



TITLE IX FINAL AUDIT REPORT

(For schools visited during the 2000-2001 school year)

School: **Owensboro High School**

Reviewed By: **Julian Tackett**

Date Of Visit: **May 14, 2001**

Telephone Number of Reviewer **(859) 299-5472**

1. Completed Required Forms

GE-19 Yes No

Survey Student Interest Form Yes No

Summary Forms T-1 Thru T-41 Yes No

Corrective Action Plan (Form T-60) Yes No

2. Opportunities Component of Title IX Compliance

Area of Compliance:
(Check One Or More)

	A	Substantial Proportionality
<input checked="" type="checkbox"/>	B	History and Continuing Practice Of Programs Expansion
	C	Full and Effective Accommodation of Interest and Abilities

A.) If Substantial Proportionality is chosen; does it appear that the school has performed the calculation correctly?

Yes No

(If No, include in comments section and analysis of what is incorrect in the calculation.)

Comment:

B.) If History and Continuing Practice Of Program Expansion are chosen; does it appear that the school has performed the calculation correctly?

Yes No

Comment:
Over the past few years, evidence indicates that girls' programs have been added as needed, however a more accurate survey to be performed in the 2001-2002 school year may yield the need for additional offerings.

C.) If Full and Effective Accommodation of Interest and Abilities is chosen, does it appear that the school provides opportunities in areas of students' interest?

Yes No

Comment:

3. Has the school properly surveyed its student body to accurately assess the interests and abilities of its students?

Yes No

Comment:
The school acknowledged that it has a disproportionate response to its survey considering the size of the student body and has agreed to utilize an approach for the 2001-2002 student survey that will ensure more students are able to complete the instrument.

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

Benefit to Students	Satisfactory	Deficient	Comments
Accommodation of Interests and Abilities	X		<ul style="list-style-type: none"> Based on current survey results, the school appears to offer an appropriate number of teams for both genders.
Equipment and Supplies	X		
Scheduling of Games and Practice Time		X	<ul style="list-style-type: none"> The school should continue to make an effort to schedule sports similar numbers of contests for each gender in similar sports at all levels. Efforts should continually be made to address the issue of prime-time scheduling (Friday/Saturday nights) The issue of a practice facility for girls' softball must be addressed in an aggressive manner.
Travel and Per Diem Allowances	X		<ul style="list-style-type: none"> Appear to be consistent for all teams. Written policies should be addressed to ensure equal treatment of teams needing special non-school transportation.
Coaching	X		<ul style="list-style-type: none"> Continual review should be in place regarding salary schedules and hiring of coaches to ensure that efforts are made to find experienced coaches. Every coaching vacancy should be advertised and/or promoted and a search conducted with the same vigor as a vacancy for basketball and football jobs, in order to increase the overall experience level of coaches on the female side. Assistant Coach salary schedules should be continually reviewed and adjustments made to ensure consistency between coaches of male and female sports.

Locker Rooms, Practice and Competitive Facilities		X	<ul style="list-style-type: none"> • There is a pressing problem with the lack of a practice facility for the girls' fast pitch softball team and the lack of a dedicated place for games for the girls who have shifted around from year to year. While it is acknowledged that there is not an on-campus facility for the practicing of baseball (boys) or softball (girls), it is also noted that accommodations have been found locally to allow the baseball team a disproportionate amount of practice facilities and time when contrasted with the girls teams. Although these are outside facilities with little or no control by the school, it is nonetheless a benefit provided to male athletes that is not provided to female athletes and therefore, inherently problematic.
			<ul style="list-style-type: none"> • Access to the school weight room is a potential problem. Though available to the general student body, there is not a posted time for female athletes to train outside the presence of male athletes, and past usage indicates a dominant usage by male athletes. In addition, the football weight room offers the privacy and a devoted area necessary for such training, but does not appear to be equipped with weight equipment consistent with the needs of females, and certainly that area does not allow for co-training by males and females. • Written policies should be developed to determine what sports have priority in the event that more than one sport needs the use of such areas as stadium surfaces, outdoor practice areas and the gym.
Medical and Training Facilities and Services	X		<ul style="list-style-type: none"> • There appears to be consistent treatment for all male and female athletes.

