



**KHSAA TITLE IX RE-VISIT
FINAL AUDIT REPORT**

(For schools re-visited during the 2016-2017 school year)

School: John Hardin
 Prepared By: Gary W. Lawson
 Date of Re-Visit: October 27, 2016
 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
- Corrective Action 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
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

Comments: The rosters and data submitted indicate that the school has not met the standard established by Test 1 for provision of athletic opportunities during either of the past two school years. The 2015-16 annual Title IX report shows that females made up 38.9% of the school's athletic participants, and they were 41.7% of the enrollment.

- 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 information submitted in the annual Title IX reports show that the school has not met the standard established by Test 2 for provision of athletic opportunities during either of the past two school years. The T-2 form in the 2015-16 annual report shows that the school has added five teams for female participation during the past five years. The addition of these teams has increased the percentage of female participation by 15.5%.

- 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 data and responses submitted in the annual reports for the past two years give strong indication that the standard established by Test 3 for the provision of athletic opportunities is being met. The responses on the most recent T-3 form appear to be supported by the information provided in the most recent student athletic interest survey. The school currently offers 23 total teams for female competition and 25 teams for male competition.

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

Comments: The information submitted on the T-63 form in the 2015-16 annual Title IX report shows that an 80.8% completion rate was received on the most recent student athletic interest survey. SCHOOL OFFICIALS WERE REMINDED THAT AN 80% COMPLETION RATE IS REQUIRED FOR THE SURVEY TO BE CONSIDERED VALID.

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

Benefit to Students	Satisfactory	Deficient	Comments
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<p>Accommodation of Interests and Abilities</p>	<p>X</p>	<p>The October 15, 2003 Title IX school visit report rendered this area <i>Satisfactory</i> and appeared that the school was meeting the standards established by both Tests 2 and 3 for provision of athletic opportunities. The December 6, 2011 school visit report rated this area <i>Satisfactory</i> based on the fact that it appeared that the standard established by Test 3 was being met. A review of the annual Title IX reports for the past two years indicates that the standard established by Tests 1 and 2 have not been met. IT SHOULD BE NOTED THAT IT SEEMS LIKELY THAT THE ROSTERS SUBMITTED FOR THE SCHOOL YEARS 2014-15 AND 2015-16 ARE IN ERROR. THESE ROSTERS SHOW THAT THE NUMBER OF FEMALE PARTICIPANTS INCREASED BY 16% AND THE NUMBER OF MALE PARTICIPANTS INCREASED BY 29% WHILE THE ONLY TEAMS ADDED WERE FRESHMAN BOYS AND FRESHMAN GIRLS CROSS COUNTRY. <u>It was emphasized to school officials during the most recent visit that the evaluation of opportunities is very dependent on the accuracy of team rosters.</u> It does appear that the school is currently meeting the standard established by Test 3. The responses on the T-3 form appear to be supported by the information on the most recent student athletic interest survey. During the visit the school's Title IX file was reviewed. It was found to contain copies of the two previous Title IX school visit reports, annual Title IX reports for the last five years, a board-approved salary schedule for coaches, a listing of the current members of the Gender Equity Review Committee, current game schedules for all school-sponsored varsity teams, a school-generated athletic handbook for coaches and a handbook for student athletes. The file also contained written facility usage schedules for all shared venues—gyms, weight training room, and soccer fields, regulations regarding awards and recognition of athletic accomplishments (see <i>Publicity</i> and <i>KHSAA Recommended Action</i>), written designation of the locker room and athletic equipment storage</p>
<p>Accommodation of Interests and Abilities</p>		

