



TITLE IX FINAL AUDIT REPORT

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

School: Henry Clay High School

Reviewed By: Danny C. Reeves

Date of Visit: December 14, 1999

Telephone Number of Reviewer: (859) 288- 4664

(Please direct questions to the reviewer at the above number during normal business hours)

1. Completed Required Forms

GE-19 Yes No

Survey Student Interest Form Yes No

Summary Forms T-1 Thru T-41 Yes No (Some team forms missing)

Corrective Action Plan (Form T-60) Yes No

2. Opportunities Component of Title IX Compliance

Area 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.)

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| Comment: |
| N/A However, it appears that he school has not performed the calculation correctly (Compare T-1 with T-2) |

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

Yes No

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| 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

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| Comment: |
| While survey information submitted is incomplete, it appears that the school offers opportunities in selected areas of interest. |

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

Yes No

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| Comment: |
| Unable to determine due to incomplete information provided by the school. The number of students responding to each area listed on attachment should be provided. In addition, it appears that only one page of the recommended survey was included in the schools submission. |

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

| Benefit to Students | Satisfactory | Deficient | Comments |
|----------------------------------------------------------|---------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Accommodation to Interests and Abilities | X | | While additional survey information should be submitted, it appears that the school's compliance is satisfactory. However, the school should explain its response on T-41 (that, in its opinion, it is deficient in this area). If a deficiency is identified, it must outline a plan for coming into compliance. |
| Equipment and Supplies | ? | | According to the school's assessment lesser quality game uniforms are provided to some girls' teams. However, it appears that this issue is being addressed. |
| Scheduling of Games and Practice Time | | X | Girls' basketball teams complain that game dates and times are not satisfactory. While the school had indicated it is addressing this issue, its response does not address number of games to be added on Friday/Saturday nights. Additional information is required. |
| Travel and Per Diem Allowances | | X | Although the adequacy of transportation for a number of girls' teams is being addressed county-wide, the school's response is insufficient. Also, a greater number of boys' teams travel by charter busses. |
| Coaching | | X | Coaches of boys' teams have significantly more experience than coaches of girls' teams. |
| Locker Rooms, Practice and Competitive Facilities | | X | While locker room differences are being addressed, in part, through building renovations, major differences remain regarding competitive facilities for baseball and softball. Neither the school nor the district have addressed this issue in a timely, responsive manner. Instead, it has allowed even greater differences through the additions to the baseball facility. |
| Medical and Training Facilities | | X | Certain boys' teams (i.e., football and baseball) have individual, superior weight training facilities |

| | | | |
|------------------------------------------------------|--|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| and Services | | | and individual field houses. |
| Publicity | | X | The school believes an advantage exists in this area for boys' teams. It should identify and address this difference in a supplemental Corrective Action Plan |
| Support Services | | X | The school (see T-41) has identified an advantage to boys' programs. However, the school has not addressed the manner in which it intends to correct this deficiency. |
| Athletic Scholarships** | | | N/A |
| Tutoring** | | | N/A |
| Housing and Dining Facilities and Services ** | | | N/A |
| Recruitment of Student Athletes** | | | N/A |

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

The school's Corrective Action Plan addresses:

- Transportation concerns of softball players (practice only)
- Girls' locker rooms
- Renovation/construction of a softball facility
- Selection of coaches
- Uniform awards structure
- Basketball schedules (prime time games)
- Budget issues

The plan does not address other areas it has identified on Form T-41 as deficiencies, including:

- Accommodation of interests and abilities;
- Equipment and supplies;
- Publicity; and
- Support services.

These areas should be addresses in a revised corrective plan to be submitted as outlined below.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

The budget form (T-35) demonstrates that substantially more money is spent on boys' teams. The school has offered a reasonable explanation regarding the purchase of some team uniforms. However, it does not appear that the school has adopted a schedule for uniform replacements (which was highly recommended). In addition, the school's board of education has recently approved a Booster Club Agreement which, if enforced by the school, could be used to correct some of the deficiencies observed. However, serious questions exist regarding whether the school will enforce this Agreement. In view of the school's recent actions in allowing a press box/restroom/concession area to be constructed for the baseball team (contrary to the reviewer's recommendation), it does not appear that the school intends to make necessary corrections unless forced to do so.

7. Facility Recommendations or Concerns

The school has not adequately addressed deficient softball facilities per earlier recommendations. Instead, it has increased the differences with recent additions to the baseball complex. In addition, the school has not adequately demonstrated that football and baseball field houses are used by other teams in any meaningful way. While the preliminary report requested that the school provide specific information regarding teams' use of these facilities, only general information has been provided.

8. Recommended Action To Be Taken by KHSAA

Recommend Additional Steps For Title IX Compliance (See comments below.)

Probation For 2 years

Fine In The Amount of \$250.00

Prohibition From Post Season Play

Suspension From the Association

Notify 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. **(Out-of-State Trips)** The school shall prohibit out-of-state baseball trips until adequate softball facilities have been made available to girls' teams. This ban begins immediately. It will be lifted when the school demonstrates to the KHSAA's satisfaction that equity has been achieved in this area.
2. **(Press box/Baseball Field)** Until adequate softball facilities have been made available the school may not utilize the recently constructed press box-concession building. The school initially asked whether this construction could proceed under Title IX guidelines and was told it could not. The school blatantly ignored this recommendation.
3. **(Booster Club Information)** On or before **December 15, 2000**, all booster club information required under the school district's Booster Club Agreement shall be submitted to the KHSAA for review and possible follow-up action.
4. **(Game Schedules)** On or before **December 15, 2000**, the school shall identify girls' basketball games scheduled for Friday and Saturday nights. Starting times shall also be specified in this submission. If, after review, the school has not scheduled a sufficient number of prime time games for these teams, additional corrective action will be directed by the KHSAA.
5. **(Use of Field Houses)** On or before **December 15, 2000**, the school shall submit statements of all team's coaches using the football and baseball field houses. These statements shall address the amount of use of this facility (dates and times) by their respective teams. In addition, the school shall identify all persons having access (i.e., keys and security codes) to the facilities.
6. **(Selection of Cheerleaders)** On or before **December 15, 2000**, the school is requested to provide information to the KHSAA concerning the manner in which cheerleaders are selected for boys' and girls' teams. If cheerleaders are selected in such a way as to result in an arguably better (i.e., "A" team vs. "B" team) cheerleaders performing at boys' events, the school shall also submit a plan under which cheerleaders of equal ability shall perform at an equal number of boys' and girls' games in comparable sports (i.e., boys varsity and girls' varsity basketball games).
7. **(Deficiencies Noted on Corrective Action Plan)** On or before **December 15, 2000**, the school shall submit a revised Corrective Action Plan which shall identify and address the following areas previously identified as deficient:
 - Equipment and supplies
 - Publicity; and
 - Support services

In addition, the school shall also identify deficiencies noted in the area of

Accommodation of Intents and Abilities. If deficient, the school shall submit a plan for correcting these deficiencies in a timely manner.

8. **(Uniform Replacement)** The school shall submit a uniform replacement schedule on or before **December 15, 2000**

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.