



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

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

School: Mason County  
 Prepared By: Gary W. Lawson  
 Date of Re-Visit: October 18, 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: According to the internal audit summaries, the school met the standard established by Test 1 for provision of athletic opportunities during the 2014-15 school year, but did not meet that standard for 2015-16. The T-1 form in the 2015-16 annual Title IX report shows that girls were 46% of the school's athletic participants, and they made up 51.4% of the enrollment. (difference= 5.4%)

- 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 indicate that the standard established by Test 2 for provision of athletic opportunities has not been met during either of the past two school years. The most recent T-2 forms show that two teams (varsity archery and junior varsity cross country) have been added for female competition during the past five years. These teams currently have approximately 17 participants which increases the total percentage of female participation by 6.9%.

- 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: Information provided on the student athletic interest survey appears to support the responses on the T-3 form in the 2015-16 annual Title IX report. This evidence, along with the current number of sport offerings for both genders, gives strong indication that student athletic interests are being accommodated. The school's Gender Equity Review Committee should closely monitor the indicated interest in field hockey.

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 in the 2015-16 annual Title IX report shows that an 86.3% 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
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Accommodation of Interests and Abilities	X		
Accommodation of Interests and Abilities			<p>Both the April 5, 2001 and the February 8, 2011 Title IX school visit reports rated this category <i>Satisfactory</i>. This rating was based on the fact that in 2001 the school appeared to meet the standard established by Test one for the provision of athletic opportunities. In 2011, it was likely that the standard of both Tests 1 and 3 were being met. Information contained in the annual Title IX reports for the past two years give strong indication that the standard established in Test 3 is currently being met. The responses on the T-3 forms seem to support the information gathered from the most recent student athletic interest survey. The school currently offers 18 total teams for female competition and 19 total teams for male competition. (See a detailed explanation for each of the three opportunities tests on page 2 of this report.) During the most recent visit, the school's Title IX file was reviewed and 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, game schedules for all school-sponsored varsity teams (see <i>Scheduling of Games and Practice Times</i> and <i>KHSAA Recommended Action</i>), written facilities usage schedules for the gym and soccer complex, regulations for the posting of banners recognizing team accomplishments (see <i>Publicity</i> and <i>KHSAA Recommended Action</i>), a written designation of some of the locker room and athletic equipment storage space assigned each team (see <i>Locker Rooms, Practice and Competitive Facilities</i> and <i>KHSAA Recommended Action</i>), minutes for only one Gender Equity Review Committee held during the 2015-16 school year, (See <i>Accommodation of Interests and Abilities</i> and <i>KHSAA Recommended Action</i>), a written uniform review, rotation, and/or replacement plan (see <i>Equipment and Supplies</i> and <i>KHSAA Recommended Action</i>), and a copy of an emergency medical plan that was not venue specific as required by KRS 160.445. (See</p>

continued			<p><i>KHSAA Recommended Action.</i>) School officials were strongly encouraged to work toward the development of a comprehensive and well organized Title IX file.</p>
Equipment and Supplies	X		<p>Both the 2001 and 2011 Title IX school visit reports designated this benefit category <i>Satisfactory</i>. The 2011 report noted that the school had an equitable uniform review, and/or replacement plan in place. Information gathered during the most recent visit revealed that a uniform review, rotation, and/or replacement plan based on a three-year cycle was in the file. Actual adherence to this cycle could not be verified by interviews with the school's athletic director, coaches, or student athletes. There seemed to be confusion as to when uniforms were purchased. (See <i>KHSAA Recommended Action.</i>) All the uniforms reviewed during this visit appeared to be of mid-to-high quality and were provided on in equitable quantities. <u>According to information gained during interviews, two of the items that are provided by the school—shoes and practice kits for girls and boys basketball— were not made available for viewing. Therefore, equivalence in regard to these items could not be determined.</u> According to information provided in the 2014-15 and 2015-16 annual Title IX report, the school was spending approximately \$231 per female athlete and \$326 per male athlete for equipment and supplies. This spending appears to be outside generally acceptable parameters for the provision of parity. School officials were questioned about the large expenditure for boys golf equipment (\$10, 409) and girls golf equipment (\$3,357) shown on the 2015-16 T-35 form. There was also a significant difference noted between spending for baseball (\$14,8113) and softball (\$4,668). School officials did not explain these expenditures. (See <i>KHSAA Recommended Action.</i>)</p>

