

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

**(For schools re-visited during the 2008-2009 school year)**

School: **Muhlenberg South High School**  
Prepared By: **Gary W. Lawson (502) 875-3817**  
Date of Re-Visit: **November 17, 2008**  
Telephone Number of Reviewer: **(859) 299-5472**  
Reviewed By: **Darren Bilberry**

**1. Completed Required Forms**

- Verification of Forms (Form GE-50) Yes  No
- Participation Opportunities Summary Chart (Form T-70) Yes  No
- Benefits Summary Charts (Forms T-71 & T-72) Yes  No
- Benefits Publicity (Form T-73) Yes  No
- Corrective Action Plan Summary Charts (Form T-74) 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 data and calculations submitted by the school, it has met the standard established in Test 1 for provision of athletic opportunities during only one of the past three school years (2006-07).

**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: It does not appear that the school has met the standard established in Test 2 for the provision of athletic opportunities during any of the past three school years. Data and calculations on Test 2 do not appear to be accurate.

**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: Because of the addition of a volleyball program in 2008-09, the school now appears to be meeting the standard established in Test 3 for provision of athletic opportunities.

**3. Is the school's most recent Student Interest Survey accurate in relation to the assessment of Interests & Abilities?**

Yes  No

Comments: According to data and information submitted by the school, it received a 95% return rate on its most recent student survey.

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

Benefit to Students	Satisfactory	Deficient	Comments
<p><b>Accommodation of Interests and Abilities</b></p>	<p>X</p>		<p>According to the December 6, 1999 audit report, the school was meeting the standard established in Test 3 for provision of athletic opportunities at that time. The current data, calculations and responses submitted by the school show it has met the standard established in Test 1 for provision of athletic opportunities during only one of the past three school years (2006-07). The same data, calculations, and responses indicate that the standards established in Test 2 and Test 3 had not been met during any of the past three school years. An expressed interest in volleyball on the student athletic survey kept the school from meeting the standard of Test 3. The volleyball interest has been addressed during the current school year. A volleyball program has been initiated at the junior varsity and freshman levels. The program will be expanded to the varsity level in 2009-10. The school is now offering all sanctioned sports for girls and 16 total team opportunities for girls compared to 15 for boys. The school now appears to be meeting the standard established in Test 3. KHSAA representatives reviewed the school's Title IX file. It was found to contain the most recent self-study, all of the annual reports to KHSAA for the past five years, a board approved salary schedule for coaches, sample game schedules for all sponsored sports, written usage schedules for all shared athletic facilities, team practice schedules, a limited list of guidelines for recognition of athletic accomplishments (see Publicity), a written designation of locker room and athletic storage space assigned each team, written Gender Equity Review Committee meeting minutes for the past two years, records of all student athletic interest surveys, and some guidelines related to provision of travel and per diem. (See Travel and Per Diem.) School officials were commended for development of a usable Title IX file. There will be recommendations for improvement in some sections of the file in the benefits section of this report.</p>

<b>Equipment and Supplies</b>	X		<p>The uniforms reviewed during the recent school visit appeared to be of good quality and showed parity. Interviews with school administrators, coaches, and students indicated that some uniforms are purchased by the school, a few by boosters, and some through "fees" assessed by coaches. This fact, combined with a lack of a uniform review and/or replacement plan, leaves room for inequities to occur (See KHSAA Recommended Action.). According to the school's re-visit report and 2007-08 annual report, it was spending approximately \$211 per female athlete and \$247 per male athlete for provision of athletic equipment and supplies.</p>
<b>Scheduling of Games and Practice Time</b>	X		<p>This area was deemed deficient by the December 6, 1999 school report because of inequitable scheduling of games, and also, the boys basketball team was getting the earlier "time slot" for practice. According to the school's re-visit report, the number of varsity contests scheduled for "like" sports appears equitable. Practice schedules in the school's Title IX file indicate that all shared athletic facilities, including the gym, are shared equitably. According to the school's 2007-08 post season girls basketball schedule and results, 50% (5/10) of the girls home games were played on prime dates. The 2008-09 girls basketball schedule posted on the KHSAA web site shows that 50% (5/10) of the girls home games will be played on prime dates and that three of the five prime date games will be played during the "prime time" slot.</p>
<b>Travel and Per Diem Allowances</b>	X		<p>According to the school's re-visit form and its 2007-08 annual report, it was spending approximately \$69 per female athlete and \$68 per male athlete for provision of travel and per diem. The school's Title IX file contains some guidelines for provision of travel to and from athletic events. <u>It was strongly recommended that these guidelines be expanded to include provision of per diem.</u></p>

