



**KHSAA TITLE IX RE-VISIT
FIELD VISIT REPORT**

KHSAA Form T76
Rev..11/16

School:	Highlands
Prepared By:	Gary W. Lawson
Date of Re-Visit:	January 18, 2024
Staff Reviewed By:	Darren Bilberry, Asst. Commissioner
School Year:	2023-24

ACCOMMODATIONS OF INTEREST AND ABILITIES REVIEW:

OPPORTUNITIES REVIEW (FROM PRIOR YEAR ANNUAL REPORT)	Completed
Test One – Substantial Proportionality	
Test Two – History of Continuing Practice of Program Expansion	
Test Three – Full and Effective Accommodation of Interest and Abilities SATISFACTORY	
Analysis Form Review	X

ACCOMMODATIONS OF INTEREST AND ABILITIES NOTES: The January 20, 2015 Title IX school visit report designated the accommodation of student interest and abilities *Satisfactory* based on data and information submitted by the school indicating that the standards of both Tests 1 and 3 for the provision of athletic opportunities was being met.

A review of the annual Title IX reports for the past two years gives strong indication that the standard of Test 3 continues to be met. The information on the T-3 form in the 2023 annual Title IX report appears to be supported by the most recent student athletic interest survey. There was a 64% completion rate received on the most recent survey. The school currently offers 28 teams for female competition and 30 teams for male competition.

During this most recent visit, the school's Title IX file was examined and found to contain a copy of the 2015 Title IX school visit report, 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 teams, a school-generated handbook for coaches, a copy of a written booster club agreement, facility usage schedules for shared athletic venues, and some guidelines addressing recognition of athletic participation and accomplishments. (See **Publicity** and **KHSAA Recommended Action**.) The file also contained a listing of the assignment of athletic equipment storage space for each team, written designation of the assignment of locker room space to some school teams, (see **Locker Rooms, Practice and Competitive Facilities** and **KHSAA Recommended Action**), minutes for all Gender Equity Review Committee meetings held during the past three years, a uniform review, rotation, and/or replacement plan, and guidelines addressing the provision of meals for student athletes. (See **Travel and Per Diem Allowances** and **KHSAA Recommended Action**.) School officials were encouraged to continue to work toward the development and implementation of regulations addressing the equitable provision of benefits for student athletes.

BENEFITS REVIEW

BENEFIT	Satisfactory	Deficient
EQUIPMENT AND SUPPLIES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Uniform review / replacement plan	X	
Status of uniforms and equipment	X	
Equity of spending		X

BENEFITS REVIEW- EQUIPMENT AND SUPPLIES: The 2015 Title IX school visit report designated this benefit category *Satisfactory*.

All the uniforms viewed during the most recent visit were of high quality and appeared to be supplied in equitable quantities. There were some differences in the amenities provided for “like” sport teams, but, overall, equivalence seemed to be maintained. The uniform review, rotation, and/or replacement plan in the Title IX file showed a five-year cycle of replacement for all teams except archery, boys and girls bowling, boys and girls golf, boys and girls swimming which are replaced annually. Interviews with student athletes did not confirm adherence to this plan, but the coaches reported that teams do follow this plan.

The 2021-22 and 2022-23 annual Title IX reports show that the school spent \$90 per female athlete and \$183 per male athlete for equipment and supplies. This spending indicates that male athletes are significantly favored. (See **Support Services** and **KHSAA Recommended Action**.)

BENEFIT	Satisfactory	Deficient
SCHEDULING OF GAMES AND PRACTICE TIMES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Like sports scheduling	X	
Scheduling of shared practice facilities	X	
Optimal playing times	X	

BENEFITS REVIEW- SCHEDULING OF GAMES AND PRACTICE TIMES: The 2015 Title IX school visit report designated this benefit category *Satisfactory*.

The athletic director confirmed during the most recent visit that the number of competitive events scheduled for teams of “like” sports was comparable except in the case of boys’ golf (20 matches) and girls golf (12 matches). The athletic director explained this difference resulted when there was a late coaching change for girls’ golf and that this inequivalence would be resolved in the schedule for next year. Facility usage schedules showing equitable access for both genders were available for both weight training rooms, the fieldhouse practice area, the gym, and the soccer field. Scheduling competitive events during the most optimal playing times was discussed with school officials who were encouraged to strive for equivalence in regard to this benefit.