Scheduling of Games and Practice Time	X		<p>Both the earlier Title IX school visit reports deemed this benefit category <i>Satisfactory</i>. Information provided by the athletic director indicated that the number of competitive events currently scheduled for teams of “like” sports is comparable except in the case of baseball (59 games) and softball (38 games). (See <i>KHSAA Recommended Action</i>.) A usage schedule was available for the two gyms and the soccer complex. The schedule for the soccer complex appears to offer equitable access. The sharing of the gyms (Mason County High School gym and the old Maysville High School gym) has changed since the 2011 visit when the girls played their home games at the old gym. Girls basketball now plays 7-8 home games at the Mason County High School gym. It was not possible to determine if the practice schedule for the Mason County High School gym is equitable in regard to the number of games the girls basketball team plays there. Neither the usage schedule itself nor interviews with coaches revealed the information needed to make this determination. <u>School officials were reminded that if a competitive facility is shared by both genders, equitable practice time should be available for each gender at that facility.</u> The scheduling of athletic events during the most optimal playing times was discussed with school officials who were commended for the provision of parity in this endeavor.</p>
Travel and Per Diem Allowances		X	<p>The 2001 and 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i>. The school's Title IX file contained no written regulations addressing equitable provision within this benefit category. There was no mention of mode of transportation, provision of meals or lodging for student athletes. Interviews with student athletes and coaches did not offer evidence that any pattern of equivalence existed in this area. Due to the lack of information and/or data available, this benefit category is currently considered <b>deficient</b>. (See <i>KHSAA Recommended Action</i>.) According to information submitted in the 2014-15 and 2015-16 annual Title IX reports, the school was spending approximately \$52 per female athlete</p>

			and \$63 per male athlete for travel and per diem.
Coaching	X		The 2001 and 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The principal is currently responsible for evaluating all head coaches. A written instrument is not used as a part of this process. A review of the district's extra service pay schedule for coaches seemed to show relative parity. According to information 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 was comparable except in the case of baseball which showed \$7,774 being spent for four coaches and softball which showed \$3, 274 being spent for three coaches. The disparity in these expenditures was not justified during the interviews. (See <i>KHSAA Recommended Action</i> .) The data submitted in the 2015-16 annual Title IX report shows that the coaching ratio for female athletes is 10.5 participants per coach and the ratio for male athletes is 9.5 participants per coach. Information gathered during the most recent visit indicated that 22% (2/9) of the head coaches of girls teams and 22% (2/9) of the head coaches of boys teams were on-campus employees.
Locker Room, Practice and Competitive Facilities	X		The two previous Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The tour of the competitive facilities during the most recent visit revealed several substantial improvements including the construction of a new soccer and outdoor track complex and upgrades in the indoor track facility. All the competitive facilities appear to offer equitable amenities except, perhaps, those at the softball and baseball fields. At the time of the 2011 school visit, KHSAA representatives were told that the softball team had access to two playing fields. During this visit, it was learned that there is only one field for the use of the softball team. When the softball and baseball fields were evaluated during the recent visit, the following differences were observed: <ul style="list-style-type: none"> <li>· Baseball dugouts were concrete block</li> </ul>