<b>Coaching</b>	X	<p>The December 6, 1999 audit report stated that a disparity existed because more assistant coaches were available for boys soccer than for girls soccer. The recent visit showed that two soccer coaches are provided for boys soccer, and two coaches are provided for girls soccer. The school's 2007-08 annual report indicates that the number of coaches provided for "like" sports is equitable. The school's re-visit report, the 2007-08 annual report, and the school district's extra service pay schedule all indicate that coaching salaries are equitable. The re-visit report documents that 13% (1/8) of the girls teams' head coaches are on-campus employees while 44% (4/9) of the boys head coaches are employed on campus.</p>
<b>Locker Rooms, Practice and Competitive Facilities</b>	X	<p>At the time of the December 6, 1999 visit, the school was in the process of upgrading the softball field. The recent visit showed that all facilities for competitive play provided good quality amenities. Each team is provided with an equipment storage space that appears equitable. Locker room space that is available seems to be shared equitably. Three coaching offices are provided for football, boys basketball and girls basketball. Each of these offices have essentially the same amenities.</p>

<b>Medical and Training Facilities and Services</b>	X	<p>An athletic trainer is provided for all athletic teams on a daily basis by the Muhlenberg Community Hospital. Free athletic physical examinations are provided by the hospital to all athletes on a designated day once each year. The school provides two weight training rooms for athletes. Weight training room #1 is located in the football locker room and is used only by the football team. Weight Room #2 is located in the school building and is open to all teams except football. Weight Room #2 is large, clean, and very well equipped for female athletes. Interviews with student athletes and coaches indicated that Weight Room #2 is used by most female athletic teams and they are very satisfied with the amenities provided.</p>
<b>Publicity</b>	X	<p>According to the re-visit report, spending for publicity and promotions appears to show equity on a per athlete basis. The school currently sponsors one cheerleading squad that cheers for all home and away football games. This squad also cheers at all home games for girls and boys basketball. The squad is split for away boys and girls basketball games. The split squad rotates cheering at alternating games for the boys and girls teams. The school has guidelines for providing athletic awards within the Title IX file. <u>It is strongly suggested that these guidelines be expanded to include requirements for posting of athletic recognition in public areas of the school.</u></p>
<b>Support Services</b>	X	<p>The school currently has one athletic booster club which supports the boys basketball team. This booster club has its bank accounts off the school campus, and there is no written agreement with the school. (See KHSAA Recommended Action.) Interviews with student athletes and coaches indicated that some athletes and some teams are charged "fees" to pay for athletic support. Administrators said they do not know which teams charge fees or the amounts of the fees. There appears to be no administrative oversight for equity in this area. (See KHSAA Recommended Action.) The school's annual reports for the past two years show that spending for total athletic support in 2006-07 was slightly outside</p>

<b>Support Services Cont'd</b>			acceptable parameters on both a per athlete and percentage basis. The 2007-08 report showed that spending was well within acceptable parameters. Actually, female athletes had an advantage during that year.
<b>Athletic Scholarships</b>	NA		
<b>Tutoring</b>	NA		
<b>Housing and Dining Facilities and Services</b>	NA		
<b>Recruitment of Student Athletes</b>	NA		

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

The school's Corrective Action plans for the past three years call for the following:

- construction of new tennis courts;
- construction of a new running track;
- construction of storage areas for soccer teams;
- upgrading of softball field;
- equalization of sports offerings for boys and girls;
- implementation of a percentage based funding plan for general athletic funds.

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

Although no major deficiencies were designated by the recent school visit, there are a few areas of concern that should be addressed in order for the school to maintain its "non-deficient" status.

- There is a need for the school's Title IX coordinator to be trained in the proper methods of reporting data and calculations of the opportunities tests.
- There is a need to expand the existing written guidelines in the areas of travel and per diem and recognition of athletic accomplishments.
- There is a need for written guidelines for oversight of booster club spending and the assessment of student fees for athletic support.
- There is a need for written guidelines to insure that equitable review and/or replacement of game uniforms take place.

