



TITLE IX FINAL AUDIT REPORT

(For schools visited during the 2003-2004 school year)

School: **Heritage Academy**
Reviewed By: **Gordon Bocoock**
Date of Visit: **October 15, 2003**
Telephone Number of Reviewer: **(606) 678-8916**

1. Completed Required Forms

GE-19 Yes No

Survey Student Interest Form Yes No

Summary Forms T-1 Through T-41 Yes No

Corrective Action Plan (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
X	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

Were the calculations performed correctly? Yes No

Comments:

For the 1999-2000 school year, Heritage Academy appeared to fail Test 1 as the Percentage of Total Enrollment and the Percentage of Total Participation were not within the 3% range necessary for compliance after their calculations had been corrected. For the 2000-2001 school year, Heritage Academy appeared to pass Test 1 as the Percentage of the Total Enrollment (55%) and the Percentage of the Total Participation (54%) for females was 1% difference and within the necessary 3% range to be considered within compliance. In 2001-2002 school year, Heritage Academy appeared to fail Test 1 as the Percentage of Total Enrollment and the Percentage of Total Participation were not within the necessary 3% range necessary for compliance. For the 2002-2003 school year, Heritage Academy appeared to pass Test 1 as the Percentage of the Total Enrollment (52.2%) and the Percentage of Total Participation (55.5%) for females was within the necessary 3% range to be considered in compliance. With the above data, Heritage Academy does appear to be in compliance for the Opportunities Test 1 at the present time.

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

Were the calculations performed correctly? Yes No

Comments:

For the 1999-2000 school year, Heritage Academy had a Percent of Total Participation for females at 41% after the calculations were corrected, and it appears that they have passed the Opportunities Test Two. For the 2000-2001 school year, Heritage Academy had a Percent of Total Participation for females at 63.6% after the calculations were corrected, and it appears that they have passed the Opportunities Test Two. For the 2001-2002 school year, Heritage Academy had a Percent of Total Participation for females at 68%, and it appears that they have passed the Opportunities Test 2. For the 2002-2003 school year, Heritage Academy had a Percent of Total Participation for females at 41%, and it appears that they have passed the Opportunities Test 2. With the above data Heritage Academy does appear to be in compliance for Opportunities Test 2 at the present time.

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

Were the calculations performed correctly? Yes No

Comments:

It appears that Heritage Academy was in compliance with the Opportunities Test 3 on the first, second and fourth year.

3. Has the school properly surveyed its student body to accurately assess the interest and abilities of its students? Yes No

Comments:

Heritage Academy has surveyed the student body each year. It is noted that for the first time they have dropped down to the middle school and included them with the high school. Each year the student interest survey has shown interest by boys and girls that would signal the Gender Equity Review Committee to take a further look at the situation. The Gender Equity Committee has no documentation that they have checked to see if the interest expressed by the Heritage students was real and genuine on any of the past four years. The KHSAA Audit Team encouraged the Gender Equity Committee to check the just completed school survey so that they will have time during the school year to devise ways to test and see if expressed student interests are real and if so to set forth corrective action to address the interested areas.

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

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation of Interests and Abilities	X		Heritage Academy is doing a good job with providing opportunities for a school with a small enrollment. The Gender Equity Review Committee needs to continue to look at the students' surveys, and if interest appears in other areas, they need to find ways to see if this new interest is genuine.
Equipment and Supplies	X		At the present time, no deficiencies were found with equipment and supplies. All of the uniforms for both boys and girls were of excellent quality. To assure that Heritage Academy continues to provide the high quality of uniforms that are currently being offered, it is recommended that the Gender Equity Review Committee adopt a uniform replacement policy that would include all the boys' and girls' athletic teams and be a guide to keeping the uniforms at a high quality. This policy should be placed in the school's permanent Title IX file. The Gender Equity Committee needs to see that a Form T-5 is filled out for boys' golf and a copy placed in the school's permanent Title IX file. The Gender Equity Committee needs to see that the summary sheets (Forms T-6, T-7, T-8, T-9 and T-10) are redone so that they match the comments made by the school's coaches on the Form T-5s. A corrected copy of these forms should be placed in the school's permanent Title IX file and a copy sent to the KHSAA office by December 15, 2003 . The Gender Equity Committee should continue to look at the school's permanent Title IX File and the Form T-5s to make sure all the blanks and questions have filled and answered correctly.

