

James Campbell High School Annual Equity Review

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INTRODUCTION

In accord with the Settlement Agreement reached in A.B. et al v. Hawai'i State Department of Education, et al, CV 18-00477 LEK-RT, this is the first annual report of the Independent Evaluator ("IE"). This report summarizes the progress made by the James Campbell High School ("Campbell High School" or "Campbell") in regard to gender equity compliance under Title IX of the Education Amendments of 1972 ("Title IX") in the first year of the Settlement Agreement entered into on or about October 9, 2023. While good progress has been made at Campbell High School, the Hawai'i Department of Education ("Hawai'i DOE"), and the Oahu Interscholastic Association ("OIA"), there have also been lessons learned and suggestions made within this report to improve equity compliance efforts (and this process) moving forward.

An example of an improvement I suggest in year two of this agreement is to change my approach to interviewing the head coaches. In sum, I commonly use a survey to collect information from head coaches to learn more about their teams before interviewing them. Upon review of the responses received this year, there were several questions that did not apply to Campbell High School. An updated survey to be utilized moving forward is attached as Exhibit A. Further, while I typically provide the survey to head coaches electronically and collect their responses electronically, for some reason the head coaches could not access the electronic survey, despite other testers outside of Campbell High School being able to do so. This delayed the collection of survey and likely created additional work for the head coaches and Campbell's Athletic Department staff that I regret. An alternative online tool that the head coaches can access will be utilized moving forward.

Another challenge was regarding the accessibility of coaches to sit for interviews over the summer months. In retrospect, this timing was not optimal as some head coaches were not reachable and some opted not to return as coaches. Despite extensive efforts by Campbell High School staff, including Athletic Director Rory Pico ("AD Pico") and Assistant Athletic Director Gisele Furukawa ("Assistant AD Furukawa"), as well as my own efforts, I was not successful in speaking with head coaches for every team. I will highlight this when it impacts my findings. I will also rectify this in year two by conducting coach interviews *immediately after their seasons* conclude, i.e., fall sport coaches will be interviewed on campus in December, winter coaches will be interviewed via Zoom after their season, and spring coaches will be interviewed when I return to campus in May-June. AD Pico and Campbell High School fully supports this approach.

Another challenge described in Section I(A) is that Campbell High School (and assumedly many of Hawai'i's schools) collects participant data in a range of ways, none of which are consistent. Thus, the participation data this year is imprecise for some sports, as many of the boys' and girls' teams did not track player movement during a season. For example, some student-athletes started the season on a junior varsity roster, then they got called up to the varsity team (temporarily or permanently) and may have been counted multiple times. While multi-sport counts are appropriate across different seasons in certain circumstances, this was not one of those situations. Exhibit B is a tool that I request Campbell High School's head coaches use to better track athletes on each team over the course of each season so better participation analysis can be conducted in year two. It also incorporates questions around assistant coaches versus volunteers, as that data was also inconsistent. This challenge has been raised with the Hawai'i DOE's newly

appointed Gender Equity in Athletics Specialist, Dana Takahara-Dias (“Specialist Takahara-Dias”), for consideration in the DOE’s own data collection efforts.

Moving to the report, Title IX requires equity across several components of Campbell High School’s athletic program. This includes (1) equitable participation opportunities, as well as several treatment areas colloquially referred to as the “Laundry List.” These include review of the (2) provision of equipment and supplies; (3) scheduling of games and practice times; (4) team related travel; (5) coaching; (6) academic support; (7) locker rooms, practice and competitive facilities; (8) medical and training services; (9) housing and dining services; (10) publicity and marketing; and (11) support services. Title IX also requires equitable provision of athletic-related aid (e.g., athletic scholarships) and recruiting, but these two components do not apply at the secondary school level because public high schools do not provide financial aid and they also cannot recruit student-athletes since students are assigned to attend Campbell High School based on their geographic residency. These components are discussed in Section I. Section II details additional efforts by the Hawai‘i DOE and OIA. Section III briefly previews the next steps to be undertaken.

