

TITLE IX FINAL AUDIT REPORT

(For schools visited during the 1999-2000 school year)

School **Cumberland High School**

Reviewed By: **Danny C. Reeves**

Date of Visit: **February 25, 2000**

Telephone Number of Reviewer: **(859) 288- 4664**

(Direct questions to Reviewer at the above number during normal business hours.)

1. Completed Required Forms

GE-19 Yes No (Form submitted but required signatures omitted.)

Survey Student Interest Form Yes No (Summary partially completed.)

Summary Forms T-1 Thru T-41 Yes No (Some are not complete.)

Corrective Action Plan (Form T-60) Yes No (See comments below.).

Opportunities Component of Title IX Compliance

Areas of Compliance (check at least one):

	A	Substantial Proportionality
	B	History and Continuing Practice Of Program 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:
N/A

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

Yes No

Comment:
N/A

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:
A summary of student surveys has been submitted. However, the school has not summarized question no. 8 (regarding the reasons students are not currently participating in interscholastic athletics). In addition, the school has not identified other sports in which students have expressed an interest.

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

Yes No (Unknown)

Comment:
Unable to determine based on the information submitted.

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

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation to Interests and Abilities		X	The school has not indicated that it intends to add sports as a response to student surveys.
Equipment and Supplies		X	Differences noted when comparing baseball and softball equipment. Also, difference in storage for these two teams. Student managers available for some boys' teams but not for girls' teams.
Scheduling of Games and Practice Time		X	It appears that girls' basketball games are not scheduled at desired times
Travel and Per Diem Allowances		X	Deficient, according to the summary report (T-41) submitted (but not adequately identified) by the school.
Coaching		X	One form not completed. Salary discrepancy among baseball/softball coaches noted for correction in Corrective Action Plan. (Confirm whether action has been taken by school).
Locker Rooms, Practice and Competitive Facilities		X	Softball facility is among the worst visited during 99/00 audits. Conversely, the baseball team plays on a well-maintained, college-owned field. Further, it appears that the girls' softball team does not use a locker room at the school. Some teams not designated on forms submitted (T-26).
Medical and Training Facilities and Services		X	Weight room is used only by male athletes.
Publicity		X	Cheerleaders do not perform at girls' basketball games.
Support Services	X		No major deficiency observed.
Athletic Scholarships**	X		N/A

Tutoring**		X	Some tutoring provided to baseball players. Responses from girls' basketball team indicate there may be a discrepancy in this area. Follow-up needed.
Housing and Dining Facilities and Services **	X		Appears to be about the same for boys and girls.
Recruitment of Student Athletes**	X		N/A

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

The Corrective Action Plan references the need for its Gender Equity Committee to monitor compliance. However, the committee failed to meet during the 1999-2000 school year as instructed by the KHSAA. The Plan also addresses coaches' salary issues, but fails to address equally pressing concerns regarding facilities provided to female students. (The school was instructed to address this issue in KHSAA' preliminary report.) Finally, the Plan addresses the need for a certified trainer. However, unless the school plans to provide these services to only boys teams, this is not necessarily a gender equity issue but a school-wide safety issue.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

- Inadequate softball facility. Safety concerns are also presented.
- Inadequate equipment and storage area for softball team.
- Failure to address interests outlined in student surveys.
- Weight room limited to male students.
- The school needs to provide some explanation for expenditures for girls' and boys' basketball, boys' baseball, and girls' softball (equipment and supplies).

7. Facility Recommendations or Concerns

See items listed below under Comments Section.

8. Recommended Action To Be Taken by KHSAA

Recommend Additional Steps For Title IX Compliance

Probation For One Year, beginning December 15, 2000

Fine In The Amount of \$500.00

Prohibition From Post Season Play (unless all requirements set forth below are met by **December 15, 2000**).

