



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

**(For schools re-visited during the 2015-2016 school year)**

School: Montgomery County  
 Prepared By: Gary W. Lawson  
 Date of Re-Visit: February 4, 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
- Improvement Plan Summary Charts (Form T-60) Yes  No

2. Opportunities Component of Title IX Compliance

Area of Compliance:  
(Check One or More)

|   |   |  |
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|   | 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 rosters and data submitted, the school has not met the standard established by Test 1 for provision of athletic opportunities during any of the past three school years. The T-1 form in the 2014-15 annual Title IX report shows that females were 40.3% of the school's athletic participants, and they were 48.2% of the school's enrollment. According to current requirements, the maximum level of tolerance between the percentage of enrollment and the percentage of participation for this school is 2.5%.

- 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 give strong indication that the standard established by Test 2 for provision of athletic opportunities has not been met during any of the past three school years. The T-2 form in the 2014-15 annual Title IX report shows that three teams with approximately 31 current participants have been added for female participation during the past five years. The addition of these teams has increased the percentage of participation for females by 12%.

- 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 responses and information submitted in the annual Title IX reports indicate that the standard established by Test 3 for provision of athletic opportunities is currently being met. The school offers all sports and sport activities sanctioned by the KHSAA except field hockey. A total of 18 teams are sponsored for female competition and there are 19 teams for male competition. The responses on the most recent T-3 form appear to be supported by the information found in the most recent student athletic interest survey.

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 2013-14 annual Title IX report documents that the school received an 88% completion rate 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   |
|--|--------------|-----------|--|
| Accommodation of Interests and Abilities | X            |           | <p>Both the January 11, 2001 and the October 14, 2009 Title IX school visit reports rated this category <i>Satisfactory</i>. The 2001 report stated that the information provided indicated that the standard established by Test 2 for provision of athletic opportunities was being met. The 2009 report documented that it appeared the standards established by both Tests 1 and 3 were being met. The reports submitted for the past three years give strong indication that the standard of Test 3 is currently being met. The T-3 form shows that all indicated student interests have been addressed by the school. The current team offerings also indicate that the standard of Test 3 is being met. (Refer to page 2 of this report for a detailed explanation for each of the three opportunities tests.) During the most recent visit, the school's Title IX file was examined. The file was 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, current game schedules for all school-sponsored varsity teams, a school-generated athletic handbook for student athletes, facilities usage schedules for the "turf" field, the "grass" practice field, the gyms, the weight training rooms, and the indoor batting cage. (See <i>Scheduling of Games and Practice Times</i>.) Also found in the Title IX file was a written designation of the locker room and athletic equipment storage space assigned each team, written regulations regarding the provision of awards and recognition of athletic accomplishments (see <i>Publicity and KHSAA Recommended Action</i>), minutes for Gender Equity Review Committee meetings for the past three years, a uniform review, rotation, and/or replacement plan (see <i>Equipment and Supplies</i>), written guidelines relating to the provision of travel and per diem</p> |

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| Accommodation of Interests and Abilities<br>continued |   |  | for student athletes, 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 and well organized Title IX file.  |
| Equipment and Supplies                                | X |  | Both the previous Title IX school visit reports rated this benefit category <i>Satisfactory</i> . The 2009 report documented that the school had no written plan for the equitable review and/or replacement of uniforms. The most recent visit revealed that the school had a uniform review/rotation plan based on a four-year cycle of replacement for all teams. Information gathered during the visit indicated that some teams (boys and girls tennis, bowling, bass fishing and boys and girls swimming) have their uniforms replaced annually. <u>UPON RECEIPT OF THIS REPORT, THE SCHOOL IS TO AMEND THE CURRENT PLAN TO REFLECT ACCURACY IN RELATION TO THOSE TEAMS THAT HAVE YEARLY UNIFORM REPLACEMENT.</u> All the uniforms reviewed during the visit appeared to be of mid-to-high quality and to be supplied in equitable quantities. The data submitted in the 2013-14 and 2014-15 annual Title IX reports showed that the school was spending approximately \$80 per female athlete and \$71 per male athlete for equipment and supplies. |
| Scheduling of Games and Practice Time                 | X |  | The 2001 and 2009 Title IX school visit reports rendered this category <i>Satisfactory</i> . Schedules posted on the KHSAA web site showed that the number of competitive events scheduled for teams of "like" sports was comparable. Facilities usage schedules in the Title IX file indicated equitable usage of the "turf" field, the "grass" practice field, the three gyms, the weight training rooms, and the indoor hitting facility shared by baseball and softball. <u>UPON RECEIPT OF THIS REPORT, IT IS REQUESTED THAT THE SCHEDULE FOR THE INDOOR HITTING FACILITY BE POSTED AT THAT VENUE.</u> The scheduling of athletic events during the most optimal playing times has been emphasized to all KHSAA member schools. Montgomery County is to be commended for the provision of parity regarding this benefit.  |

