

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

(For schools re-visited during the **2007-2008** school year)

School: **Somerset High School**  
 Prepared By: **Gary W. Lawson**  
 Date of Re-Visit: **October 31, 2007**  
 Telephone Number of Reviewer: **(502) 875-3817**  
 Reviewed By: **Larry G. Boucher**

**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)

<b>X</b>	A	Substantial Proportionality
	B	History and Continuing Practice Of Programs Expansion
<b>X</b>	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 data submitted by the school, it has met the standard established in Test #1 for provision of athletic opportunities during two of the past three school years (2005-06 and 2006-07), and is currently still meeting that standard.**

- 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: According to data submitted by the school, it has met the standard established in Test #2 for provision of athletic opportunities during only one of the past three school years (2004-05).**

- 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: According to responses and data submitted by the school, it has met the standard established in Test #3 for provision of athletic opportunities during all of the past three school years. The responses on Test #3 appear to be supported by information found in the most recent student survey.**

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 submitted as well as interviews with school officials, it appears that the student body was properly surveyed. School reports indicate that a 90% return rate was received on the most recent student survey.**

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

<b>Benefit to Students</b>	<b>Satisfactory</b>	<b>Deficient</b>	<b>Comments</b>
<b>Accommodation of Interests and Abilities</b>	<b>X</b>		<p>According to all information received from the school, it appears to be currently meeting the standard established in both Test #1 and Test #3 for the provision of athletic opportunities. The school is currently offering all sanctioned sports for girls at the varsity level and the same number of teams for girls as for boys at the junior varsity and freshman levels. School officials were commended for the broad spectrum of athletic opportunities offered in relation to the size of their enrollment. KHSAA officials reviewed the school's Title IX file. It was found to contain the most recent self-study, all annual reports submitted to KHSAA, a board approved salary schedule, a school athletic handbook, signed booster club agreements for all sports, a program for all sports offered, usage schedules for all shared facilities, written team practice schedules, written guidelines for receiving letter jackets, written minutes for all Gender Equity Review Committee meetings for the past two years, a written uniform review/replacement plan, and written guidelines relating to provision of per diem for athletes. School officials were encouraged to continue to maintain a usable Title IX file and to keep minutes for all GERC meetings held.</p>
<b>Equipment and Supplies</b>	<b>X</b>		<p>The school visit showed a high quality of uniforms and adequate equipment provided for all teams. The school has a written uniform review and/or replacement plan based on a three year rotation. Interviews with students and coaches indicated that uniforms are reviewed and replaced based on this schedule. The school's 2006-07 annual report indicates that it is spending approximately \$318 per female athlete compared to approximately \$610 per male athlete for provision of equipment and supplies. This spending appears to be outside acceptable parameters. (See Support Services and KHSAA Recommended Action.)</p>

<b>Scheduling of Games and Practice Time</b>	<b>X</b>		According to the school's re-visit form, it is scheduling a comparable number of competitive events for all "like" sports. All shared athletic facilities appear to be rotated equitably. According to the school's 2006-07 girls basketball schedule, 57% (4/7) of it home girls basketball games were played on "prime dates." Seventy-five per cent (3/4) of the prime date games were played during the "prime time" slot.
<b>Travel and Per Diem Allowances</b>	<b>X</b>		The school's Title IX file included a written guideline for provision of per diem for athletes when on trips. This guideline appeared to be equitable. The school's 2006-07 annual report indicates that it spent approximately \$57 per female athlete compared to \$82 per male athlete for provision of travel and per diem.
<b>Coaching</b>	<b>X</b>		Interviews with coaches as well as comments made during the Gender Equity Review Committee meeting indicated that administrators attempted to provide equitable support. Total salaries reported on the re-visit form as well as a review of the district extra service pay schedule shows parity. According to the school's re-visit report, 63% (5/8) of both the boys and girls head coaches are on campus employees.
<b>Locker Rooms, Practice and Competitive Facilities</b>	<b>X</b>		The November 9, 1999 audit report rendered the school deficient in this area. Special mention was made of the amenities provided at the softball field compared to the baseball field. This situation also became an issue with parent groups. KHSAA officials have monitored the total renovation of the softball complex and made visits to the school on October 24, 2006 and April 13, 2006 to ascertain the extent of progress. (see letters from Gary W. Lawson on 11/01/06 and 4/13/06 in Title IX file.) The renovation will be complete with the addition of new outfield fence. The new field is a great improvement, and although some amenities offered are still not quite up to those located at the baseball field (i.e. dressing area and proximity of hitting facility),the school is moving toward "equivalence." All other practice and competitive facilities, as well as dressing areas, appeared to show parity or were shared equitably.