Suspension From the Association

Notify KDE Equity Division and KBE of Potential Title IX Violations

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

9. KHSAA To Follow-Up Regarding Corrective Action If Necessary On The Following:

1. **(Failure to Address Matters in Preliminary Report/Failure to Conduct Gender Equity Committee Meetings During 1999/2000 School Year/Failure to Submit Signed GE-19)** Monetary sanctions have been imposed because Cumberland High School has ignored the items outlined in the KHSAA's Preliminary Report. Likewise, the school failed to conduct any meetings of its Gender Equity Committee during 1999-2000 and failed to submit a properly-signed certification of Title IX compliance.
2. **(Failure to Address Acknowledged Deficiencies)** Although the KHSAA's auditors disagree with Cumberland's assessment of its Title IX compliance, the school admits that the boys' program has an advantage in the area of accommodating interests and abilities of students. Yet, the school has not taken any steps to correct this deficiency. Likewise, Form T-41 indicates that the boys' program receives an advantage in the area of travel and per diem allowances. Again, the school has taken no steps to correct this difference. Under these circumstances and in view of the numerous other deficiencies observed and noted, the auditors believe that the school should be placed on **probation** for one year beginning December 15, 2000. In addition, the Kentucky Board of Education should be advised that it appears that Cumberland High School is not in compliance with Title IX obligations and does not appear to be taking steps to correct observed and reported deficiencies.
3. **(Inadequate Softball Facilities)** The school should take immediate steps to correct the deficiencies observed with its softball fields and facilities. On or before **December 15, 2000**, the school should provide detailed information concerning the steps it intends to take.
4. **(Access to Weight Room)** On or before **December 15, 2000**, the school shall advise the KHSAA of steps it has taken to allow full access to its weight training facilities to its female athletes. In addition, the school will take steps to provide appropriate weight training to its female athletes (taking into account appropriate weights and equipment for

female athletes as well as all other relevant factors).

5. **(Student Surveys)** The school shall immediately add sports responsive to student interest surveys. On or before **December 15, 2000**, the school shall notify the KHSAA of the sport(s) to be added.
6. **(Scheduling of Girls' Basketball Games)** The school shall take immediate steps to schedule girls' basketball games on dates and times sought by its student athletes (i.e., prime times). The school shall advise the KHSAA of all changes and additions to its schedule on or before **December 15, 2000**.
7. **(Student Managers/Volunteers)** On or before **December 15, 2000**, the school shall take immediate steps to add student managers and/or student volunteers for comparable sports (i.e., boys' basketball and girls' basketball teams) if managers/volunteers are not presently provided in equal numbers.
8. **(Travel and Per Diem)** The school shall notify the KHSAA of actions taken to correct the deficiencies noted in the area of travel and per diem benefits. This information shall be provided to the KHSAA no later than **December 15, 2000**.
9. **(Submission of Complete Forms)** The school shall provide supplemental information for all forms which have not been completely filled out and/or signed no later than **December 15, 2000**. This includes, but is not limited to, the school's GE-19 Form.
10. **(Cheerleaders/Pep Bands)** The school is immediately prohibited from allowing cheerleaders, pep band or other forms of entertainment at boys games until such time as such entertainment is also provided for corresponding girls' teams. In addition, the groups performing at girls' games shall be equal in quality to that provided to boys' teams. For example, if "A" team cheerleaders perform at 10 boys' basketball games, the "A" team shall perform at an equal number of girls' basketball games. On or before **December 15, 2000**, the school shall advise the KHSAA of action taken with respect to this issue.
11. **(Tutoring)** The school shall take immediate action to insure that tutoring services are provided on an equal basis to all student athletes. On or before **December 15, 2000**, the school shall advise the KHSAA of action taken with respect to this issue.

(Prime Time Contest/Girls' Basketball) On or before **December 15, 2000**, the school is requested to provide information to the KHSAA concerning the number of "prime time" games scheduled (games to be played on Friday and/or Saturday nights) for its girls' varsity basketball team during the 2000/2001 season. The school should also provide similar information for the 1999/2000 season. To the extent that a fewer percentage of girls' games are played during prime times (when compared with the percentage of boys' games

scheduled for prime times), the school shall advise the KHSAA of action it intends to take to immediately correct the difference.

Kentucky High School Athletic Association

November 17, 2000

Memorandum

To: Superintendent & Principal Of Member School

From: Louis Stout, Commissioner



Date: November 17, 2000

Subject: KHSAA Title IX Final Audit Report
1999-2000 School Year

Enclosed please find a copy of your school's final Title IX KHSAA Audit Report for the 1999-2000 school year. As you review the report, please pay particular attention to the fact that the reviewer may have requested, by a certain date, additional information to properly assess your athletics program. In addition, fines and/or penalties may also be imposed.

While exact reporting procedures and all of the required documents for the 2000-2001 school year have not been determined at this time, an annual update of your Corrective Action Plan will be required. In light of that probability, you should expect to include in your 2000-2001 Title IX Corrective Action Plan how you intend to address issues that have been raised in this 1999-2000 Final Audit Report.

Should you have specific questions regarding the content of your 1999-2000 final report, please contact the person who reviewed your Audit Document.

Thank you for your work in this very important project.