continued			space assigned each team (see <i>Locker Rooms, Practice and Competitive Facilities</i>), written minutes for all Gender Equity Review Committee meetings held during the past three years, a uniform review, rotation, and/or replacement plan (see <i>Equipment and Supplies</i>), regulations regarding the provision of travel and per diem (see <i>Travel and Per Diem Allowances</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 deemed this benefit category <i>Satisfactory</i> . The 2003 report requested the development of a written uniform review, rotation and/or replacement plan. The 2011 report documented that the school had a uniform plan but it was vague in relation to the cycle of replacement. The most recent visit revealed that the school had a written uniform review, rotation and/or replacement plan based on a four-year cycle for all teams except boys and girls swimming, boys and girls golf, bowling, and archery which have their uniforms replaced each year. Interviews during the visit failed to fully confirm knowledge of, or adherence to, the current uniform plan. THEREFORE, IT WAS REQUESTED THAT THE UNIFORM PLAN BE SHARED WITH ALL MEMBERS OF THE GENDER EQUITY REVIEW COMMITTEE AS WELL AS ALL HEAD COACHES. All uniforms and equipment seen during the visit appeared to be of high quality and to be supplied in equitable quantities. According to information in the 2014-15 and 2015-16 annual Title IX reports, the school was spending approximately \$58 per female athlete and \$118 per male athlete for equipment and supplies. This disparity in spending indicates that the benefits provided within this category should be evaluated in regard to equity.

Scheduling of Games and Practice Time	X		The 2003 and 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . Information gathered during the most recent visit indicated that the number of competitive events scheduled for teams of “like” sports was comparable. The school’s shared practice and playing venues are the gyms, soccer fields, and weight training room. Equitable usage schedules for these venues were a part of the Title IX file. The scheduling of athletic events during optimal playing times was discussed with school officials who were commended for the provision of parity regarding this benefit.
Travel and Per Diem Allowances	X		The 2003 Title IX school visit report designated this benefit category <i>Satisfactory</i> , but it was requested that written regulations be developed for the provision of parity in regard to meal allotments. The 2011 report again rated this category <i>Satisfactory</i> and documented that the school had <u>no written guidelines addressing the provision of per diem</u> . A review of the Title IX file during the most recent visit found it contained guidelines for travel and per diem. These guidelines set up equitable parameters for the provision of meals, but were vague when addressing the equitable provision of lodging. <u>The guidelines did not establish equitable standards in regard to the mode of transportation.</u> (See <i>KHSAA Recommended Action</i> .) The data submitted in the 2014-15 and 2015-16 annual Title IX reports indicate that approximately \$85 per female athlete and \$74 per male athlete was spent for travel and per diem.
Coaching	X		Both the previous Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The school’s principal is responsible for the evaluation of all head coaches. At this time, a written instrument is not used as part of this endeavor. According to the information found on the T-35 form in the 2015-16 annual Title IX report, the total amounts spent for coaching salaries for teams of “like” sports were comparable. A review of the district’s extra service pay schedule for coaches indicated parity. Data provided in the 2015-16 annual

Coaching continued			Title IX report indicated that the coaching ratio for female athletes is one coach per 20 participants and the ratio for male athletes is one coach per 22 participants. THE HIGH NUMBER OF PARTICIPANTS PER COACH SUPPORTS THE THEORY THAT THE ROSTER NUMBERS SUBMITTED IN THE 2015-16 ANNUAL TITLE IX REPORT ARE INACCURATE. (See Accommodation of Interests and Abilities.) Information gathered during the recent visit revealed that 40% (4/10) of the head coaches of girls teams and 45% (5/11) of the head coaches of boys teams were on-campus employees.
Locker Room, Practice and Competitive Facilities		X	Both the 2003 and 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2011 report documented a disparity existed in the available locker room space at the school. Of the seven locker rooms reviewed, <u>five</u> were assigned for use by male athletes while <u>two</u> were assigned for use by female athletes. The tour of facilities during the most recent visit revealed that the competitive and practice venues at John Hardin are exceptional in almost every aspect. Having equitable amenities at all the competitive venues seemed to be a priority. All teams have equipment storage space. The space that is available appeared to be assigned equitably. The current situation in regard to locker room space is not equitable. The written locker room assignment sheet in the Title IX file does not show dressing areas for boys and girls swimming, bowling, archery, and boys and girls golf. Interviews and observations during the visit showed that these teams had dressing areas at their competitive facilities. UPON RECEIPT OF THIS REPORT, THE SCHOOL'S LOCKER ROOM ASSIGNMENT LISTS SHOULD BE UPDATED TO INCLUDE DRESSING AREAS PROVIDED FOR ALL TEAMS. The December 6, 2011 school visit report documented a significant " <u>disparity in the assignment of available locker room space at the school.</u> " Of the seven available locker rooms reviewed at that time, "five were assigned for use by male athletes, while two