**7. KHSAA Recommended Action in relation to new deficiencies**

No new deficiencies were designated by the recent school visit. The following actions should be taken by the school to maintain its current "non-deficient" status.

**(EQUIPMENT AND SUPPLIES)** On or before January 23, 2009, the school is to submit to KHSAA a written uniform review and/or replacement plan that would provide equity in this category.

**(SUPPORT SERVICES)** On or before January 23, 2009, the school is to submit to KHSAA a signed booster club agreement or a written plan for administrative oversight of booster expenditures in order to provide an equivalence of benefits in areas where the booster club(s) are involved.

**(SUPPORT SERVICES)** On or before January 23, 2009, the school is to submit a letter to KHSAA designating what teams are allowed to charge student athletic fees, the amounts of these fees, and guidelines for administrative oversight of these fees in order to provide equity.

**(ACCOMMODATION OF INTEREST AND ABILITIES)** The school Title IX coordinator is scheduled to attend the KHSAA sponsored workshop on November 20, 2008 in Madisonville, Kentucky.

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

No reoccurring deficiencies were designated by the recent visit. The deficiency designated in the area of Scheduling of Games and Practice Times designated by the December 1, 1999 school visit report appears to have been successfully addressed by the school. (See Scheduling of Games and Practice Times in the body of this report.)



**9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING**

**High School Title IX Coordinator: Chris Allen, 2900 State Road 176, Greenville, KY 42345  
(270) 338-9409**

**District Level Title IX Coordinator: Mike Dearmond, 510 W. Main Street, Powderly, KY  
42367 (270) 338-2871**

<b>Name</b>	<b>Title</b>	<b>Telephone</b>
Gary W. Lawson	KHSAA	(502) 875-3817
Chris Allen	Asst.Principal/Athletic Director	(270) 338-9409
Les Broady	Assistant Principal	(270) 338-9409
Jakop Smith	Student Athlete	(270) 338-9409
Stephanie Mahlosky	Teacher/Coach	(270) 977-3616
Ken Carver	Teacher/Coach/ Asst. A. D.	(270) 338-9409
Brianne Porter	Student Athlete	(270) 476-3010
Gordon Boccock	KHSAA	(606) 678-8916

**10. Comments**

No one from the community attended the Public Comments session. The meeting was adjourned at 5:25 CST.

To: Gary Lawson  
From: Muhlenberg South High School  
Reason: Title IX

Please accept these 3 documents in accordance with the 2008 KHSAA Title IX Re-visit  
Final Audit Report.

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## Muhlenberg South High School

### Uniform Review and Replacement Procedures

Year 1	Baseball / Softball
Year 2	Volleyball / Cheerleading / Golf / Tennis
Year 3	Boys Basketball / Girls Basketball
Year 4	Football / Swimming
Year 5	Soccer / Cross Country / Track

- At the specified year, varsity uniforms for each sport will be reviewed. If needed, the uniforms will be replaced at this time. If not, money will be budgeted to provide the replacement when needed. Regardless of when the uniform is replaced, the varsity uniforms will be reviewed every 5 years.
- An equal amount will be budgeted for sports with male and female athletes. Other uniform budgets will be handled in a manner that is in compliance with Title IX.

Muhlenberg South High School  
ATHLETIC BOOSTER CLUB AGREEMENT

This agreement is entered into by and between the Muhlenberg County Board of Education and the entity known as \_\_\_\_\_ (hereafter referred to as the "Booster Club"). Through this agreement, the parties intend to set forth the terms and conditions under which the Booster Club may operate and associate with students, teachers, coaches, and school administrators at Muhlenberg South High School.

TERMS AND CONDITIONS

(The terms and conditions are as detailed in the Accounting Procedures for Kentucky School Activity Funds "Redbook" and referenced from 702 KAR 3:130).

