



KHSAA TITLE IX RE-VISIT FINAL AUDIT REPORT

(For schools re-visited during the 2013-2014 school year)

School: Estill County
Prepared By: Gary W. Lawson
Date of Re-Visit: January 14, 2014
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

Title IX Improvement Plan Summary Charts (Form T-60) Yes No

2. Opportunities Component of Title IX Compliance

Area of Compliance:
(Check One or More)

A	Substantial Proportionality
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 rosters and data submitted, the school has met the standard established in Test 1 for provision of athletic opportunities during only one of the past three school years (2010-11) and is not currently meeting that standard.

- 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: The rosters and data submitted to KHSAA by the school shows that the standard established in Test 2 for provision of athletic opportunities has not been met during any of the past three school years. The 2012-13 annual Title IX report indicates that no teams for females have been added at any level during the past five years.

- 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 on the T-3 forms indicate that the school is not meeting the standard established by Test 3 for provision of athletic opportunities. There is also no documentation provided that the indicated interests in archery (20 girls), bowling (28 girls), and bass fishing (12 girls) have been pursued for validity.

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

Comments: The T-63 form found in the 2011-12 annual Title IX report indicates that a 94% completion rate was received 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
Accommodation of Interests and Abilities		X	<p>The February 7, 2001 school visit report rated this area <i>Satisfactory</i> because the school added a volleyball program in 2001-02, and the addition of the participants met the standard established in Test 2 for provision of athletic opportunities. The November 30, 2010 report again rated this area <i>Satisfactory</i> since it appeared the school was meeting the standards established in both Tests 1 and 3 for provision of athletic opportunities at that time. The annual reports for the past three years show that the standard established in Test 1 was met only in 2010-11, the standard in Test 2 was not met during any of those three years, and there is no documentation that the school is currently meeting the standard of Test 3. The failure to document that the standard established in any one of the opportunities tests is being met renders this category to be deficient. (See <i>KHSAA Recommended Action</i>.)</p> <p>The school's most recent student athletic survey shows indicated interests in the sports of bowling, archery, and bass fishing, and there is no evidence on the T-3 form that these indicated interests have been pursued for validity. School officials were reminded that failure to verify that student interests are being accommodated has been the designated as the most serious deficiency related to athletics under Title IX. 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, schedules for all school sponsored sports, equitable usage schedules for the gym, indoor hitting facility and weight room, guidelines regarding awards and recognition of athletic accomplishments (see <i>Publicity</i>), written designation of the locker room and athletic equipment storage space assigned each team, minutes for all Gender Equity Review Committee meetings during the past three years, a uniform review, rotation, and/or</p>

Accommodation of Interests and Abilities continued			replacement plan, guidelines for provision of meals for student athletes (see <i>Travel and Per Diem</i> and <i>KHSAA Recommended Action</i>), and a copy of the school's athletic facility emergency medical plan (KRS 160.445). School officials were commended for the development of a comprehensive Title IX file.
Equipment and Supplies	X		Both the previous Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2001 report requested the school to develop and implement an equitable uniform review, rotation, and/or replacement plan. The 2010 report documented that the school had a plan in place based on a four-year cycle of review. Interviews with student athletes and coaches during the most recent visit indicated that the same plan is currently being followed. All the uniforms and equipment inspected during the visit were of mid-to-high quality and appeared to be provided on an equitable basis. According to the data submitted in the 2011-12 and 2012-13 annual Title IX reports, the school was spending approximately \$124 per female athlete and \$200 per male athlete for equipment and supplies. (See <i>Support Services and KHSAA Recommended Action</i> .)
Scheduling of Games and Practice Time	X		Both earlier school visit reports rated this benefit category <i>Satisfactory</i> . The 2010 report did state that the school did not have an equitable usage schedule for the indoor hitting facility shared by softball and baseball. According to information provided during the most recent visit, the number of competitive events scheduled for teams of "like" sports was comparable <u>except in the case of girls golf (10 matches) and boys golf (20 matches)</u> . School officials assured KHSAA representatives that this issue has been addressed. A new girls golf coach has been employed and the <u>schedule for next year's team as posted on the KHSAA web site will reflect parity</u> . Equitable usage schedules were available for the gym and indoor hitting facility which are both shared by male and female teams. School officials were commended for the provision of parity in relation to scheduling optimal playing times for