This report is shared electronically to identified counsel for the parties, in accord with Section H of the Settlement Agreement. This list is:

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Following this distribution, I will request that this report be posted by Campbell and the Hawai‘i DOE as specified in the Settlement Agreement. I ask that the parties not discuss the details in this report with the media until it is publicly available.

I. TITLE IX EQUITY REVIEW

A. Equitable Participation Opportunities

Assessing equitable participation opportunities is amongst the most rigorous analyses under Title IX. Campbell High School's data was challenging to navigate because the head coaches used different working definitions for countable participants and counted at different points in time. The head coaches also shared the common practice of bringing junior varsity student-athletes up to varsity teams either mid-year or during post-season play, but it was then not clear whether the student-athlete was counted as a varsity or junior varsity athlete. This was a trend I observed consistently in the larger athletic programs, but it was not a trend by gender, i.e., this did not appear methodical or designed to evade compliance standards. Campbell High School's head coaches were also not rigorous in cutting student-athletes for other important developmental purposes. Namely, Campbell High School – like many public high schools I have reviewed – and its head coaches view organized activities like athletics as a mechanism to provide opportunity for all students to be involved in the school community, to provide a positive use of free time, and to convey life lessons like teamwork, discipline, and time management skills. I do not fault Campbell High School for this approach, but I do hope that as part of this process we can work collaboratively to collect better data and continue to increase opportunities for the underrepresented gender to experience these benefits.

1. Legal Standard: The Three-Part Test

Title IX requires that athletic participation opportunities be offered in a gender-equitable manner and provides institutions with three independent and equally sufficient ways to demonstrate compliance. This is referred to as the Three-Part Test:

- Part One: Whether interscholastic-level participation opportunities for male and female students are provided in numbers substantially proportionate to their respective full-time enrollment by gender; or,
- Part Two: Where the members of one sex have been, and are underrepresented among interscholastic athletes, whether the institution has a history and continuing practice of program expansion which is demonstrably responsive to the developing interests and abilities of the underrepresented sex; or,
- Part Three: Where the members of one sex are underrepresented among interscholastic athletes (i.e., Part One), and the institution cannot show a continuing practice of program expansion (i.e., Part Two), whether it can be demonstrated that the interests and abilities of the members of the underrepresented sex have been fully and effectively accommodated by the current athletic program.

Campbell High School has not created teams in a manner that would survive scrutiny under Part Two analysis regarding program expansion efforts. Until January of 2024, it had not conducted

the level of inquiry necessary to satisfy Part Three regarding the interests and abilities of its student body. Campbell High School may be able to satisfy Part Three in the future with diligent ongoing efforts, but the remainder of this section will focus on the Part One analysis.

2. Countable Participants

A school's full-time enrollment percentages by sex form the baseline against which student-athlete participation equity is measured. Under Part One, a school must be able to show that the percentage of athletic participation opportunities it provides to male and female student-athletes is substantially proportionate to the percentage of full-time students enrolled at the school. While the Part One test uses the term "opportunities," courts and the federal government count actual participants only, which federal guidance defines as a person:

- who is receiving institutionally sponsored support normally provided to student-athletes competing at the institution involved (e.g., coaching, equipment, medical and training room services) on a regular basis during a sport's season; and
- who is participating in organized practice sessions and other team meetings and activities on a regular basis during a sport's season; and
- who is listed on the eligibility or squad lists maintained for each sport.¹

Student-athletes listed on a team's squad list as of the team's first date of competition and those student-athletes added during a time when a sizable amount of countable competition remains are typically counted, provided the student-athletes continue to participate on a regular basis. Student-athletes who are cut or voluntarily leave a team shortly after the first date of competition and do not participate further may not be credited based on an individualized analysis that is applied consistently to each scenario in which a student-athlete leaves a team. The rules apply to all teams and are designed to allow for consistent counting, regardless of sex. As highlighted in the Introduction, this level of precision was not achieved this year because junior varsity and varsity roster movement across sports was not tracked. The Roster Tracking Tool attached as Exhibit B, should address this issue as it requests more updated reporting through a season while this roster movement is occurring.

