supplies and did not make all the varsity uniforms available for review during that visit. During the most recent visit, uniforms for all varsity teams were reviewed and appeared to be of mid-to-high quality and supplied in equitable quantities. The school now has an equitable uniform review/replacement plan based on a four-year cycle of replacement for all school-sponsored teams. The implementation of the plan was verified during the interviews with student athletes and coaches. According to data submitted in the 2014-15 and 2015-16 annual Title IX reports, the school was spending approximately \$241 per female athlete and \$191 per male athlete for equipment and supplies.

Scheduling of Games and Practice Time	X		The two previous Title IX school visit reports designated this benefit category <i>Satisfactory</i> . The 2010 report noted that the school did not provide usage schedules for all shared practice facilities. Information gathered during the most recent visit indicated that the number of competitive events scheduled for teams of “like” sports was comparable. Facility usage schedules showing equitable access to the gym and weight training rooms were available. The other shared venue is the new indoor practice facility (field house). A complete schedule was not provided for this practice area. (See <i>KHSAA Recommended Action</i> .) The scheduling of athletic events during the most optimal playing times was discussed with school officials who were commended for the provision of parity in regard to this benefit.
Scheduling of Games and Practice Time continued			
Travel and Per Diem Allowances	X		The 2002 and 2010 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2010 report requested that school officials review and expand guidelines addressing per diem. The most recent visit revealed that the school has specific and detailed regulations for per diem that address equitable provision of meals and lodging for student athletes. These guidelines should be expanded to include equity in regard to the <u>mode of transportation</u> for student athletes. (See <i>KHSAA Recommended Action</i> .) According to the data submitted in the 2014-15 and 2015-16 annual Title IX reports, the school was spending approximately \$47 per female athlete and \$71 per male athlete for travel and per diem.
Coaching	X		The two previous Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The school’s principal and athletic director are responsible for the evaluation of all head coaches. A written instrument is not currently used as part of this process. A review of the extra service pay schedule for coaches shows parity in regard to equitable compensation per position and in the number of compensated positions for “like” sports. According to information on the T-35 form in the 2015-16 annual Title IX report, the total amounts spent

			for coaching salaries for teams of “like” sports was comparable. Data in the 2015-16 annual Title IX report indicates that the coaching ratio for females is one coach per nine participants and the ratio for male athletes is one coach per 10.5 participants. Information gathered during the most recent visit revealed that 30% (3/10) of the head coaches of girls teams and 33% (3/9) of the head coaches of boys teams are on-campus employees.
Locker Room, Practice and Competitive Facilities Locker Room, Practice and Competitive Facilities continued	X		The 2002 Title IX school visit report rated this benefit category <i>Satisfactory</i> but stated that <u>immediate attention</u> needed to be given to the storage and locker room space in the gym. The 2010 report also rated this category <i>Satisfactory</i> while stating that much improvement had been made in regard to amenities offered at the competitive facilities. The report stated that there was “no documentation of the locker room or equipment storage space provided for teams at the school.” Overall, the competitive facilities at Butler County High School are excellent. The baseball-softball complex has excellent amenities, and, as stated in the 2010 Title IX report, the complexes were “constructed with equity as a priority.” A newly completed addition since the last visit is the large indoor practice complex (field house). This facility is shared by boys and girls soccer, football, baseball, softball, and archery. Interviews with administrators, student athletes, and coaches indicated tremendous pride in this venue. All the indoor and outdoor competitive facilities appear to provide equitable amenities. It appears that locker room space is in short supply at the school, but all available space is assigned equitably. The school does have a large amount of athletic equipment storage space. Each team has an assigned storage area that appears to be very appropriate in size and proximity to the team’s practice and/or playing facility.
Medical and Training Facilities and Services	X		The 2002 Title IX school visit report rendered this benefit category <i>Satisfactory</i> . The 2010 report rated this category <i>Deficient</i> stating there was no evidence to show that equitable access was provided to the weight training room, and the weight room did not appear to have

			<p>equipment suitable for use by female athletes. The school currently has a large and well-equipped weight training room located at the indoor field house. It is easily accessible to all student athletes. There was an equitable usage schedule in the Title IX file and posted at the facility. There were several training options available that seemed suitable for female athletes. Interviews with athletes confirmed equitable access and use of this venue. The services of an athletic trainer are not provided at this time. A local nurse practitioner provides physical examinations for student athletes at a discounted rate.</p>
Publicity	X		<p>Both of the earlier Title IX school visit reports designated this benefit category <i>Satisfactory</i>. The school currently has one varsity cheerleading squad that is assigned to cheer at all football games—home and away. They also cheer at all home boys and girls basketball games and at away games versus district opponents for both teams. The school band performs at all home football games and at an equal number of home boys and girls basketball games as monitored for parity by the principal. The school does not currently have a dance team. A local radio station covers all home and away football games and an equal number of home and away boys and girls basketball games as monitored for equity by the principal. The school's Title IX file contained excellent written regulations addressing the posting of athletic banners, the provision of letters and bars, athletic awards, and post season banquets. Observations during the school tour and information gathered during the interviews indicated both knowledge of and implementation of these regulations. The information on the T-35 form in the 2015-16 annual Title IX report shows that exactly \$100 was being spent for every school-sponsored team for awards. When questioned about this submittal, school officials realized these figures were in error. Therefore, it was not possible to calculate a spending comparison for this category. (See KHSAA Recommended Action.)</p>