Locker Room, Practice and Competitive Facilities continued		<p>were assigned for use by female athletes.” The 2011 report requested “school administrators as well as the Gender Equity Review Committee should study this situation and re-assign the available space with equity as a high priority.” The most recent visit showed that no changes had been made in regard to this inequity. Interviews with school officials confirmed the fact that during the last five years no attempt had been made to rectify the disparity. It was also noted during the most recent visit that boys teams currently have at least three exclusive dressing rooms while girls teams have none. Because this inequity still exists, and the evidence reveals the lack of action taken to resolve the situation, this benefit category is considered <u>deficient</u>.(See <i>KHSAA Recommended Action</i>.)</p>
Medical and Training Facilities and Services	X	<p>The 2003 Title IX school visit report rated this benefit category <i>Satisfactory</i> but did request that a written usage schedule showing equitable access be developed and posted at the weight training facility. The 2011 report rated this category <i>Deficient</i> stating that the weight training room offered very little equipment that was suitable for use by female athletes, and there was no usage schedule showing female access to that facility. The most recent visit revealed that the school’s weight training room was a large and well-equipped facility. Although more training options for females would enhance the benefits of this venue, it did contain more female-friendly equipment than it did in 2011. There was an equitable usage schedule in the Title IX file and posted at the weight room. Interviews with students along with this usage schedule indicated equitable female access. The school’s athletic director was reminded that a usage schedule is <u>not a sign-up sheet</u>. It should be a document that lists assignments for teams/individuals and shows <u>gender neutrality</u>. School officials were commended for the improvements made in equitable provision within this benefit category. An athletic trainer is available on a daily basis in an equitable manner to all student athletes through a</p>

			contract with Hardin Memorial Hospital. Physical examinations are offered to student athletes at a discounted rate (\$10) on selected dates during each school year.
Publicity	X		Both the previous Title IX school visit reports designated this benefit category <i>Satisfactory</i> . The school currently sponsors one cheerleading squad that cheers at all home and away football games. They also cheer at all home games and at away games versus district opponents for both the boys and girls basketball teams. The full band performs at all home football games. The pep band performs at a “selected” number of home boys and girls basketball games. The athletic director is responsible for monitoring the number of games for the provision of parity. The school’s Title IX file contained regulations for the posting of banners for team recognition. UPON RECEIPT OF THIS REPORT, IT IS REQUESTED THAT THE SCHOOL EXPAND THESE GUIDELINES TO INCLUDE RECOGNITION OF ATHLETIC ACCOMPLISHMENTS BY <u>INDIVIDUALS</u> . The file also included regulations for equitable provision in regard to athletic awards. There were also guidelines addressing post season banquets, but it did not appear that these guidelines set parameters for the provision of parity. (See <i>KHSAA Recommended Action</i> .) According to data submitted in the 2014-15 and 2015-16 annual Title IX reports, the school was spending approximately \$19 per male athlete and the same amount per female athlete for awards.
Support Services	X		The 2003 and 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2011 report emphasized the need for monitoring booster expenditures in an effort to insure equity in the provision of benefits. Information gathered during the most recent visit indicates that the school has active athletic booster clubs for all school-sponsored teams except archery, boys and girls basketball, boys and girls swimming, boys and girls tennis, and boys and girls track. The booster clubs house their funds off the school campus. Although all

Support Services continued			<p>booster clubs submit anticipated budgets to the school principal, there appears to be no process that requires administrative approve of booster expenditures. IT WAS EMPHASIZED TO SCHOOL OFFICIALS THAT IT WOULD BE A POSITIVE STEP TOWARD EQUITABLE PROVISION OF BENEFITS TO DEVELOP A SYSTEM OF APPROVAL/OVERSIGHT OF BOOSTER EXPENDITURES. <u>It should be noted that any evaluation of total spending is dependent on the accurate number of participants on team rosters. The information on the internal audit summary is based on that year's roster submittals.</u> According to the internal audit summary for the 2014-15 annual report, total athletic spending favored male athletes. Approximately \$318 was spent per female athlete and \$447 per male athlete. The internal audit summary for 2015-16 shows that spending was within generally accepted parameters for the provision of parity--\$277 per female athlete and \$316 per male athlete. If these numbers are averaged over a two-year period, the spending is \$298 per female athlete and \$382 per male athlete. This spending seems to be within acceptable parameters for a football-playing school.</p>
Athletic Scholarships	NA		
Tutoring	NA		
Housing and Dining Facilities and Services	NA		
Recruitment of Student Athletes	NA		