Federal guidance also states that schools may count a student-athlete who participates in more than one sport as a separate Title IX participant for each sport. This is commonly referred to as a "duplicated count." For example, a distance runner who participates on the cross country, indoor track, and outdoor track and field teams could count three times provided the student-athlete also satisfies the definition of a participant above (i.e., receiving institutional support, participating on the team, and listed on eligibility and squad lists) and they are not required to participate on any team they would not otherwise choose to join. This allowance does not apply to a student-athlete who participates on the junior varsity team and then the varsity team of the same sport in the

¹ At the post-secondary level, the definition also considers student-athletes who, because of injury, cannot meet the first three definitions but continue to receive financial aid based on athletic ability. This category cannot apply at Campbell High School, because K-12 public schools do not provide athletic-based aid, i.e., scholarship aid.

same season. These student-athletes may only be counted one time. Again, this was a systemic issue and not limited to just boys' or girls' teams.

3. Substantial Proportionality Analysis

As described above, Part One compliance requires Campbell High School provides boys and girls athletic participation opportunities that are substantially proportionate to its respective full-time enrollment. In determining what constitutes substantial proportionality, OCR and the courts commonly consider whether the number of opportunities needed to reach proportionality would be sufficient to field a team for which there is interest and ability.

Applying this test for the 2023-2024 academic year, the Hawai'i DOE provided enrollment statistics that indicated that Campbell High School had 1,505 boys and 1,362 girls for a total enrollment of 2,867 students.² Boys make up 52.5% of the enrollment and girls make up 47.5%. In terms of athletic opportunities, the overall athletic program is made up of 828 student-athletes (including duplicated student-athletes). Boys account for 473 student-athletes, which is 57.1%; girls account for 355 student-athletes, which is 42.9%. This creates a disparity of 4.6% or approximately 74 female student-athletes that would need to be added to achieve statistical proportionality without cutting or otherwise restricting boys' team rosters. The following chart shares the participants by team utilized to reach this result:

| TEAM | BOYS VARSITY | GIRLS VARSITY | BOYS JV/OTHER | GIRLS JV/OTHER |
|---------------|--------------|---------------|---------------|----------------|
| Air Rifle | 7 | 7 | NA | NA |
| Baseball | 22 | NA | 14 | NA |
| Basketball | 14 | 12 | 12 | 9 |
| Bowling | 7 | 5 | NA | NA |
| Cross-Country | 17 | 17 | 18 | 17 |
| Football | 56 | NA | 53 | NA |
| Golf | 9 | 3 | NA | NA |
| Judo | 27 | 25 | NA | NA |
| Paddling | 9 | 11 | NA | NA |
| Soccer | 18 | 26 | 19 | 19 |
| Softball | NA | 24 | NA | 17 |
| Soft Tennis | 5 | 9 | NA | NA |
| Swimming | 9 | 4 | 10 | 5 |
| Tennis | 9 | 15 | NA | 6 |
| Track & Field | 30 | 19 | 29 | 40 |
| Volleyball | 15 | 27 | 12 | 13 |

² Campbell High School broadly prohibits discrimination on the bases of sex, gender expression, or gender identity. This report is framed in the context of "boys" and "girls" – without further definition – and uses concepts like "gender" and "sex" fluidly and primarily to conduct the analysis used by the federal government.

| | | | | |
|------------|-----|----------------|-----|-----|
| Water Polo | NA | 2 ³ | NA | NA |
| Wrestling | 26 | 13 | 26 | 10 |
| TOTALS | 280 | 219 | 193 | 136 |