Publicity	X		<ul style="list-style-type: none"> • Policies should be developed by the Athletic Department to ensure equal treatment regarding program production, schedule card production, and media guide production to ensure that other entities such as booster organizations do not affect compliance. Immediate steps should be taken to implement a policy specifying the criteria and qualifications for the placement of banners/pictures in the gymnasium and commons area to ensure that all participants have an equal opportunity for this prime-time exposure. The administration should continue its exemplary efforts regarding the issue of trophy and memorabilia display. This must continue to be a systematic approach to the display of such awards that will ensure the equal treatment of all participants.
Support Services	X		<ul style="list-style-type: none"> • Appear to be consistent treatment for all male and female participants. The school should be aware of the pitfalls and problems that can exist with separate and independent booster organizations for each sport. • At minimum, the school should enter into contractual relationships with these groups to ensure compliance with school, state and federal law. • The school should require through policies approved at the school, site based, and board of education level, that the booster organizations regularly submit complete and audited financial reports to the school so as to include these amounts received and spent by these organizations in any required reporting. • Upon analysis, the school is fortunate to have a fine athletic staff, in particular its Athletic Director. Steps should be taken to discuss with the School System Administration and other groups, the concept of allowing this person all the time necessary to perform these administrative functions along with appropriate support staff assistance. With the size and complexity of the program offered at this school, it is difficult if not impossible, for any person to perform the necessary tasks within the current time constraints.
Athletic Scholarships**	X		<ul style="list-style-type: none"> • It doesn't appear to be applicable to this school, nor are there any indications of disparate treatment.
Tutoring**	X		<ul style="list-style-type: none"> • It doesn't appear to be applicable to this school, nor are there any indications of disparate treatment.

Housing and Dining Facilities and Services **	X		<ul style="list-style-type: none"> • There appears to be consistent treatment for all male and female athletes.
Recruitment of Student Athletes**	X		<ul style="list-style-type: none"> • This does not appear applicable to this school nor are there any indications of disparate treatment.

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

The school through its Title IX Committee has made a concerted effort to address deficiencies in the program. Many of the items noted in Item 4 above can be addressed in an expedited manner and resolved. Review of the plan should include, however, the immediate addition of addressing the issues related to the softball practice and play facility issues

6. Observed Deficiencies in Overall Girls and Boys Athletics Programs

- The school is in need of a written athletic policies manual. The current coaches and athletic staff have amicably and satisfactorily resolved many of these issues, encountered upon examination of the facilities and operations. However, documentation of these policies will ensure equal and consistent treatment in the future.
- School representatives must aggressively and immediately address the issue of oversight of the booster organizations as mentioned in Item 4. While many athletic programs could not be operated without the involvement of booster organizations, overzealous and unreported actions could place the school contrary to federal, state or local law if not monitored.
- Steps should be taken to discuss with the Principal, School Based Council, and other groups, the concept of allowing the athletics director more time to perform administrative functions along with appropriate staff assistance. With the size and scope of the program offered at this school, it is difficult if not impossible, for any person to perform the necessary tasks within the current time constraints
- On the surface, it appears that the school (in the past) has been reactive rather than proactive in the development of new sports offerings, particularly for females. The age old question, “do we not have players because we don’t have a team, or do we not have a team because we don’t have players?” appears to have been used to justify sitting back and waiting on an active interest group to develop before aggressively pursuing new offerings, or new levels of offerings within existing sports.

7. Facility Recommendations or Concerns

- There is a pressing problem with the lack of a practice facility for the girls’ fast pitch softball team and the lack of a dedicated place for games for the girls who have shifted around from year to year. While it is acknowledged that there is not an on-campus facility for the practicing of baseball (boys) or softball (girls), it is also noted that accommodations have been found locally to allow the baseball team a disproportionate amount of practice facilities and time when contrasted with the girls teams. Although these are outside facilities with little or no control by the school, it is nonetheless a benefit provided to male athletes that is not provided to female athletes and therefore,

inherently problematic. While it is noted that local parks systems are not under the same scrutiny with respect to Title IX as a public high school, certainly the local parks directors (Debbie Zielinski, Daviess County and Cindy Sturgeon, Owensboro City) would rather have this issue resolved quickly as risk the public relations problems of overexposure of their support for boys sports compared with girls sports. Owensboro High School officials are encouraged to use whatever methods possible and necessary to see that these individuals, and perhaps their ranking and superior elected officials, are immediately brought into the discussions about this problem.