BENEFIT	Satisfactory	Deficient
TRAVEL AND PER DIEM		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Mode of transportation		X
Provision for meals and housing		X
Equity of spending		X

BENEFITS REVIEW- TRAVEL AND PER DIEM: The 2015 Title IX school visit report designated this benefit category *Satisfactory*. The report did document that the regulations in this area did not address the equitable provision of the mode of transportation or lodging for student athletes.

The Title IX file examined during the most recent visit still had no regulations addressing the parity of mode of transportation or lodging for student athletes. There were some limited guidelines about equitable meals, but interviews with coaches and student athletes did not confirm adherence to these guidelines. The 2021-22 and 2022-23 annual Title IX reports show that the school spent \$33 per female athlete and \$152 per male athlete for travel and per diem. THIS SPENDING SIGNIFICANTLY FAVORS THE MALE PARTICIPANTS. The lack of development of adequate regulations and the equitable implementation of these benefits and the disparity of spending between genders renders this category **deficient**. (See *KHSAA Recommended Action*.)

BENEFIT	Satisfactory	Deficient
COACHING	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Compensation	X	
Accessibility	X	
Competence	X	

BENEFITS REVIEW- COACHING: The 2015 Title IX school visit report designated this benefit category *Satisfactory*.

During the most recent visit, it was learned that the athletic director is responsible for the evaluation of all head coaches. A written instrument is used for documentation of this process. A review of the district's extra-service pay schedule for coaches shows parity in regard to the amount of compensation for similar positions as well as the number of coaches compensated for "like" sports. The T-35 form in the 2022-23 annual Title IX report indicates that the total amounts spent for coaching salaries for teams of "like" sports was comparable.

Data gathered during the most recent visit indicated that the coaching ratio is 13.0 participants per coach for females and 13.4 participants per coach for males. The athletic director shared information indicated that 56% (5/9) of the head coaches of girls' teams and 42% (5/12) of the head coaches of boys' teams are on-campus employees.

BENEFIT	Satisfactory	Deficient
LOCKER ROOMS, PRACTICE AND COMPETITIVE FACILITIES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Competition and practice venues	X	
Dressing areas		X
Equipment storage areas	X	

BENEFITS REVIEW- LOCKER ROOMS, PRACTICE AND COMPETITIVE FACILITIES: The 2015 Title IX school visit report designated this benefit category *Satisfactory* stating that amenities in the athletic facilities appeared to be equitable.

The tour of facilities during the most recent visit showed that the athletic venues are very well-maintained and appointed. The baseball field at Highland Park (one mile from the school) and the softball field at Wenkler Field (one mile from school) currently offer similar amenities. A state-of-the-art soccer and track complex is located at Tower Park (about two miles from the school). The school's fitness center and indoor practice facility offer numerous practice and training options for student athletes. All teams have equipment storage spaces that appear to be assigned in accordance to the size of the teams and the proximity to their practice and/or competitive facilities. There is one component of this benefit category that seems to have moved in a negative direction and that is the assignment of locker room space. The school currently has five large and well-appointed dressing areas, but, according to the athletic director and Title IX file, softball, baseball, boys and girls' cross country, boys and girls' soccer, boys and girls track, and boys' and girls' tennis teams do not have access to a dressing room. While additional dressing room space is needed, the available space could be assigned more efficiently to serve all student athletes. This area is not currently rendered deficient because the lack of this benefit negatively impacts both genders equally. (See *KHSAA Recommended Action*.)

BENEFIT	Satisfactory	Deficient
MEDICAL AND TRAINING FACILITIES AND SERVICES	X	
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Weight room location and access	X	
Weight room usage schedule	X	
Appropriate equipment for female use	X	
Athletic Training services	X	
Physical Exams	X	

BENEFITS REVIEW- MEDICAL AND TRAINING FACILITIES AND SERVICES: The 2015 Title IX school visit report designated this benefit category *Satisfactory*.