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| Travel and Per Diem Allowances                   | X |   | The two earlier Title IX school visit reports deemed this benefit category <i>Satisfactory</i> . The 2009 report documented that the school had no written guidelines for the provision of parity in regard to this benefit, and the expenditures submitted for this category were budgeted rather than actual amounts. The most recent visit revealed that the school now has equitable written regulations addressing the mode of transportation and the provision of per diem (food and lodging) for student athletes. The expenditures submitted for this category in the 2014-15 annual Title IX report appeared to be actual expenditures rather than budgeted amounts. The information submitted in the 2013-14 and 2014-15 annual Title IX reports showed that the school was spending approximately \$39 per female athletes and \$43 per male athlete for travel and per diem.   |
| Coaching   | X |   | Both the 2001 and 2009 Title IX school visit reports designated this benefit category <i>Satisfactory</i> . The school's athletic director is responsible for the evaluation of all head coaches. A written instrument is used as a part of this process. A review of the district's extra service pay schedule for coaches showed parity. The information in the 2014-15 annual Title IX reports showed that the total amounts spent for coaching salaries for teams of "like" sports indicated relative parity. According to data submitted on the most recent T-35 form, the coaching ratio for female athletes is nine participants per coach while the ratio for male athletes is 12.5 participants per coach. Information gathered during the most recent visit indicated that 50% (5/10) of the head coaches of girls teams are on-campus employees. Forty-five percent (5/11) of the head coaches of boys teams are on-campus employees. |
| Locker Room, Practice and Competitive Facilities |   | X | The 2001 Title IX school visit report rated this benefit category <i>Satisfactory</i> . It was documented that upgrades were needed at the softball field. The 2009 report also deemed the category <i>Satisfactory</i> and stated that new lights, bleachers, a tarp, a water source, and public restrooms had been added at the  |

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| <p>Locker Room, Practice and Competitive Facilities<br/>continued</p> |          |  | <p>softball field. In total, the competitive and practice facilities at Montgomery County High School are considered excellent. In relation to equity, all competitive facilities appear to be comparable. All teams are provided adequate locker room space. All the dressing areas seem to be well maintained. In regard to “like” sports, the only difference noted was between the softball and baseball dressing rooms. The baseball dressing area is larger and offers superior amenities especially in relation to lockers. (See <i>KHSAA Recommended Action</i>.) All teams are assigned athletic equipment storage space which appears to be equitable, and, in most cases, is in close proximity to the competitive venues. It should be noted that a project completed in 2013 included the upgrading of the baseball facility. This renovation included, but was not limited to, the addition of bleachers, fencing, brick backstop facing, mesh backstop fencing, and improvements in the dugout, landscaping, and drainage. These upgrades likely cost close to \$170,000. As of this time, none of these expenses have been reported on the T-35 forms submitted to KHSAA. Since the baseball dressing area appears superior to the softball dressing area and there has been a very large amount of expenditures omitted from submittals to KHSAA, this benefit category has been deemed to be deficient. (See <i>KHSAA Recommended Action</i>.)</p> |
| <p>Medical and Training Facilities and Services</p>                   | <p>X</p> |  | <p>The 2001 Title IX school visit report rendered this benefit category <i>Deficient</i>. The report documented the lack of provision of a certified trainer. The 2009 report rated this category <i>Satisfactory</i> stating that the school had two well-equipped training rooms and the services of a certified trainer available on a daily basis in an equitable manner. The school currently has two weight training rooms. Weight room 1 is located at the “Barn” (gym 2) and is shared by softball, baseball, and boys and girls track. This facility has numerous training options that appear suitable for female athletes. Weight room 2 is located at the fieldhouse adjacent to the football dressing area. This facility is currently used only by the football team. It is</p>  |