4. Interest and Ability Assessment and the Creation of Girls’ Flag Football

As discussed in the Interim Report (January 26, 2024), I worked with Campbell High School to develop and execute a student interest and ability survey administered to all Campbell High School students, as well as all students in Campbell High School’s two feeder middle schools, Ewa Makai Middle School and Ilima Intermediate School, when the students returned from break in early January 2024. The survey was publicized several times by AD Pico (and others) to ensure students were on notice and it was also available on the Campbell High School athletics page, where it remains. Campbell High School received approximately 870 responses, with students highlighting various sports of interest, including archery, stunt/acrobatics, beach volleyball, and others. Students also expressed interest in existing sports like basketball and volleyball that should be considered in adding levels of participation, as appropriate.

During my December and June visits to Honolulu, I took part in several meetings to begin conversations with local community members and league officials to begin assessing and responding to Campbell High School’s sport offerings. This included meetings with the OIA and the Hawai‘i DOE, including its leadership, to determine what sports could be added most effectively at Campbell High School. I was also cognizant of the need to start whatever sport was chosen at other Hawai‘i schools so that Campbell High School’s teams would have adequate competition, which Title IX requires.

This report will commonly raise challenges with Campbell High School, the Hawai‘i DOE, and OIA, so it is also appropriate to highlight positive updates. My discussions around the creation of girls’ flag football for the 2024-25 academic year is in the latter category. Most conversations were met with enthusiasm, creativity, and support. This included positive and ongoing support from the Hawai‘i Superintendent of Schools Keith Hayashi and his leadership team, which have met with me during each of my visits to Honolulu in this role; Christopher Chun, Executive Director of the Hawai‘i High School Athletic Association (“HHSAA”); Specialist Takahara-Dias, who has been critical to these efforts on the ground; OIA leadership; the Hosoda Law Group and its principal Lyle Hosoda; and Campbell High School leadership.⁴

Girls’ flag football was chosen because it will be a featured sport in the 2028 summer Olympics and there is financial support from the National Football League (“NFL”), as well as local community members. The HHSAA officially sanctioned girls’ flag football on July 26, 2024,

³ The Campbell High School water polo team combined with two other high school teams to be able to compete. The water polo coach could not be reached this summer after several efforts. According to Athletics staff, this has happened in the past where the water polo could not be reached over the summer.

⁴ This has been publicized in the local media. See <https://www.khon2.com/local-news/flag-football-becomes-first-new-sport-for-high-school-girls-in-20-years/>; <https://www.hawaiitribune-herald.com/2024/08/02/sports/flag-football-to-be-added-as-hhsaa-spring-sport/>; <https://www.staradvertiser.com/2024/08/01/photo-gallery/girls-flag-football-added-as-hawaii-high-school-sport/>.

and it will be offered to all Hawai'i interscholastic athletics conferences, including the OIA, the Interscholastic League of Honolulu, the Big Island Interscholastic Federation, the Kauai Interscholastic Federation, and the Maui Interscholastic League. It is anticipated that approximately 40 teams are likely to participate in the spring of 2025 (i.e., this spring).

The NFL has also offered to purchase uniforms and certain gear for each participating team, as well as a small grant to support each team and/or hire coaches. The OIA's "Girls Flag Football Sport Coordinators" have met on several occasions to discuss schedule, budget, and rules for the OIA. In June, Specialist Takahara-Dias and Attorney Hosoda met with other stakeholders, e.g., the Athletic Health Care Trainers and the OIA Athletic Directors, to continue to share this message and address questions. I will also be meeting with several of these stakeholders when I return to campus in December to further this effort to create girls flag football.