Locker Room, Practice and Competitive Facilities continued			<p>structures on three sides—softball dugouts were enclosed mostly by fencing.</p> <ul style="list-style-type: none"> <li>· Baseball had an inning by inning scoreboard. Softball did not.</li> <li>· Baseball field had a sprinkler system. Softball did not.</li> <li>· Baseball field is located on the school campus. Softball field is approximately 2.5 miles away.</li> <li>· Baseball field has a permanent outfield fence. Softball uses a portable (snow) fence.</li> </ul> <p>(See <i>KHSAA Recommended Action</i>.)</p> <p>The school’s principal stated during the visit that the district was “contemplating” the construction of a new on-campus softball facility. All the other competitive facilities reviewed appeared to provide similar amenities. The Title IX file contained a listing of the locker room space provided each team except boys and girls tennis and boys and girls golf. During the tour, KHSAA officials were shown what appeared to be equitable locker room space for all teams except baseball and girls and boys tennis. The file also contained a listing of equipment storage space for all teams except boys and girls golf. During the tour of facilities, KHSAA representatives were shown athletic equipment storage facilities for all teams except girls and boys soccer and girls and boys track. As the tour progressed, there seemed to be some confusion concerning the exact location of some of the storage and locker room areas. (See <i>KHSAA Recommended Action</i>.) The athletic offices provided for coaches that were shown as part of the tour appeared to be equitable.</p>
Medical and Training Facilities and Services	X		Both the 2001 and 2011 Title IX school visit reports designated this benefit category <i>Satisfactory</i> . At the time of both earlier visits, the school had two weight training rooms, but usage schedules showing equitable access for both genders was not provided for either facility. Information gathered during the most recent

<p>Medical and Training Facilities and Services continued</p>			<p>visit revealed that the school continues to have two weight training rooms. One is located adjacent to the football dressing room, and it is for use by the football team only. The second weight room, located next to the school building, is apparently shared by all the other school-sponsored teams. As was true in the past, it could not be fully determined if there was equitable access for females to this facility. School officials indicated that coaches were given an opportunity to “<i>sign up</i>” for use of this facility. This is not necessarily indicative of <u>equitable provision</u> of this benefit. The only usage schedule for the facility was a sign-up sheet for two school employees. The continuing lack of evidence of equitable access to the weight training room since 2001 should render this benefit category deficient. However, the interviews with student athletes and the abundance of equipment and training options in Weight Room 2 that are appropriate for female use have made it possible to avoid the deficient rating at this time. It is certainly incumbent upon the school to show that equitable access is provided. (See <i>KHSAA Recommended Action</i>.) An athletic trainer is available daily on an equitable basis to student athletes through a contract with Meadowview Regional Hospital. Student athletes are responsible for getting their own physical examinations.</p>
<p>Publicity</p>	<p>X</p>		<p>The two previous Title IX school visit reports deemed this benefit category <i>Satisfactory</i>. Administrative interviews at the most recent visit indicated that the school has one cheerleading squad that is assigned to cheer at all <i>home</i> and <i>away</i> football games. They also cheer at all <i>home</i> boys and girls basketball games. The full band plays at all <i>home</i> football games, and the pep band plays at all <i>home</i> boys and girls basketball games. A local radio station broadcasts all home and <i>away</i> football games and boys and girls basketball games. The Title IX file contained written guidelines for equity in relation to the awarding of letters and bars and the posting of athletic banners recognizing team accomplishments. UPON</p>

<p>PUBLICITY continued</p>			<p>RECEIPT OF THIS REPORT, THESE GUIDELINES ARE TO BE EXPANDED TO INCLUDE RECOGNITION OF <u>INDIVIDUAL ACCOMPLISHMENTS</u>. The Title IX file contains documentation addressing awards and postseason banquets by stating that both these benefits are left up to “coaches’ discretion.” This practice does not necessarily result in <u>equivalence</u> which usually requires “administrative oversight.” (See KHSAA Recommended Action.) Data in the 2014-15 and 2015-16 annual Title IX reports show that the school was spending approximately \$6 per female athlete and \$7 per male athlete for awards.</p>
<p>Support Services</p>	<p>X</p>		<p>The 2001 and the 2011 Title IX school visit reports rated this benefit category <i>Satisfactory</i>. At the time of the 2011 visit, the school had one athletic booster club that supported all school-sponsored teams, and all the funds raised by the club were deposited in school accounts. The information gained during the most recent visit and the submittals to KHSAA make it difficult to evaluate this situation. School reports (T-35 forms) for the past two years (2014-15 and 2015-16) show significant amounts of booster club spending for almost every school-sponsored sport. However, during interviews with school officials, they maintained that the school had no athletic booster clubs. It was suggested that administrators consider the definition of a booster club and submit future Title IX reports accordingly. It is commendable that all expenditures for athletic benefits are processed through school accounts and that purchase orders are required. The internal audit summary for the 2014-15 annual Title IX report shows that 42% of the expenditures were for female athletes who made up 51% of the participants while 58% of expenditures were for male athletes who made up 49% of participants. This means that approximately \$496 per female athlete and \$713 per male athlete was spent. This spending seems to significantly favor the male athletes. It should be noted that according to the internal audit summary for 2014-15, male</p>