The tour of facilities during the most recent visit revealed that the school has two large, very well-equipped weight training rooms. One is located in the school fitness center, and the other is in the field house. Both venues are easily accessible and have training options that are suitable for use by female athletes. There was an equitable usage schedule for both facilities in the Title IX file and posted at the venues. Interviews during the visit seemed to confirm that equitable access is provided. An athletic trainer is available on an equitable daily basis through a contract with St. Elizabeth Health, Inc. Student athletes are responsible for getting their own physical examinations.

BENEFIT	Satisfactory	Deficient
PUBLICITY		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Support group assignments	X	
Written regulation for recognition		X
Equity of spending		X

BENEFITS REVIEW- PUBLICITY: The 2015 Title IX school visit report designated this benefit category *Satisfactory*. The report noted that there were no regulations for the provision of parity addressing the posting of banners for athletic recognition or the provision of awards or post-season banquets.

The school has one cheerleading squad that is assigned to cheer at all home and away football games and at all home games for both boys and girls basketball teams. The band performs at all home football games and the pep band plays at all home boys and girls basketball games. The pep band also plays at away games versus district opponents and at a *selected and equal number of rivalry games* as monitored by the principal for parity. The Title IX file contained regulations addressing equity in regard to the posting of banners for athletic recognition and the criteria for induction into the Athletic Hall of Fame. There were **no regulations** for parity in regard to **athletic awards or post season banquets**. Interviews with student athletes and coaches indicated there was little, if any, administrative oversight regarding parity of awards and banquets. (See **KHSAA Recommended Action**.)

The 2021-22 and 2022-23 annual Title IX reports show the school spent \$41 per female athlete and \$178 per male athlete for awards and athletic recognition. **THIS SPENDING SIGNIFICANTLY FAVORS THE MALE PARTICIPANTS**. Because regulations for equivalence of benefits are lacking and spending as submitted by the school favors male participants, this benefit category is designated **deficient**. (See **KHSAA Recommended Action**.)

BENEFIT	Satisfactory	Deficient
SUPPORT SERVICES		X
INDIVIDUAL COMPONENTS	Acceptable	Needs Improvement
Office access		X
Booster Support	X	
Overall spending for athletic support		X

BENEFITS REVIEW- SUPPORT SERVICES: The 2015 Title IX school visit report designated this benefit category *Satisfactory* stating that total athletic spending for 2012-13 and 2013-14 appeared to be within generally accepted parameters for the provision of parity for a football-playing school.

The tour of facilities during the most recent visit revealed that exclusive office space is provided for football and boys basketball while girls basketball and volleyball have shared office space. It was recommended that when additional office space becomes available, it should be assigned to a coach(es) of a female team(s). According to administrators, there are two athletic booster clubs at the school. One is the *Highlands Athletic Booster Association* (H.A.B.A.) which supports all school teams and the other booster club is the *Touchdown Club* which supports the football team. Both these clubs house their funds in off-campus bank accounts. According to administrators, all expenditures by H.A.B.A. are approved by the athletic director, and all expenditures by the Touchdown Club are approved by the principal.

Data submitted by the school and reported on the Title IX internal analysis summary shows the following:

2021-22 35.86% of spending was for females who made up 45.68% of the participants and 64.14% of the spending was for males who made up 54.32% of the participants or approximately \$309 per female athlete and \$465 per male athlete for the provision of total support.

2022-23 29.1% of spending was for females who made up 40.76% of the participants and 70.9% of the spending was for males who made up 59.24% of the participants or approximately \$455 per female athlete and \$762 per male athlete for the provision of total support.

Over the two-year period of this review, total athletic spending appears to significantly favor the male participants on both a percentage and per athlete basis and renders this benefit category to be **deficient**. (See **Equipment and Supplies, Travel and Per Diem Allowances**, and **Publicity** in the body of this report and **KHSAA Recommended Action**.)