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| <p>Medical and Training Facilities and Services<br/>continued</p> |          | <p>also very well-equipped with options that seem more suitable for male athletes. Both the weight training venues had posted usage schedules. Interviews with coaches and administrators indicated that there was equitable access for appropriate weight training for all student athletes at the school. An athletic trainer who is equally accessible to all student athletes is available through a contract with Integrity Orthopedics. Free physical examinations for all student athletes are provided on a designated day during June by Integrity Orthopedics.</p>   |
| <p>Publicity</p>  | <p>X</p> | <p>Both the 2001 and 2009 Title IX school visit reports deemed this benefit category <i>Satisfactory</i>. The 2009 report requested that the school expand its regulations regarding awards to be more specific in relation to items to be purchased and approval of total expenditures. According to information gathered during the most recent visit, the school has two cheerleading squads that offer support for school sponsored athletic teams. It was not possible to determine if these two squads were assigned equitably. (See <i>KHSAA Recommended Action</i>.) The marching band performs at all home football games. The pep band performs at an equal number of home boys and girls basketball games as monitored for parity by the athletic director. A local radio station covers an equal number of home and away boys and girls basketball games and an equal number of home and away baseball and softball games. The Title IX file contained equitable written guidelines for the posting of banners for athletic recognition, the provision of bars and letters and the retirement of athletic jerseys. As was the case in 2009, improvement in adequate oversight is still needed in relation to the provision of awards and post season banquets. (See <i>KHSAA Recommended Action</i>.) Information in the 2013-14 and 2014-15 annual Title IX reports showed that the school was spending approximately \$10 per female athlete and approximately \$8 per male athlete for awards. It should be noted that the expenditures submitted for the <i>Awards</i> category in the 2014-</p> |

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|                  |  |   | 15 annual Title IX report (T-35 form) appear to be budgeted amounts rather than actual expenditures in some cases. (See <i>KHSAA Recommended Action</i> .)  |
| Support Services |  | X | <p>The two earlier Title IX school visit reports designated this benefit category <i>Satisfactory</i>. The 2009 report strongly encouraged school officials to monitor athletic expenditures for the provision of parity. The school currently has booster clubs for all school-sponsored teams except archery and bass fishing. All booster clubs house their funds in off-campus accounts. Information gathered during the most recent visit indicated that any booster purchase over the amount of \$500 must be approved by the deputy superintendent. Some of those interviewed during the visit confirmed this approval while others interviewed did not verify this process. The school has written agreements with all booster clubs. <u>IT WAS STRONGLY RECOMMENDED THAT THE REQUIREMENT OF APPROVAL BY THE DEPUTY SUPERINTENDENT OF BOOSTER PURCHASES EXCEEDING \$500 BECOME A PART OF ALL BOOSTER AGREEMENTS AND THAT THIS REQUIREMENT BE MADE KNOWN TO ALL HEAD COACHES.</u> An analysis of total spending for athletic support is usually a part of the evaluation of this benefit category. This analysis cannot be completed at this time because the 2014-15 annual Title IX report contains approximately \$349,548 in the <i>Facilities</i> category which cannot be confirmed or verified by current school officials. Of this total amount, \$28,500 was from the school and \$321,084 was from athletic boosters. This large amount of unsubstantiated expenditures makes evaluation of this benefit category impossible at this time. It also renders this benefit category to be <b>deficient</b>. (See <i>KHSAA Recommended Action</i>.) <b><u>Information brought forth after the most recent school visit makes it appear likely that a substantial portion of this discrepancy was due to an error in the method of calculation.</u></b></p> |



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| Athletic Scholarships                      | NA |  |  |
| Tutoring                                   | NA |  |  |
| Housing and Dining Facilities and Services | NA |  |  |
| Recruitment of Student Athletes            | NA |  |  |

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

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

- implementation of an archery program;
- implementation of a middle school volleyball program;
- upgrading of weight training equipment;
- upgrading of track and cross country facilities;
- upgrading of baseball and softball fields.