<b>Medical and Training Facilities and Services</b>	<b>X</b>		The school was rendered deficient in this area by the November 19, 1999 audit primarily due to the fact that it did not appear that the female athletes had equal access to the school's weight training room. The school now has two weight training rooms—one designated for boys teams and the other for girls. The girls weight training room appears to be adequately equipped with weights and machines suitable for usage by females. The school has two athletic training rooms with adequate supplies but does not currently provide the services of an athletic trainer.
<b>Publicity</b>	<b>X</b>		School officials appeared very conscious of showing equity when developing their "all sports" athletic program. According to the school's re-visit form and interviews with administrators, they sponsor one cheerleading squad which cheers at all home basketball games for both the boys and girls teams and also at all away tournament games for both teams.
<b>Support Services</b>		<b>X</b>	The school currently has one specific booster club for each sport plus a "varsity" club which supplements funding for all sports. The school has a signed agreement with each booster club. All athletic purchases are run through school accounts. A purchase order signed by the athletic director and principal must be used when buying any item for athletics. Even with these safeguards for equity in place, school spending for athletic benefits as reported to KHSAA has not been within acceptable parameters over the past two years. Whether the analysis is on a percentage or per athlete bases, it does not show "equivalence." This difference appears in several of the benefit areas (i.e. equipment and supplies, travel, and facilities). School officials explained that part of the problem may lie in reporting methods (i.e. all middle school football expenses are paid from high school accounts and are reported to KHSAA as high school expenses) and the fact that the expenditures for softball renovation has yet to show on school reports. If this is the case, the area of total athletic support may not be as deficient as it now appears. (See KHSAA Recommended Action.)
<b>Athletic Scholarships</b>	<b>NA</b>		

<b>Tutoring</b>	<b>NA</b>		
<b>Housing and Dining Facilities and Services</b>	<b>NA</b>		
<b>Recruitment of Student Athletes</b>	<b>NA</b>		

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

The school's most recent Corrective Action plans call for:

- Addition of a girls volleyball program
- Increasing the emphasis on "prime time" play for girls basketball
- Renovation of the school's softball complex
- Seeking the services of an athletic trainer

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

The major deficiency that appears for the school at this time is the lack of equitable spending for athletic benefits shown in school reports.

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

**(SUPPORT SERVICES) On or before February 15, 2008, the school is to submit to KHSAA corrected T-35 and T-36 forms like those submitted in the 2006-07 annual report. These forms should include only expenditures for students who participate on athletic teams at the high school level. They should also include all expenditures for travel and per diem. Once these forms are evaluated by KHSAA, a response will be sent to the school detailing what, if any, further action is necessary.**

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

**The two deficiencies designated on the November 19, 1999 school report appear to have been successfully addressed by school officials through the renovation at the softball field and the addition of a second weight room for use by female athletic teams.**

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

**High School Title IX Coordinator: Bob Tucker, 3604 Woodhaven Dr., Somerset, KY 42501  
(606) 679-7078**

**District Level Title IX Coordinator: Bob Tucker, 3604 Woodhaven Dr., Somerset, KY 42501  
(606) 679-7078**

<b>Name</b>	<b>Title</b>	<b>Telephone</b>
<b>Bob Tucker</b>	<b>Athletic Director</b>	<b>(606) 679-7078</b>
<b>Heather Baker</b>	<b>Softball Coach</b>	<b>(606) 305-4687</b>
<b>Shawn Tucker</b>	<b>Boys Basketball Coach</b>	<b>(606) 676-0816</b>
<b>Robyn Price-Sneed</b>	<b>Parent Representative</b>	<b>(606) 679-8989</b>
<b>Justin Oulster</b>	<b>Student Representative</b>	<b>(606) 451-2410</b>
<b>Kevin Burkett</b>	<b>Volleyball Coach</b>	<b>(606) 305-8827</b>
<b>Reba Woodall</b>	<b>KHSAA</b>	<b>(859) 299-5472</b>
<b>Gary W. Lawson</b>	<b>KHSAA</b>	<b>(502) 875-3817</b>