<p>Scheduling of Games and Practice Time</p>	<p>X</p>	<p>At the present time, Heritage Academy is not rotating the boys' and girls' basketball practice, since the girls' coach is a paraprofessional and does not finish her regular job till 5:00. It is recommended that the Gender Equity Review Committee place a statement in the school's permanent Title IX File that explains that this inequitable situation is recognized by school personnel and that both teams and coaching staffs know that it is only a temporary situation. In regard to "prime time" scheduling, it appears that Heritage Academy is in compliance. The Gender Equity Committee should review all boys' and girls' basketball schedules before they are released for the next year to make sure that they are in compliance with "prime time" scheduling requirements. The Gender Equity Committee needs to see that a Form T-11 is filled out for boys' golf and a copy placed in the school's permanent Title IX file. The Gender Equity Committee needs to see that the summary sheets (Forms T-12 and T-13) are redone so that they match the comments made by the school's coaches on the Form T-11s. A corrected copy of these forms should be placed in the school's permanent Title IX file and one sent to the KHSAA office by December 15, 2003. The Gender Equity Committee should continue to look at the school's permanent Title IX file and the Form T-11s to make sure all the blanks and questions have been filled and answered correctly.</p>
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<p>Travel and Per Diem Allowances</p>	<p>X</p>		<p>It is recommended that the Gender Equity Review Committee look into establishing an equitable policy for student athletes that would include all the aspects of travel and place the policy in the school's permanent Title IX file. The Gender Equity Committee needs to see that a Form T-15 is filled out for boys' basketball and a copy placed in the school's permanent Title IX file. The Gender Equity Committee should continue to look at the school's permanent Title IX file and the Form T-15s to make sure all the blanks and questions have been filled and answered correctly.</p>
<p>Coaching</p>	<p>X</p>		<p>It appears at the present time that Heritage Academy is in compliance in regard to coaching salaries. It is noted that the 1999-2000 base line report indicated that the girls' softball coach received no salary as compared to one received by the baseball coach. It was recommended by the KHSAA Audit Team that Heritage Academy make sure to prepare a statement to show that this inequitable situation has been corrected and that the softball salary is equitable to that of the baseball coach. It is recommended that the Gender Equity Review Committee place a copy of the coaching salaries and/or extended employment for the members of the athletic staff and place this copy in the school's permanent Title IX file. The Gender Equity Committee should continue to look at the school's permanent Title IX file and the Form T-17s to make sure that all the blanks and questions have been filled and answered correctly.</p>
<p>Locker Rooms, Practice and Competitive Facilities</p>	<p>X</p>		<p>At the present time, the dressing rooms at Heritage Academy are under renovation and it is recommended that the Gender Equity Review Committee take pictures of the completed project and place them in the school's permanent Title IX file. The Gender Equity Committee needs to look at a softball/baseball situation where the softball</p>

<p>Locker Rooms, Practice and Competitive Facilities (cont.)</p>		<p>team is using an off campus field where no scoreboard is in place, while the on campus field does have one. The Athletic Director stated that the field is being borrowed from the Boone County Board of Education and that there was a scoreboard there last year and that it was probably stored away for the year. It is recommended that the Gender Equity Committee look into this situation and take a picture of the scoreboard at the softball field when it is place. The Gender Equity Committee needs to keep a close eye on the baseball/softball fields to see that that an equal situation is in effect. The Gender Equity Committee should continue to look at the school's Title IX file and the Forms T-26 should be checked out to make sure that they have added the pictures of the newly renovated dressing rooms. The Gender Equity Committee should make sure that all of the Forms T-26 and T-27 have all of the blanks and questions filled out and answered correctly.</p>
<p>Medical and Training Facilities and Services</p>	<p>X</p>	<p>The weight room situation at Heritage Academy is equally bad for both boys and girls. The little equipment that the school does have will be in the back of the new boys' dressing room. It is recommended that the Gender Equity Review Committee develop a schedule of times for the boys and/or girls to use the weight equipment and that this schedule be posted for all to see. It is also recommended that the plans for a new weight room, currently being planned, get the immediate attention of the Gender Equity Committee to ensure that the new facility is female-friendly not only in equipment but in appearance. The Gender Equity Committee should continue to look at the school's permanent Title IX file and the Forms T-28 to make sure all the blanks and questions have been filled and answered correctly.</p>

<p>Publicity</p>	<p>X</p>	<p>It is recommended that the Gender Equity Review Committee establish a policy that would ensure equal treatment regarding program production, schedule cards production and media guide productions to ensure that all sports are on an equal basis. This policy should be placed in the school's permanent Title IX file. It is recommended that a policy be created specifying the criteria and qualifications for the placement of banners and/or pictures in the gymnasium and other commons areas of the school to ensure that all participants and teams have an equal opportunity for this prime time exposure. This policy should be placed in the school's permanent Title IX file. The Gender Equity Committee should continue to look at the school's permanent Title IX File and the Forms T-32 to ensure that all the blanks and questions have been filled and answered correctly.</p>
<p>Support Services</p>	<p>X</p>	<p>It is noted that in the 1999-2000 base line report, Heritage Academy cheerleaders did not perform at girls' basketball games. It appears at this time that this situation has been corrected and that an equal number of games for boys and girls have cheerleaders in attendance. The Gender Equity Review Committee is reminded that on or before April 15, 2004 school personnel are requested to provide information to the KHSAA concerning the manner in which cheerleaders are selected for any and all cheer squads as well as a schedule of the athletic events of which they will be a part. The school does use Booster Clubs from time to time to assist with financial fund raising situations for the Athletic Department. It is recommended that the Gender Equity Committee should require, through policies approved at the school level, that the booster organizations regularly submit complete and audited financial reports to the school so as to include these amounts received</p>