1. The Booster Club has the authority to raise funds through board approved activities on and off school property in the name of the school or school activity and maintain those funds in a separate account.
2. A support/booster organization using external accounts shall not use the state tax exempt or federal identification number of the school or district but shall obtain a state tax exempt number specifically and only for the use of the support/booster organization. A federal identification number, specifically and only for the use of the support/booster organization, shall also be obtained if required for federal reporting purposes.
3. Submit the names of the club officers to the principal at the beginning of the school year or within thirty days of the first transaction of the organization.
4. Submit an annual Support/Booster Organization Budget to the principal within the first thirty days of the first transaction of the group showing estimated revenues from admissions, fundraisers, dues, concession sales, and other categories, and estimated expenditures by category.
5. Ensure funds are expended in accordance with the purpose and intended use only.
6. Submit an annual financial report to the principal by July 25 for the year ending June 30. The annual financial report shall contain receipts from admissions, fundraisers, dues, concession sales, and other categories; expenditures by payee; and beginning and ending balances.
7. The Booster Club acknowledges that the board is responsible for the promotion of education and the general health and welfare of all students attending Muhlenberg County Public Schools. In addition, the Booster Club acknowledges that the board has control and management of funds and

all public school property in its district. The Board may use its funds and property to promote all school public education (KRS 160.290).

8. The Booster Club acknowledges that its activities may affect compliance with title IX of the Education Amendments of 1972 (Title 20 U.S.C. 1681-1687) by Muhlenberg South High School and the Board. Likewise, the Booster Club acknowledges that, as a condition of membership in the Kentucky High School Athletic Association, representatives of Muhlenberg South High School and the Board must verify that the school complies with Title IX (702 KAR 7:065, Section 2 (13)). Accordingly, the Booster Club agrees to provide all information requested by Muhlenberg South High School, the Board, or the Kentucky High School Athletic Association for purposes of determining Title IX compliance. The Booster Club further agrees to refrain from engaging in any activity which, in the opinion of the principal or athletic director of Muhlenberg South High School or the Superintendent of the Muhlenberg County Public Schools, adversely affects the schools or the Board ability to comply with Title IX.
9. *By executing this document through its designated representative, all members, officers, and representatives of the Booster Club agree to abide by the terms and conditions set forth as well as those additional terms and conditions which may be required by the Board. The designated representative of the Booster Club represents and agrees that he/she will provide a copy of this agreement to all members of the Booster Club.*

I hereby acknowledge that I am a representative of the \_\_\_\_\_ Booster Club and that I am authorized to act on its behalf. I further agree that this Booster Club and its members shall abide by the Terms and Conditions set forth above. I further agree to immediately report to the principal and athletic director of Muhlenberg South High School and the Superintendent of the Muhlenberg County Public Schools any violation or breach of this agreement.

Name of Booster Club

\_\_\_\_\_

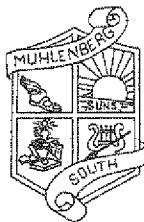
Signature of Booster Club Representative

\_\_\_\_\_

RANDY McCARTY  
Principal

LES BROADY  
Asst. Principal

CHRIS ALLEN  
Asst. Principal/Athletic Director



JANICE C. YONTS  
Guidance Counselor

DEBBIE VICK  
Guidance Counselor

BEVERLY UNDERWOOD  
Secretary

## Muhlenberg South High School

PHONE (270) 338-9409

2900 STATE ROUTE 178  
GREENVILLE, KENTUCKY 42345

FAX (270) 338-9710

To Whom It May Concern at KHSAA:

The KHSAA performed a Title IX revisit of Muhlenberg South High School on November 17<sup>th</sup>, 2008. The Final Audit Report requested a letter designating what teams were allowed to charge fees, the amount of the fees and the guidelines for administrative oversight of these fees. This was a result of coaches and players indicating during interviews that fees were required from student athletes for athletic support.

As a result, the athletic department investigated the issue. The findings are as follows:

*4 teams verified that fees were collected from players. These teams are cheerleading, softball, baseball, volleyball and girls' basketball. The cheerleading fees are used exclusively for voluntary summer camp. The softball fee was used for various items, including player clothing purchases and team supplies. The same is true for baseball, where \$90 last year went for team supplies only. The volleyball fee was for player purchased items only. The girl's basketball fees were for items the athletes purchased (shoes, clothing) and tournament fees. The tournament fees totaled \$55 for each player.*

The findings require action by the athletic program. Beginning with the 2009-2010 school year, all "fees" must be used for items the athletes will keep only, or voluntary camp events. All equipment and supplies, or any other expenditures, will not be purchased with individual player fees. A specific policy will be brought before the equity committee pending the potential "merger" of Muhlenberg North and Muhlenberg South High Schools.

Thanks,  
Chris Allen – Athletic Director