**10. Comments: Three people from the community attended the Public Comments session. Discussion centered around provision of equity in relation to school sponsored athletic trips and provision of "equivalence" in relation to booster club spending. The meeting was adjourned at 6:15 EDT.**



**2007-2008  
ACTUAL EXPENDITURES - PROGRAM COMPARISON CHART 1  
TO INCLUDE BOOSTER CLUB FUNDING**

	equipment and supplies		travel		awards		coaches' salaries (to include supplemental and extended employment; dollar amount required)		facilities improvements		publications (if sport-specific)	
	School	Booster	School	Booster	School	Booster	School	Booster	School	Booster	School	Booster
G basketball	537	35,769	3289		3235	16,000	5	3	94,150			
B basketball	2972	29,970	4564		4568	16,000	5	3	94,150			
G softball	1169	2009	1679		61	5,000	3	2	45,000			
B baseball	1300	24,013	1871		834	5,000	3	2	52,900			
G cross country	25	1841	790		599	1,250	2	1				
B cross country	25	1841	790		599	1,250	2	1				
G golf	75	5568	1017		920	2,000	2	1				
B golf	267	12,374	229		372	2,000	2	1				
G soccer	791	12,898	2127		48	4,500	3	2	41,500			
B soccer	737	12,898	3715		48	4,500	2	2	41,500			
G swimming	150	500	198		-	958	1	1				
B swimming	150	500	198		-	958	1	1				

- Total expenditures on T-35 and T-36 on the 2007-2008 year report due by April 15, 2008, should reflect the total monies spent (rounded off to nearest dollar) for the entire school year of 2006-2007 ending June 30, 2007.
- Booster Club Funding/Contributions must be included in the above expenditures total. (Note: It is illegal for coaches to be paid by Booster Clubs - Reference KHSAA Bylaw 27)

Principal's Signature: \_\_\_\_\_

*[Handwritten Signature]*

Date: \_\_\_\_\_

**2007-2008  
ACTUAL EXPENDITURES - PROGRAM COMPARISON CHART 2  
TO INCLUDE BOOSTER CLUB FUNDING**

	equipment and supplies		travel		awards		coaches' salaries (to include supplemental and extended employment; dollar amount required)		facilities improvements		publications (if sport-specific)	
	Expenditures		Expenditures		Expenditures		Expenditures		Expenditures		Expenditures	
	School	Booster	School	Booster	School	Booster	School	Booster	School	Booster	School	Booster
G track		1841	458		599	3,000	1	1	69,500			
B track		1841	458		599	3,000	1	1	69,500			
G tennis		103	671			2,000	1	1				
B tennis		103	671			2,000	1	1				
G volleyball		639	3386	1858		3,500	2	3	94,150			
B wrestling												
G (list sport)												
B football		6,067	15,332	4482		2,801	22,000	8	2	12,600		
G (list sport)												
B (list sport)												

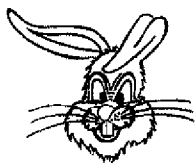
1. Total expenditures on T-35 and T-36 on the 2007-2008 year report due by April 15, 2008, should reflect the total monies spent (rounded off to nearest dollar) for the entire school year of 2006-2007 ending June 30, 2007.

2. Booster Club Funding/Contributions must be included in the above expenditures totals.  
Indicate percentage of total expenditures for each gender: (If disparities are obvious, list on your Corrective Action Plan (T-60) what action you will take to correct the problem).

Gender	Expenditures	Percentage
Boys	\$ 424,186	49.8
Girls	\$ 430,383	50.1
Total:	\$ 854,569	100%

Principal's Signature:  Copyright 1999, Good Sports, Inc. Title IX and Gender Equity Specialists. All rights reserved.

Date: \_\_\_\_\_



Robert Tucker  
Athletic Director

# Somerset High School

301 College Street ♦ Somerset, Kentucky 42501 ♦ Telephone (606) 678-4721 ♦ Fax (606) 677-0087

## Title 9,

Enclosed are the corrections to the forms you requested per our visit. I deducted all junior high football monies from the football account. (This included all travel, supplies, uniforms, etc. supplied for our middle school football program by Somerset High School.)