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

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

- purchasing new uniforms for girls soccer and softball;
- purchasing a new high jump landing for track;
- upgrading softball dugouts;
- purchasing new uniforms for girls basketball.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

The one major deficiency designated as a result of the October 27, 2016 Title IX school visit was in the benefit category of **Locker Rooms, Practice and Competitive Facilities**. This deficiency results from the school's failure to move toward provision of equivalence in relation to assignment of locker room space for female athletes as requested by the December 6, 2011 Title IX school visit report. (See *Locker Rooms, Practice and Competitive Facilities* and *KHSAA Recommended Action*.)

There were also a few "areas of concern" listed in this report that require attention by school administrators and the Gender Equity Review Committee. They include the following:

- submission of inaccurate team rosters (see *Accommodation of Interests and Abilities*);
- lack of a complete listing of locker room assignments for all teams (see *Locker Rooms, Practice and Competitive Facilities*);
- lack of knowledge of or adherence to the school's uniform review, rotation and/or replacement plan (see *Equipment and Supplies*);
- lack of written guidelines for the provision of parity in regard to posting athletic banners for recognition of individual athletic accomplishments and post season banquets. (See *Publicity* and *KHSAA Recommended Action*.)

7. KHSAA Recommended Action in relation to new deficiencies

(Locker Rooms, Practice and Competitive Facilities) On or before January 17, 2017, the school is to submit to KHSAA a detailed written plan addressing the continuing disparity in the provision of equitable locker room space for female athletes. This plan should include, but not necessarily be limited to, both short and long range solutions for this inequity. If any part of the proposed solution includes capital construction projects, a realistic projected completion date should be included. The progress made in addressing the disparity should be a continuing part of the school's Title IX Improvement Plan (T-60 form).

Although not currently designated as deficient, the following “areas of concern” are to be addressed in an attempt to insure that equitable benefits continue to be provided.

(Travel and Per Diem Allowances) On or before January 17, 2017, the school is to submit to KHSAA a written guideline addressing the equitable provision of the mode of transportation for student athletes. An expansion of the current guidelines addressing the equitable provision of lodging for student athletes should also be included. This regulation should stipulate defined parameters for the quality of lodging provided. These guidelines should be placed in the *Travel and Per Diem* section of the school’s Title IX file.

(Publicity) On or before January 17, 2017, the school is to submit to KHSAA specific regulations addressing the equitable provision of post season banquets for student athletes. The regulations should be added to the Awards and Recognition section of the school’s Title IX file.

8. KHSAA Recommended Action in relation to reoccurring deficiencies

The deficiency designated within the benefit category of *Medical and Training Facilities and Services* in the December 6, 2011 Title IX school visit appears to have been addressed by the progress made in providing equipment options suitable for use by female athletes in the weight training room and the evidence that a system for equitable female access to that facility is being implemented.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Mike McCune, 384 W.A.Jenkins Rd., Elizabethtown, KY 42701
(270) 769-8906

District Level Title IX Coordinator: Bryan Lewis, 65 W.A.Jenkins Rd., Elizabethtown, KY 42701
(270) 769-8800

Name	Title	Telephone
Gary W. Lawson	KHSAA	(502) 545-3393
Herbert Veldenz	Student Athlete	(270) 769-8906
Riley Beausoleil	Student Athlete	(270) 769-8906
Bryan Lewis	District Title IX Coordinator	(270) 769-8822
Caleb Smith	Girls Basketball Coach	(270) 313-7326
Mike Moritz	Boys Bowling/Archery	(270) 769-8906
Mike McCune	Athletic Director	(270) 312-4352
Mark Wells	Principal	(270) 769-8906
Chad Lewis	Counselor/Football Coach	(270) 769-8906
Eddie Wilkerson	Administration	(270) 769-8906
Maggie Vogel	Bookkeeper	(270) 769-8906
Kathy Johnston	KHSAA	(859) 494-2509

10. Comments

No one from the community attended the Public Comments session. School officials were commended for their preparation for the visit. They were encouraged to address all disparities and any errors or omissions in reporting. The meeting was adjourned at 3:20.