			both male and female teams.
Travel and Per Diem Allowances	X		Both the 2001 and 2010 Title IX school visit reports rendered this benefit category <i>Satisfactory</i> . The 2010 report did request that the written guidelines in this category be expanded in an attempt to insure parity. A review of the Title IX file showed the school currently has guidelines addressing the equitable provision of meals for student athletes. These guidelines do not specifically address the <u>mode of transportation (van or buses)</u> and the <u>provision of lodging</u> . (See <i>KHSAA Recommended Action</i> .) According to data submitted in the 2011-12 and 2012-13 annual Title IX reports, the school was spending approximately \$66 per female athlete and \$59 per male athlete for travel and per diem.
Coaching	X		Both the earlier Title IX school visit reports judged this benefit category <i>Satisfactory</i> . The 2012-13 annual Title IX report shows that the total amounts spent for coaching salaries for teams of "like" sports was comparable. A review of the district's extra service pay schedule for coaches indicated parity. Both the player per coach ratio and the number of coaches provided for teams of "like" sports showed parity. Information gathered during the visit revealed that 57% of the head coaches of girls teams were off-campus employees compared to 42% of the head coaches of boys teams. The school's athletic director is responsible for evaluating all head coaches in relation to competence. At this time, no written instrument is used as part of this assessment.
Locker Rooms, Practice and Competitive Facilities	X		The 2001 and 2010 school visit reports rated this benefit category <i>Satisfactory</i> . The 2010 report noted many improvements that had been made in the provision of amenities within this category since the original visit. The tour of facilities during the most recent visit showed that the amenities provided at all the outdoor athletic venues were comparable except the baseball field has its own outdoor batting cage and none was found at the softball field. School officials contended that the softball

<p>Locker Rooms, Practice and Competitive Facilities continued</p>		<p>team has a batting cage that had been taken down for the winter. (See <i>KHSAA Recommended Action</i>.) Storage space for equipment is provided for teams on an equitable basis. The available locker rooms appear to be assigned with equity as a priority. At this time, two male teams—boys basketball and football—have exclusive use of a dressing room while all dressing rooms used by female teams are shared. There is one potential dressing area in the gym that is not currently assigned. <u>When this area is upgraded and used as a dressing room, it should be assigned to a female team.</u> There is an indoor hitting facility that is shared equitably by baseball and softball. Progress does appear to have been made in this area since the 2010 school visit.</p>
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<p>Medical and Training Facilities and Services</p>	<p>X</p>	<p>The February 7, 2001 school visit report rated this benefit category <i>Satisfactory</i> but did request that a usage schedule be developed for the weight training room that showed equitable female access. The November 30, 2010 report stated that a new weight room had been constructed since the first visit and that the facility had a posted usage schedule that showed equitable female access. The weight room currently provided had equipment that was suitable for use by female athletes. An equitable usage schedule for the facility was found in the Title IX file and posted at the facility. Interviews with coaches and student athletes gave no indication that any female teams actually used the facility after school hours. (See <i>KHSAA Recommended Action</i>.) One change needs to be made in order to provide uninhibited female access to the weight room. The existing opening between the boys football locker room and weight room needs to be closed off—preferably by hanging doors that can be locked from both sides. (See <i>KHSAA Recommended Action</i>.) None of the school's student athletes are provided services of an athletic trainer at this time. Student athletes are responsible for getting their own physical examinations.</p>
<p>Publicity</p>	<p>X</p>	<p>Both the previous Title IX school visit reports rendered this benefit category <i>Satisfactory</i>. The school currently has one cheerleading squad that cheers at all home games and at away games versus district opponents for the football and boys and girls basketball teams. The band plays at all home football games and at all home boys and girls basketball games played on week nights (no Saturday games). The review of the Title IX file revealed that equitable written guidelines are in place for the provision of awards and the retirement of numbers. <u>UPON RECEIPT OF THIS REPORT, THESE GUIDELINES ARE TO BE EXPANDED TO INCLUDE THE POSTING OF BOTH INDIVIDUAL AND TEAM BANNERS IN THE GYM AND THE EQUITABLE PROVISION OF AWARDS AND BANQUETS.</u> According to data provided in the 2011-12 and the 2012-13</p>

Publicity continued			annual Title IX reports, the school was spending approximately \$26 per female athlete and \$30 per male athlete for awards.
Support Services		X	The 2001 and 2010 school visit reports rated this benefit category <i>Satisfactory</i> . The school currently has booster club support for all school sponsored sports except boys and girls track and boys and girls tennis. These booster clubs house their funds in off-campus accounts. An analysis of total athletic spending over the <u>past three years</u> shows that expenditures have been outside generally accepted parameters for the provision of parity on both a percentage and per athlete basis. A summary of athletic spending for the <u>past two years</u> shows that in 2011-12, 39% of spending was for female athletes who made up 45% of the participants or approximately \$426 per female athlete compared to \$546 per male athlete. In 2012-13, 36% of spending was for female athletes who made up 44% of the participants or approximately \$362 per female athlete compared to \$514 per male athlete. During the most recent visit, school officials discussed measures being put into place for oversight of spending that might bring about equity. Included in these discussions was administrative approval for all booster purchases. It was emphasized to school officials that because this spending is a direct reflection of total benefits provided and the school was unable to show progress in this endeavor, this category is rendered deficient. (See <i>KHSAA Recommended Action</i> .)
Athletic Scholarships	NA		
Tutoring	NA		
Housing and Dining Facilities and Services	NA		
Recruitment of Student Athletes	NA		