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

The two major deficiencies designated as part of this school visit report were in the following benefit categories.

**(Locker Rooms, Practice and Competitive Facilities)**

The school's failure to report expenditures for the upgrading of the baseball field on the T-35 form in either of the past two years' annual Title IX reports and the disparity in the amenities at the softball locker room compared to those at the baseball locker room resulted in this deficiency.

**(Support Services)** The failure of the school to report accurate and verifiable expenditures in the *Facilities* category on the T-35 form in the 2014-15 annual Title IX report resulted in this deficiency.

The report also lists an "area of concern" in relation to the benefit category of **Publicity**.

- The school was unable to provide evidence of the equitable assignment of the two cheerleading squads.
- The school did not provide written guidelines showing equitable provision in relation to athletic awards and post season banquets.
- Information on the 2014-15 T-3 form appears to show budgeted amounts rather than actual expenditures for **awards** in relation to several teams.

7. KHSAA Recommended Action in relation to new deficiencies

**(Locker Rooms, Practice, and Competitive Facilities)** On or before April 25, 2016, the school is to submit to KHSAA a completed T-35 form for the 2014-15 school year (reflecting 2013-14 expenditures) which shows the actual expenditures for the upgrades and improvements made at the baseball field that were completed during the 2013-14 school year.

The school's 2015-16 School Improvement Plan (T-60 form) submitted in the April 30, 2016 annual Title IX report should include plans to improve the amenities provided for the softball dressing area which will bring about equivalence when compared to the dressing area provided for baseball.

**(Support Services)** On or before April 25, 2016, the school is to submit a completed T-35 form for the 2014-15 school year listing expenditures for the 2013-14 school year. All columns are to be completed on this form with a special emphasis on accuracy of the Facilities column.

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

**(Publicity)**

- On or before April 25, 2016, the school is to submit written documentation to KHSAA detailing the assignments for each of the two cheerleading squads in relation to provision of support for varsity level school-sponsored teams.
- On or before April 25, 2016, the school is to submit to KHSAA a written expansion of the current regulations for publicity which addresses equitable provision of awards for student athletes and post season banquets for school-sponsored athletic teams.
- On or before April 25, 2016, the school is to submit to KHSAA a completed T-35 form for the 2014-15 school year reflecting expenditures for 2013-14 which shows accurate expenditures—not budgeted amounts—in the Awards column.

8. KHSAA Recommended Action in relation to reoccurring deficiencies

No deficiencies were designated as a result of the October 14, 2009 Title IX school visit.

## 9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Kevin Letcher, 724 Woodford Dr., Mt. Sterling, KY 40353  
(859) 497-8765

District Level Title IX Coordinator: Rick Culross, 724 Woodford Dr., Mt. Sterling, KY 40353  
(859) 497-8765

| Name            | Title                        | Telephone             |
|-----------------|------------------------------|-----------------------|
| Kathy Johnston  | KHSAA                        | (859) 494-2509        |
| Gary W. Lawson  | KHSAA                        | (502) 545-3393        |
| Carly Walker    | Student Athlete              | (859) 497-8765        |
| Spencer Holder  | Student Athlete              | (859) 497-8765        |
| Hokey Newkirk   | Cross Country Coach          | (859) 497-8765        |
| Allison Whaley  | Girls Bowling                | (859) 497-8765 x 2247 |
| Kevin Letcher   | Athletic Director            | (859) 497-8765        |
| Richard Culross | Deputy Superintendent        | (859) 380-8878        |
| Rocky Franz     | Principal                    | (859) 497-8765        |
| Diana Cline     | Assistant Athletic Director  | (859) 497-8765        |
| Crystal Workman | Parent/Athletic Booster      | (859) 498-1103        |
| Rob Ledington   | Baseball Coach               | (606) 215-7336        |
| Thomas Hall     | Girls Soccer Assistant Coach | (859) 497-8765        |
| Jo Botts        | Asst. Cross Country Coach    | (859) 497-8765        |
| Melissa Eads    | Counselor                    | (859) 497-8765        |

## 10. Comments

No one from the community attended the public Comments Session. School officials were commended for their preparation for the visit and for the open and forthright communication during the interviews and meetings. The meeting was adjourned at 3:20 pm EST.