B. Equipment and Supplies

Equipment and supplies include but are not limited to uniforms, other apparel, sport-specific equipment and supplies, general equipment and supplies, instructional devices, and conditioning and weight training equipment. Compliance is assessed by examining, among other factors, the equivalence for men and women of (a) the quality of equipment and supplies; (b) the amount of equipment and supplies; (c) the suitability of equipment and supplies; (d) the maintenance and replacement of the equipment and supplies; and (e) the availability of equipment and supplies.⁵

1. Quality of Equipment and Supplies

All head coaches interviewed for this review felt that they received adequate quality equipment and supplies that were appropriate for their sport. Relatively few teams received dri-fit or other high-quality gear, and there were some required items for some teams that did not extend to others. The largest example is football, which requires helmets not required by other sports. In sum, each head coach interviewed stated that their team uniforms and equipment are of suitable quality and they did not observe other teams with markedly better uniforms or equipment. This was a component the inability to interview certain coaches interfered with the analysis, insofar as the head coaches for certain teams (e.g., water polo, tennis, wrestling) did not respond or had opted not to return. This will be remedied in future years, but in the meantime AD Pico filled in some gaps and I was able to fill in others based on my review.

2. Amount and Suitability of Equipment and Supplies

In assessing the amount of equipment provided to the teams, I relied on equipment purchases, interviews with coaches, and manual inspections of equipment rooms. No team receives footwear and no team receives laundry services. Note that this list is also not an exhaustive inventory as several head coaches stated that student-athletes had to return all equipment (except for mouthguards and personal gear) at the end of the year and the teams purchase new equipment on a rolling basis and as needed, i.e., new equipment is not purchased annually unless needed.

⁵ See generally, 34 C.F.R. § 106.41(c)(2).

Also, some teams stockpile equipment so that they can have replacement gear in the same style. The following was the equipment identified in this review:

| TEAM | UNIFORMS | EQUIPMENT & SUPPLIES |
|-------------------|---|---|
| BOYS TEAMS | | |
| Air Rifle | Shirts | 10 air rifles purchased last year to be used by boys' and girls' teams. |
| Baseball | Team receives uniforms and hats, but no footwear. The head coach of the varsity team has donated t-shirts in the past. | Helmets, bats, batting tree, pitching screen, baseballs as needed. |
| Basketball | Team receives game jerseys and shorts, game warm-ups jacket and pants. | Basketballs, cones |
| Bowling | Team receives uniform dri-fit polo. Equipment and footwear supplied by the bowler. If none is available, bowling alley has equipment for use. | None |
| Cross Country | Team receives uniform top (singlet), no footwear. Team did not receive adequate numbers of uniforms for either sex. This was described as a challenge because of changing team sizes. | None |
| Football | Team receives jerseys, pants, lower body padding, helmets, and shoulder pads. All gear is collected at the end of the year, except for mouthguards. | Footballs, cones. |
| Golf | No apparel or equipment provided. | None |
| Judo | No apparel or equipment provided. | None |
| Paddling | Team receives dri-fit shirts. Student athletes purchase their own shirts so they can keep it for themselves. They recommend players to purchase own paddles in proper sizes. | Practice paddles are available on first come first serve basis. Life preservers need to be on canoes during practice and competition. |
| Soccer | Team receives uniform top, bottom, socks, no footwear or shin guards. | Pinnies, ball (boys received ten less than girls because they had extra) |
| Soft Tennis | No response. | Tennis ball sleeves. Extra practice rackets. |

| | | |
|--------------------|---|---|
| Swimming | Team receives one swim cap per swimmer per season, which is not enough as they rip. | Kick boards, paddles, pull buoys provided at the pool. |
| Tennis | No uniforms or equipment items provided. | Tennis ball sleeves. Extra practice rackets. |
| Track & Field | Team receives meet jersey and shorts. | hurdles, hurdle racks, stop watches, relay batons, starting blocks, tape measurements, cones, measuring sticks, high jump poles, high jump landing pads, high jump measuring rack, pole vault poles, pole vault measuring racks, pole vault landing pads. |
| Volleyball | Team receives uniform tops and bottoms. | Volleyballs |
| Wrestling | Singlets; head gear provided by student-athletes | Anti-bacterial spray |
| GIRLS TEAMS | | |
| Air Rifle | Shirts | 10 air rifles purchased last year to be used by boys' and girls' teams. |
| Basketball | Team receives uniform tops, bottoms and warm-up shirts, no footwear. Booster shirts for families, team shirts. | Basketballs, cones |
| Bowling | Team receives uniform dri-fit polo. Equipment and footwear supplied by the bowler. If none is available, bowling alley has equipment for use. | None |
| Cross Country | Team receives uniform top (singlet), no footwear. Team did not receive adequate numbers of uniforms for either sex. This was described as a challenge because of changing team sizes. | None |
| Golf | No apparel or equipment provided. | None |
| Judo | No apparel or equipment provided. | None |
| Paddling | Team receives dri-fit shirts. Student athletes purchase their own shirts so they can keep it for | Practice paddles are available on first come first serve basis. Life preservers |