Support Services	X		The 2002 and 2010 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2010 report stated there appeared to be no administrative oversight of booster spending. There are currently booster clubs supporting all school-sponsored teams except girls golf, boys and girls tennis, boys and girls cross country, and boys and girls track. All booster clubs have bank accounts outside of the school. The school has written agreements with all booster clubs, but the agreements do not call for any school administrative oversight of booster spending. Nonetheless, as documented below in this report, the school spending has recently been within generally accepted parameters for the provision of parity. IT WAS AGAIN RECOMMENDED THAT SOME MECHANISM FOR OVERSIGHT OF BOOSTER SPENDING BE PUT INTO PLACE. According to the internal audit summaries for 2014-15 and 2015-16, total athletic spending appears to have been within generally accepted parameters for the provision of parity over the past two years. The audit summary for 2014-15 shows that the school was spending approximately \$617 per female athlete and \$615 per male athlete for total support. The 2015-16 audit summary showed \$552 per female athlete and \$566 per male athlete was spent.
Support Services continued			
Athletic Scholarships	NA		
Tutoring	NA		
Housing and Dining Facilities and Services	NA		
Recruitment of Student Athletes	NA		

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

The school's most recent T-60 forms call for the following:

- starting a girls soccer program;
- working to provide opportune playing times for both genders;
- addressing the male advantage in regard to accessibility of coaches;
- renovating the gym.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

No major deficiencies were designated as a result of the January 24, 2017 Title IX school visit.

The body of this report does document a few “areas of concern” in relation to:

- equitable scheduling and use of the indoor practice facility (see *Scheduling of Game and Practice Times* and *KHSAA Recommended Action*);
- equitable provision of the “mode of transportation” for student athletes (see *Travel and Per Diem Allowances* and *KHSAA Recommended Action*);
- accurate reporting of expenditures for awards for student athletes (see *Publicity and KHSAA Recommended Action*).

7. KHSAA Recommended Action in relation to new deficiencies

Although no deficiencies were designated in the body of this report, it is requested that the following “areas of concern” be addressed in an attempt to insure that equitable benefits continue to be provided.

(Scheduling of Games and Practice Times) On or before April 26, 2017, the school is to submit to KHSAA a written usage schedule for the indoor practice facility that shows equitable access for all teams that share this venue.

(Travel and Per Diem Allowances) On or before April 26, 2017, the school is to submit to KHSAA a written expansion of the current guidelines in this category to address the equitable provision of mode of transportation for student athletes.

(Publicity) On or before April 26, 2017, the school is to submit to KHSAA a listing of accurate expenditures for awards which have been corrected from those submitted on the T-35 form in the 2015-16 annual Title IX report. (Note: These will be expenditures for the 2014-15 school year.) These expenditures may be submitted in the *Awards* column on the T-35 form provided to school officials on 1/24/17.

8. KHSAA Recommended Action in relation to reoccurring deficiencies

The deficiency in the benefit category of *Equipment and Supplies* documented in the November 6, 2010 Title IX school visit report appears to have been addressed by the school submitting complete and accurate expenditures in this category and making all uniforms available for review during the 1/24/17 school visit.

The deficiency in the benefit category of *Medical and Training Facilities and Services* designated in the November 6, 2010 Title IX school visit report appears to have been addressed by the school providing evidence of equitable access for females to the weight training room and the addition of equipment in the weight training room that is suitable for use by female athletes.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator:

District Level Title IX Coordinator:

Name	Title	Telephone
Gary W. Lawson	KHSAA	(502) 545-3393
Rex T. Henderson	Student Athlete	(270) 526-2204
Allie K. Easley	Student Athlete	(270) 526-2204
Ruthie Minton	Volleyball Coach	(270) 526-2204
Brian Bivens	Basketball Coach	(270) 526-2204
Michael Gruber	Principal	(270) 526-2204
Brandon Embry	Athletic Director	(270) 526-2204
Eric Elms	Parent	(270) 999-1125
Patrick Henderson	Parent	(270) 526-4150
Gina Givens	Finance Secretary	(270) 526-2204

10. Comments

INo one from the community attended the Public Comments session. The school’s athletic director and principal were commended for their thorough preparation for the school visit and the improvements made in provision of equitable opportunities and benefits for their student athletes. The meeting was adjourned at 3:20 CST.