- Access to the school weight room is a potential problem. Though available to the general student body, there is not a posted time for female athletes to train outside the presence of male athletes, and past usage indicates a dominant usage by male athletes. In addition, the football weight room offers the privacy and a devoted area necessary for such training, but does not appear to be equipped with weight equipment consistent with the needs of females, and certainly that area does not allow for co-training by males and females.
- In addition, a timetable for addressing the softball facility issue must be addressed immediately, or the school could be at serious risk of a challenge from affected parties.
- Written policies should be developed to determine what sports have priority in the event that more than one sport needs the use of such areas as stadium surfaces, outdoor practice areas and the gym.

8. KHSAA Recommended Action

- Notify Office Of Civil Rights and Request Federal Investigation of Possible Violations
- Notify Equity Division and KBE of Potential Title IX Violations
- Suspension From the Association
- Prohibition From Post Season Play
- Probation For
- Fine In The Amount of _____
- None At This Time
- School shall submit the following additional information:

(Selection of Cheerleaders) On or before **July 31, 2001**, the school is requested to provide information to the KHSAA concerning the manner in which cheerleaders are selected for boys' and girls' teams. If cheerleaders are selected in such a way as to result in arguably better (i.e. "A" team vs. "B" team) cheerleaders performing at boys' events, the school shall also submit a plan under which cheerleaders of equal ability shall perform at an equal number of boys' and girls' games in comparable sport (i.e., boys'

varsity and girls' varsity basketball game).

(Prime Time Contest/Girls' Basketball) On or before **July 31, 2001**, the school is requested to provide information to the KHSAA concerning the number of "prime time" games scheduled (games to be played on Friday and/or Saturday nights) for its girls' varsity basketball team during the 2000/2001 season. To the extent that a fewer percentage of girls' games are played during prime times (when compared with the percentage of boys' games scheduled for prime times), the school shall advise the KHSAA of action it intends to take to immediately correct the difference.

(Student Participation Survey) On or before **September 30, 2001**, the school is requested to provide to the KHSAA a copy of the survey instrument and results from a survey to be conducted after the start of the 2001-2002 school year. Clearly, past surveys have not been of representative groups and this information will be vital for use by the Title IX committee at the school.

(Corrective Action Plan) On or before **July 31, 2001**, the school is to provide to KHSAA a revised copy of form T-60, Corrective Action Plan, following a meeting of the Title IX Committee. During the field audit, several observations were made by Owensboro personnel as to potential items to include in this plan. A revised and more thorough plan is vital to the active work of the Title IX Committee. Items such as those listed in this report, including but not limited to, the softball facility issue, must be addressed in order that the school document its efforts to rectify any deficiencies.

9. PERSONNEL IN ATTENDANCE AT AUDIT MEETING

High School Title IX Coordinator: Gordon Powers, Athletic Director

District Level Title IX Coordinator: Tom Purcell, District Office

Name	Title	Telephone
Burnett, Anita	OHS Assistant Principal	270-729-2400
Powers, Gordon	OHS Athletic Director	270-686-1110
Purcell, Tom	Owensboro District	270-683-3653
Stinnett, Michael	OHS Basketball Coach	270-688-8567
Tackett, Julian	Asst. Commissioner, KHSAA	859-299-5472

10. **Comments:**
No additional.

Kentucky High School Athletic Association

MEMORANDUM

To: Principal, Superintendent, Athletic Director

From: Louis Stout, Commissioner
Brigid L. DeVries, Executive Assistant Commissioner



Date: June 13, 2001

Subject: KHSAA Title IX Final Audit Report
2000-2001 School Year

Enclosed please find a copy of your school's Title IX KHSAA Audit Report for the 2000-2001 school year. Please pay particular attention, as you review the report, to the fact that the reviewer may have requested, by a certain date, additional information to properly assess your athletics program. In addition, fines and/or penalties may also be imposed.

At this time you are probably aware of the required Title IX Forms to be submitted by April 15, 2001. They include the following: GE19, T1, T2, T3, T4, T41, T60, T63. Most importantly the 2001 Corrective Action Plan (T-60) needs to be updated on an annual basis.

Should you have specific questions regarding the content of your 2000-2001 final report, please contact the person who reviewed your Audit Document.

Thank you for your work in this very important project.