Support Services (cont.)			and spent by this organization in any required reporting. The Gender Equity Committee needs to see that the summary budget sheets (Forms T-35 and T-36) for the 2002-2003 yearly report, be redone to reflect all the actual financial situations in the Athletic Department of Heritage Academy. A corrected copy of these forms should be placed in the school's permanent Title IX file and sent to the KHSAA office by December 15, 2003 . The Gender Equity Committee should continue to look at the school's permanent Title IX file and the Forms T-34, T-35 and T-36 to make sure that all the blanks and questions have been filled and answered correctly.
Athletic Scholarships	N/A		This area does not appear applicable in this situation
Tutoring	N/A		All students at Heritage Academy have the opportunity for tutoring provided by the school.
Housing and Dining Facilities and Services	N/A		It does not appear to be applicable to this school, nor are there any indications of disparate treatment.
Recruitment of Student Athletes	N/A		It does not appear to be applicable to this school, nor are there any indications of disparate treatment.

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

Heritage Academy is a small, relative new school in Northern Kentucky that is doing a lot of things right with Title IX, but one of their biggest problems deals with Corrective Action. Basically, their past Corrective Action Plans have not shown the plans they have for the future to correct problems, nor do they reflect the advancement the school has made in regard to Title IX. No documentation is currently in the school's permanent Title IX file that would reflect where they have been or where they are going. The Gender Equity Review Committee needs to begin putting together a listing of the steps the school has made with Title IX since the 1999-2000 school year. The KHSAA Audit Team discussed several items that need the attention of the Gender Equity Committee at Heritage Academy, in regard to policy development and making these policies a part of the school's permanent Title IX file.

6. **Observed Deficiencies in Overall Girls and Boys Athletics Programs:**

At the present time, no real situations with Title IX are present; however, some potential situations are listed below under Facility Recommendations or Concerns.

7. **Facility Recommendations or Concerns:**

The KHSAA Audit Team wants to encourage the Gender Equity Review Committee to keep a close eye on the baseball/softball situation that is currently border line at best. The weight room situation has the potential to be a problem if the Gender Equity Committee does not keep control of the situation.

8. **KHSAA Recommended Action**

- Notify Office of Civil Rights and Request Federal Investigation of Possible Violations
- Notify Equity Division and KBE of Potential Title IX Violations
- Suspension from the Association
- Prohibition from Post Season Play
- Probation For
- Fine In The Amount of _____
- None at This Time
- School shall submit the following additional information:

(Selection of Cheerleaders) On or before **April 15, 2004**, school personnel are 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 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 sport (i.e., boys' varsity and girls' varsity basketball game).

(Prime Time Contest/Girls' Basketball) On or before **April 15, 2004**, school personnel are 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 2004-2005 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.

(Forms Missing or Being Redone): On or before **December 15, 2003** school personnel are requested to provide a corrected copy of the following to the KHSAA:

- 1999-2000 Base Line Report Forms being corrected: T-6, T-7, T-8, T-9 and T-10.
- 1999-2000 Base Line Report Forms being corrected: T-12 and T-13.
- 2002-2003 Yearly Report Budget Line Items being redone and/or corrected: T-35 and T-36.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Bert Capel

District Level Title IX Coordinator: Howard Davis

Name	Title	Telephone
Gordon D. Bocock	KHSAA Audit Team	606-678-8916
Phyllis Catlett	KHSAA Audit Team	859-299-5472
Lisa M. Brock	Girls' Basketball and Softball Coach	859-689-5473
Kami Stone	Teacher, Volleyball & Cheer Coach	859-384-7884
Brittany Brock	Female Student	859-689-5473
Jackson Capel	Male Student	859-342-9371
Steve Offutt	Vice Principal & Boys' Basketball	859-485-2115
Bert Capel	Athletic Director and Baseball Coach	859-342-9371
Howard Davis	Principal	859-525-0213

10. Comments:

It is noted that no one showed up for the Public Forum at 6:00 in the Heritage Academy School Library. It is noted that the school had their school's permanent Title IX File at the meeting and all the committee members had a copy of the 2002-2003 yearly report. It is noted that the File did contain minutes of previous meetings. The KHSAA Audit Team does encourage the Heritage Academy Gender Equity Review Committee to design a number of policies that will strengthen the governing of the school's Athletic Department. Overall, the Athletic Department and the student athletes clearly have the support of the school and the administration, as well as the community.