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5. Brief Summary/Analysis of the Title IX Improvement Plan (Form T-60)

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

- increasing the number of competitive events scheduled for girls during opportune playing times;
- increasing female participation at the middle and high school levels;
- monitoring athletic booster club expenditures;
- upgrading the softball facility.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

Two major deficiencies are designated as a result of the January 14, 2014 Title IX school visit. These deficiencies were in the areas of *Accommodation of Interests and Abilities* and *Support Services*.

In addition to the deficiencies identified above, there are "areas of concern" in the benefit categories of *Locker Rooms, Practice and Competitive Facilities, Travel and Per Diem Allowances, and Medical and Training Facilities and Services* which need to be addressed in an attempt to insure that future deficiencies do not develop. See *KHSAA Recommended Action* in the next section of this report for specific actions to be taken in regard to each of these areas.

7. KHSAA Recommended Action in relation to new deficiencies

Accommodations of Interests and Abilities On or before **April 23, 2014**, the school is to submit to KHSAA written documentation of the steps taken to address the indicated interests in bowling and archery shown on the 2011-12 athletic interest survey. This documentation should include, but not be limited to, evidence of interest meetings held and the attendance at these meetings. If the attendance at these meetings indicates that the interest is authentic (for one or both sports), the future steps to be taken by the school are to be included as well. Documentation of the steps taken are also to be a part of the school's Title IX improvement plan (T-60 form) submitted to KHSAA by April 30, 2014.

Support Services On or before **April 23, 2014**, the school is to submit to KHSAA a written listing of the steps being taken by the school to monitor athletic spending for the provision of parity. This document should include, but not necessarily be limited to, agreements and policies developed to control booster spending, attempts to combine booster clubs of "like" sports, training done with coaches to emphasize parity in provision of benefits, and emphasis placed on specific benefit categories and/or "like" teams in which spending will be more closely monitored.

Although not currently deemed to be deficient, the following "**areas of concern**" should be addressed in order to maintain equity in provision of benefits.

(Travel and Per Diem Allowances) On or before **April 23, 2014**, the school is to submit to KHSAA a written expansion of the current travel and per diem guidelines that addresses equitable provision of the mode of transportation (van or school bus) and lodging for student athletes.

(Locker Rooms, Practice and Competitive Facilities) On or before **April 23, 2014**, the school is to send to KHSAA a picture of the outdoor batting cage located adjacent to the softball field. The picture should show the batting cage as well as the softball field.

(Medical and Training Facilities and Services)

On or before **April 23, 2014**, the school is to submit to KHSAA a copy of the weight training room usage schedule with a signature sheet attached which is signed by all current head coaches and each member of the Gender Equity Review Committee.

On or before **April 23, 2014**, the school is to submit a picture of the enclosure (doors) placed at the weight training room to separate that facility from the football locker room. If doors are used to form this enclosure, evidence must be provided that they can be locked from both sides.

8. KHSAA Recommended Action in relation to reoccurring deficiencies

No deficiencies were designated by the November 30, 2010 Title IX school visit report.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Arthur Ballard, 397 Engineer Road, Irvine, KY 40336
 (606) 723-3537
 District Level Title IX Coordinator: Randall Christopher, 253 Main St., Irvine, KY 40336
 (606) 723-2181

Name	Title	Telephone
Gary W, Lawson	KHSAA	(502) 545-3393
Bethany Hall	Student Athlete	(606) 723-3537
Kennedy Flynn	Student Athlete	(606) 723-3537
Andrew Farmer	Student Athlete	(606) 723-3537
Candie McMaine	Girls Soccer	(606) 723-3537
Mark McKinley	Volleyball & Girls Basketball	(606) 723-3537
Blair Click	Academic Principal	(606) 723-3537
Randall Christopher	District Title IX Coordinator	(606) 723-2181
Arthur Ballard	Athletic Director	(606) 723-3537
Danny Wood	Baseball, Middle Sch. Softball	(606) 723-3537
Barbara Kok	KHSAA	(859) 299-5472

10. Comments

No one from the community attended the Public Comments session. The meeting was adjourned at 3:10 EST.