| | | |
|---------------|---|---|
| | themselves. They recommend players to purchase own paddles in proper sizes. | need to be on canoes during practice and competition. |
| Soccer | Team receives uniform top, bottom, socks, no footwear or shin guards. | Pinnies, balls (girls received ten extra balls than boys) |
| Softball | Team receives uniforms and visors, but no footwear. | Helmets, bats, batting tree, pitching screen, softballs as needed. |
| Soft Tennis | No response. | Tennis ball sleeves. Extra practice rackets. |
| Swimming | Team receives one swim cap per swimmer per season, which is not enough as they rip. | Kick boards, paddles, pull buoys provided at the pool. |
| Tennis | No response. | Tennis ball sleeves. Extra practice rackets. |
| Track & Field | Team receives meet jersey and shorts, no footwear. | Hurdles, hurdle racks, stop watches, relay batons, starting blocks, tape measurements, cones, measuring sticks, high jump poles, high jump landing pads, high jump measuring rack, pole vault poles, pole vault measuring racks, pole vault landing pads. |
| Volleyball | Team receives two jerseys, no footwear. | Volleyballs |
| Water Polo | No response. | No response |
| Wrestling | Singlets; head gear provided by student-athletes | Anti-bacterial spray |

Except for football and water polo that do not have female analogs, the other teams described that they purchased the same amount of equipment for the boys' and girls' teams. Similarly, AD Pico stated that he purchases equipment for teams as needed. He shared an example where girls' soccer received ten extra balls than the boys' soccer team because the boys had extra balls already. This was consistent with what I observed. The only disparities were that the boys' baseball head coach provides the varsity team t-shirts that he purchases for them; at the same time, the girls' basketball team receives t-shirts purchased by their booster club and that are provided to student-athletes and parents who can purchase them. Receipt of equipment from a booster club still counts in Title IX analysis, so these purchases offset each other. The only team that stated that they had insufficient uniforms was the cross-country team, and the head coach stated that the insufficiency was for boy and girl runners.

3. Maintenance and Replacement of Equipment and Supplies

Teams are issued their equipment at the beginning of their competitive seasons. Head coaches inspect the equipment at the end of the season and coaches described that virtually all equipment must be returned. Equipment is either reconditioned or, if beyond that point, is replaced for the following year.

4. Availability of Equipment and Supplies

Most teams stated that they had ready access to their team-related supplies. For the inside sports, this happens through a maze of storage closets and storage spaces, extending to virtually every empty room I observed. For the outside sports, Campbell High School has several shipping containers on campus that were used as relocation spaces and storage spaces following the COVID pandemic. Athletics now utilizes many of these shipping containers to store gear for all the teams. Equipment is generally not sent off site.

Recommendation

- The primary recommendation for this component is that for next year, I will need to interview all head coaches and get a better sense of inventory stock. While I sought to trace back the equipment and supplies used for each team, without a head coach it was difficult to assess what was new and what was old. Similarly, purchase receipts were not commonly itemized. In future years, this element will be scrutinized.