Support Services continued			athletes were the under-represented gender at Mason County High during that school year. The internal audit summary for 2015-16 shows that 43% of the spending was for female athletes who made up 46% of the participants while 57% of the spending was for male athletes who made up 54% of the participants. This means that approximately \$1,194 was spent for each female athlete and \$1,370 per male athlete. Because of the extraordinarily large amount of expenditures (see <i>Facilities</i> column—2015-16 T-35 form) for athletics this particular year, the percentage method is likely the more appropriate method of evaluating spending for 2015-16. <u>Due to the volatile nature of expenditures over the past two years, the spending in each of the benefit categories should be closely monitored for accuracy and the provision of parity.</u>
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:

- monitoring student interest in new sports/sport activities;
- upgrading the soccer and track facilities;
- more appropriate scheduling of Gender Equity Review Committee meetings;
- upgrading the weight training facility.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

The major deficiency designated as a result of the October 18, 2016 Title IX school visit was in the benefit category of **Travel and Per Diem Allowances**. The primary cause of this deficiency was the lack of evidence that equivalence is being provided in relation to the mode of transportation and the provision of meals and lodging for student athletes. (See *KHSAA Recommended Action*.)

There are several “areas of concern” listed in the body of this report that require attention by school administrators and the Gender Equity Review Committee. They include the following:

- a lack of evidence that the school is spending equitable amounts for coaching salaries for “like” teams [baseball and softball] (See *Coaching* and *KHSAA Recommended Action*.)
- a lack of evidence that there is an equitable number of competitive events for teams of “like” sports [baseball and softball] (See *Scheduling of Games and Practice Times* and *KHSAA Recommended Action*.)
- a lack of evidence of equivalence is regard to athletic awards and post season banquets. (See *Publicity* and *KHSAA Recommended Action*.)
- a disparity in relation to the amenities at the softball field and those at the baseball field. (See *Locker Rooms, Practice and Competitive Facilities* and *KHSAA Recommended Action*.)
- a lack of evidence of equitable assignment of locker room space and athletic equipment storage space for school-sponsored teams. (See *Locker Rooms, Practice and Competitive Facilities* and *KHSAA Recommended Action*.)
- a lack of evidence that Gender Equity Review Committee meetings have been held during the past three years. [Minutes are available for only one meeting in three years]. (See *Accommodation of Interests and Abilities* and *KHSAA Recommended Action*.)
- a lack of evidence confirming the equitable review, rotation, and/or replacement of uniforms. (See *Equipment and Supplies* and *KHSAA Recommended Action*.)
- a lack of evidence explaining the large disparities in expenditures for equipment and supplies in regard to the girls and boys golf teams and the baseball and softball teams. (See *Equipment and Supplies* and *KHSAA Recommended Action*.)
- a lack of evidence of equitable access to the shared weight training facility. (See *Medical and Training Facilities* and *KHSAA Recommended Action*.)
- a lack of a *venue-specific* emergency medical plan for athletic facilities as

required by KRS 160.445.

7. KHSAA Recommended Action in relation to new deficiencies

**Travel and Per Diem Allowances**—On or before January 11, 2017, the school is to submit to KHSAA equitable written guidelines addressing the provision of travel and per diem for student athletes. These guidelines should include, but not be limited to, the mode of transportation, and the provision of meals and lodging. These guidelines should also become a part of the school's Title IX file.

Although not considered deficient at this time, the following “areas of concern” need to be addressed in an effort to insure that equitable opportunities and benefits are provided.