I did make one glaring mistake that was missed during the Title 9 audit. Improvements to the Somerset High School gym were over a quarter of a million dollars. This was equally shared among the basketball teams. However, I left out 1/3 of the amount which was to go on Volleyball's ledger.

The new form shows the corrected amount equally dispersed among boys basketball, girls basketball, and volleyball. These are the three teams that use the gymnasium.

Sincerely,

A handwritten signature in cursive script that reads "Robert W. Tucker".

Robert W. Tucker  
Athletic Director

The Somerset Independent Board of Education is an equal opportunity organization that does not discriminate on the basis of race, color, national origin, sex, age, religion, marital status or disability in course offerings or employment practices.



## High School Athletic Association Kentucky

2280 Executive Drive • Lexington, KY 40505 www.khsaa.org • (859)299-5472 (859)293-5999 (fax)

November 1, 2006

Mr. Jeff Perkins, Principal  
Somerset High School  
301 College Street  
Somerset, KY 42501

Dear Mr. Perkins:

Attached is a report summarizing the issues that were identified by Gary Lawson and Dr. Fran Edwards during a visit to Somerset High School on October 24, 2006. I have read over the report and talked with the Auditors.

It appears steps are in place to correct various inequities that have existed surrounding the benefits the girl's softball program has experienced in recent years. I commend you and your school administration for addressing the elimination of these issues. We look forward to hearing that all projects have been successfully completed and that the Somerset High School girl's softball team is in a pleasant "home."

There are some requirements noted in the report and I urge you to comply with them. Should you have any questions, please do not hesitate to contact me or Mr. Lawson who wrote the report.

C: Commissioner DeVries  
KHSAA-School's Title IX Master File  
Gary Lawson  
Dr. Fran Edwards

Sincerely,

A handwritten signature in black ink that reads "Larry Boucher". The signature is written in a cursive style.

Larry Boucher  
Assistant Commissioner

To: Larry Boucher  
From: Gary W. Lawson and Dr. Fran Edwards  
Subject: Title IX Issues—Somerset High School  
Date: October 26, 2006

I. Background Reasons for Investigation

- A. Complaints received by KHSAA from eleven individuals involved with athletics at Somerset High School alleging long term (six or seven years) inequities in the athletic program. These inequities are mostly, although not totally, related to the provision of athletic benefits to the softball team.
- B. The above mentioned issues include, but are not limited to, the following:
1. lack of storage space for softball equipment (both for players and that used for field maintenance,
  2. lack of restroom and water facilities for the softball team,
  3. repeated promises by school administrators to upgrade the softball complex with no follow-up,
  4. provision of a PA system at the baseball field while the softball team has to borrow one from the community,
  5. almost all spending for provision of athletic benefits for softball have been provided by boosters while baseball has received most of their funding from the school district,
  6. spending approximately \$30,000 during the last school year (2005-2006) to renovate the baseball facility,
  7. failure to equitably advertise and search in the process of hiring a head girls basketball coach compared to the hiring of a head boys basketball coach.
- C. Review of school information relating to Title IX (documented at KHSAA) indicates the following.
1. The school's November 9, 1999 Title IX audit report, page 3, questions the school's rating of the softball field as being of higher quality than its baseball field on its 1999-2000 self-study of facilities.
  2. The November 9, 1999 Title IX audit report also stated that before January 2, 2000, the school was requested to consider additional improvements with respect to the softball facility. In addition to the planned changes, the school was to address other differences noted in comparison to the baseball field. "The goal should be to make the facilities as comparable as possible."
  3. According to the school's list of "Five Year Title IX Accomplishments" (1999-2004), the softball field was upgraded by the addition of a scoreboard and fence with safety guard.

4. A review of the school's spending for equipment and supplies as submitted to KHSAA over the past five years indicates that a total of \$65, 514 has been spent on baseball compared to \$23, 239 for softball.
5. A review of spending on travel and per diem as submitted to KHSAA over the five years indicates that \$8,960 has been spent for baseball on travel and per diem compared to \$5,823 for softball.
6. According to school submittals to KHSAA, coaching salaries appear to be equitable.