CURRENT DEFICIENCIES

Observed Deficiencies in Overall Girls and Boys Athletics Programs	Recommended Actions in relation to recurring deficiencies	Date for Verification of Action to address deficiency
<p>(Travel and Per Diem Allowances)</p> <p>The school offered minimal evidence that it has implemented regulations for the provision of parity regarding <i>mode of transportation, or the provision of meals and lodging</i> for student athletes.</p> <p>Expenditures in this benefit category as submitted by the school significantly favor male participants.</p>	<p>The school is to submit to KHSAA regulations addressing equitable provision of the <i>mode of transportation, and the provision of meals and lodging</i> for student athletes. These submitted regulations should be signed by all head coaches and by all members of the Gender Equity Review Committee. Once approved, these regulations are to become a part of the Title IX file.</p> <p>See the <u>Support Services</u> category that follows in this section of the report for steps to address the spending disparity.</p>	<p>On or before <u>April 10, 2024</u></p>
<p>(Publicity)</p> <p>The school does not appear to be implementing any regulations for the provision of parity in regard to <i>athletic awards or post-season banquets</i>.</p> <p>Spending in this benefit category, as submitted by the school, significantly favors male participants.</p>	<p>The school is to submit to KHSAA regulations addressing the equitable provision of <u>athletic awards and post-season banquets</u>. These regulations are to be signed by all members of the Gender Equity Review Committee. Upon approval, these regulations are to become a part of the Title IX file.</p> <p>See the <u>Support Services</u> category that follows in this section of the report for steps to address the spending disparity.</p>	<p>On or before <u>April 10, 2024</u></p>

<p>(Support Services)</p> <p>Total athletic expenditures for the past two years, as submitted by the school, significantly favors male participants.</p>	<p>The school is to submit to KHSAA:</p> <p>The results of a self-study identifying the benefits categories in which athletic spending favors male participants. The study should include any "like" teams for which spending is disproportionate. The submittal should also include explanations for spending disparities made by booster clubs.</p> <p>The school is to submit a plan with specific steps to be taken to bring spending back into acceptable parameters within a two-year period. This plan is to be signed by the principal and athletic director.</p>	<p>On or before <u>April 10, 2024</u></p>
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RECURRING DEFICIENCIES

Observed Deficiencies in Overall Girls and Boys Athletics Programs	Recommended Actions in relation to recurring deficiencies	Date for Verification of Action to address deficiency
<p>No deficiencies were assessed as a result of the 2015 Title IX school visit.</p>		

OTHER ACTIONS NECESSITATED BY THIS VISIT

Action	Due Date
<p>(Locker Rooms, Practice and Competitive Facilities)</p> <p>The school is to submit a listing of the location of the locker room space assigned to <u>all school teams</u>. The listing is to include teams which compete both on/off the high school campus. This listing is to be signed by all head coaches and all members of the Gender Equity Review Committee.</p>	<p>On or before <u>April 10, 2024</u></p>

PERSONNEL IN ATTENDANCE AT FIELD VISIT MEETING

Name	Title
Ellie Mohr	Student Athlete
Brennan Bucher	Student Athlete
Milt Horner	Head Softball Coach
Jim DeLong	Head Volleyball Coach
Jamee Flaherty	District Title IX Coordinator
Wes Caldwell	Athletic Director
John Darnell	Principal
Bill Robinson	Parent Representative
Lance Bucher	Administrative Assistant—Athletics
Jaime Walz Richey	Head Girls Basketball Coach
Kevin Listerman	Head Boys Basketball Coach
Gary W. Lawson	KHSAA

OTHER GENERAL OBSERVATIONS

Although not part of the current Title IX evaluation, as per request, the school was asked to provide a copy of its Athletic Facility Emergency Medical Plan (KRS 160.445). The plan presented during this visit was comprehensive and venue-specific as requested by the statute.

As per request, the school was asked for a listing of the locations of its Automated External Defibrillators. It was confirmed that AEDs were in the following locations: (1) in vestibule outside the gym; (2) on the wall of the Fitness Center; (3) on the wall outside the theatre; (4) on the wall outside the Special Education office; (5) on the wall adjacent to the boys' restroom at the football field; (6) a portable unit travels with the athletic trainer; and (7-8) two portable units are available for checkout from the athletic director.

No one from the community attended the Public Comments session which was advertised on the school's athletic website and Twitter page, and on the athletic marquee. The meeting was adjourned at 3:25 pm EST.