**Equipment and Supplies**

- On or before January 11, 2017, the school is to submit to KHSAA a copy of the uniform review, rotation, and/or replacement plan indicating the actual cycle of replacement for all school-sponsored teams. To confirm the knowledge of and adherence to this plan, the document is to be signed by all the school's head coaches, all members of the Gender Equity Review Committee, and the athletic director and principal at Mason County High School.
- On or before January 11, 2017, the school is to submit to KHSAA a written statement designating that the equipment and supplies expenditures shown on the T-35 for boys and girls golf and baseball and softball are incorrect and indicate the correct amounts or stipulate that the original expenditures are accurate and explain the exact benefits purchased with these funds.

**Scheduling of Games and Practice Times**—On or before January 11, 2017, the school is to submit to KHSAA a written document verifying that the baseball team has 59 games scheduled for the 2016-17 season and the softball team has 38 games scheduled. This document should also include the actual number of regular season softball and baseball games played during the 2014-15 and 2015-16 seasons. This document should be signed by the school's athletic director.

**Coaching**—On or before January 11, 2017, the school is to submit to KHSAA a written document using the district's current salary schedule to explain how the district spent \$7,774 for four baseball coaches and \$3,274 for three softball coaches as reported on the T-35 form in the school's 2015-16 annual Title IX report. If the amounts submitted were in error, please report this on the document and submit the correct amounts.

**Locker Rooms, Practice and Competitive Facilities**

- On or before January 11, 2017, the school is to submit to KHSAA a written listing of the locker room and athletic equipment storage space assigned each team. These lists should include all school-sponsored teams and be as specific as possible in defining the location of all the locker rooms and equipment storage spaces assigned. In order to indicate knowledge of the location of the assignments, these documents are to be signed by the school's athletic director and head coaches of all school-sponsored teams.

- The April 30, 2017 school improvement plan is to include any steps being taken to narrow the disparity in amenities between those provided at the softball field and the baseball field.

**Medical and Training Facilities and Services**—On or before January 11, 2017, the school is to submit to KHSAA usage schedules for the shared weight room (Weight Room 2). These schedules should cover the period from October 1, 2016 through December 30, 2016 and show evidence of equitable access for female teams and/or individual female athletes. Secondly, a picture of a posted usage schedule at venue should be submitted to KHSAA by January 11, 2017.

#### **Publicity**

- On or before January 11, 2017, the school is to submit to KHSAA written regulations addressing the equitable provision of awards for student athletes.
- On or before January 11, 2017, the school is to submit to KHSAA written regulations addressing the oversight of post season banquets for student athletes to insure equity.

**Accommodation of Interests and Abilities**—On or before April 27, 2017, the school is to submit to KHSAA actual written minutes for three Gender Equity Review Committee meetings held during the 2016-17 school year. These minutes are to be signed by the committee members in attendance.

**KRS 160.445**—On or before January 11, 2017, the school is to submit to KHSAA a copy of the school's Athletic Facility Emergency Medical Plan that is venue-specific as required by the statute.

#### 8. KHSAA Recommended Action in relation to reoccurring deficiencies

No deficiencies were designated as a result of the February 8, 2011 Title IX school visit.



9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Chris O'Hearn, 2216 Meadow Ridge Drive, Maysville, KY 41056  
(606) 564-3393

District Level Title IX Coordinator: Kermit Belcher, 2<sup>nd</sup> Street, Maysville, KY. 41056  
(606) 564-5563

Name	Title	Telephone
Gary W. Lawson	KHSAA	(502) 545-3393
Jordan Frodge	Student Athlete	(606) 564-3393
Tanner Pitakis	Student Athlete	(606) 564-3393
Brad Cox	Girls Basketball	(606) 564-3393
Zach Thomas	Volleyball	(606) 564-3393
Chris O'Hearn	Principal	(606) 564-3393
Chris Ullery	Assistant Athletic Director	(606) 564-3393
Selth Faulkner	Assistant Principal	(606) 564-3393
Jeremy Hawkins	Assistant Athletic Director	(606) 564-3393
Mark Kachler	Cross Country /Track Coach	(606) 301-3386
Ericka Appelman	Teacher	(606) 564-3393
Vicki O'Mara	Parent	(606) 301-9289
Barbara Kok	KHSAA	(859) 299-5472

10. Comments

No one from the community attended the Public Comments session. The meeting was adjourned at 4:00 pm EDT.