## II. Findings of Fact—School Visit—October 24, 2006

### A. Facilities Tour:

1. A tour of the baseball and softball facilities give the perception that gender inequities exist in relation to provision of benefits.
2. Almost all amenities provided at the softball field are inferior to those provided at the baseball field.
  - a. Girls dugouts are much smaller and of inferior quality needing maintenance.
  - b. The baseball field has a large brick faced backstop while the softball field backstop is chain link fencing.
  - c. Both fields have a water source and no full sprinkler systems.
  - d. Both fields have adequate lighting.
  - e. The baseball field has high quality bleacher seating for approximately 800 people while the softball field has two small sets of bleachers for about 100 people.
  - f. Both fields have PA systems owned by the school.
  - g. The baseball field has public restroom facilities while softball does not.
  - h. The baseball field has a large dressing room with full size individual wooden lockers. Softball players have no designated dressing facility.
  - i. The baseball field has a coaches office on site. The softball coaches have an office in the school building not adjacent to the field.
  - j. The baseball field has a medium size storage room adjacent to the coaches office. Softball has a large metal cabinet for storage in the coaches office.
3. A new indoor hitting facility has been constructed adjacent to the baseball field. A tour of the facility revealed that it is to be available for use very soon and will be shared by baseball and softball players with softball given priority for scheduling early times.

### B. Interview with School Officials—October 24, 2006

KHSAA officials met with the school principal, athletic director, director of buildings and grounds, director of pupil personnel, and the superintendent. KHSAA officials were shown the plans and architectural drawings for a newly renovated softball facility (plan attached). These plans were approved by the Somerset Board of Education on September 12, 2006 (minutes attached). The

BG 05-027 for this project was submitted to the Department of Education on October 11, 2006 (letter attached). The planned renovation is actually to begin in December, 2006, and school officials expect to have it finished for the start of the 2006-2007 softball season. The plan, as it currently exists, calls for the following:

1. A totally new concession stand and press box housed in the same building will be added. (Press box will be on top of concession stand.)
2. Both dugouts will be replaced with the home dugout having running water, restrooms, a small dressing area, and approximately 977 square feet of equipment storage.
3. Public restrooms will be added in the concession stand.
4. A permanent PA system will be installed in the press box.
5. The softball field will keep existing lighting, outfield fence, and scoreboard.

### III. Recommendations

Based on a review of the school's Title IX file, the school's November 9, 1999 Title IX report, a tour of the athletic facilities in question, and the school's proposed plans for renovation, the following steps are recommended in order to better insure the school's progress toward equity of athletic benefits

- A. On or before **February 20, 2007**, the school will submit a letter to KHSAA detailing the progress being made in regard to the renovation of the softball field. This letter should include notation as to how closely they are adhering to proposed time frame and meeting the completion date.
- B. On or before **February 20, 2007**, the school will submit a letter to KHSAA detailing an alternative plan for provision of a softball field if the new complex is not completed in time for the beginning of the 2006-07 season.
- C. The school's **April 15, 2007** annual submittal to KHSAA should include an updated progress report on the opening of the new softball field.
- D. Somerset High School should be placed on the list for full Title IX review during the **fall of 2007**. As part of this visit, the new amenities at the softball field should be closely scrutinized in regard to like facilities providing benefits to male athletes.
- E. On or before **February 20, 2007**, the school should submit to KHSAA a facility usage schedule for the new indoor baseball/softball practice facility. This schedule should be signed by the school's principal, athletic director, softball coach and baseball coach.
- F. No construction projects providing benefits to male athletes should be initiated until the current softball renovation project is completed unless student safety issues are involved.

#### IV. Final issue identified in complaint

KHSAA addressed the complaint related to the hiring of boys and girls head basketball coaches at Somerset High School. It would appear that the last boys basketball coach was hired during the 1999 school year. There was no search committee formed. The job was advertised in various publications and posted locally but not on the web site. The last girls basketball coach was hired during the 2005-2006 school year. The job was posted locally and advertised in various publications as well as being posted on the list server of the KHSAA website. In both cases, once applications were received, the school board policy on hiring was followed (policy attached). KHSAA officials found no indication of inequities in the hiring of the last two head basketball coaches.