C. Scheduling of Games and Practice Times

In relevant part, compliance regarding scheduling is assessed by examining, among other factors, the equivalence for boys and girls of (a) the number of competitive events per sport; (b) the number and length of practice opportunities; (c) the time-of-day practice and competitive events are scheduled; and (d) the opportunities to engage in post-season competition.⁶

1. Competitive and Post-Season Events

Campbell High School's regular season and postseason athletic competitions are scheduled by the OIA. The head coaches that took part in this review affirmed they were satisfied with quantity and timing of scheduled competitive events. OIA schedules were also reviewed season-by-season and indicated that boys' and girls' teams typically were scheduled for the same number of contests. For example, baseball had 12 games and two byes and a four-round playoff; softball also had 12 games and two byes with a four-round playoff. Similarly, boys' and girls' basketball had 11 games and one bye, with a three-round playoff. Track and field, cross-country, paddling, riflery and similar sports had the same schedule for both boys' and girls' teams, and those teams often traveled to competitive events together. On occasion, some of these events

⁶ See generally, 34 C.F.R. § 106.41(c)(3).

were canceled because of weather or teams not having enough student-athletes, but there was no trend of this occurring based on sex.

2. Practice Opportunities

Practice schedules are set more locally at Campbell High School. Few coaches raised concerns about their practice opportunities, with several highlighting that AD Pico made concerted efforts to treat all of the teams fairly. The individuals that did raise concerns raised issues that impacted boys and girls evenly. For example, the boys' and girls' cross-country coach highlighted that the team cannot train off campus for safety reasons but stated that off-campus training would be beneficial to both teams. The paddling coaches highlighted that their teams participate during winter break, which impacts their participation rates. The swimming coach highlighted that she currently has three swim lanes at the rented swimming facility and that both the boys and girls would benefit if they could participate in four or five lanes to decrease crowding and allow for more participants since they practice together. Finally, the tennis coach stated that both boys' and girls' team practices are impacted because many student-athletes also participate in band. In sum, the challenges raised were by teams for which the challenges impacted boys and girls the same.

Coaches of mirrored teams that share facilities stated that either (1) their teams train together (e.g., air riflery, swimming, paddling), or (2) they work with the other head coach to develop fair schedules (e.g., boys' and girls' basketball, boys' and girls' soccer). For example, the boys' and girls' basketball teams both utilize the gymnasium, but the coaches have arranged that the boys will practice earlier in one week while the girls practice later. The following week it flip-flops and the girls practice earlier and the boys practice later. Boys' and girls' soccer described a similar structure. For some teams, practice times were not an issue because they utilized different fields (e.g., baseball and softball) or they are in different seasons (girls' volleyball is a fall sport and boys' volleyball is a spring sport). No head coach stated that they were always required to practice at a certain time and no head coach stated that they had been forced off a field or had a practice interfered with by another team.

Both boys' and girls' team head coaches described that they sought to be flexible and may discuss field usage and what fields are available at any given time and then equitably plan a path forward on a week-by-week (and sometimes day-by-day) basis. As one coach stated, "sometimes things come up and [the other team's coach] needs to go later, so we just talk to each other and the kids are great [and] roll with it." The common example provided is if a boys' or girls' team had a late practice or competition on one night of the week, the other team may swap their practice times to avoid having one group of student-athletes practicing or playing too late in a single week.

Recommendations

- The current system for scheduling practice times in shared facilities appears to be providing equitable opportunities to navigate the needs of both the boys' and girls' programs. However, such a system can place head coaches (especially new and/or more junior coaches) in the difficult position of negotiating scheduling challenges with their

head coach peers. Athletics should continue to monitor this issue, and if concerns result from it, AD Pico and/or others should take on added oversight of scheduling.

D. Travel and Per Diem

Compliance regarding equitable travel and per diem practices are assessed by examining, among other factors, the equivalence for boys and girls of: (a) modes of transportation; (b) housing furnished during travel (amount and quality); (c) length of stay before and after competitive events; (d) per diem allowances; and (e) other dining arrangements.⁷

1. Modes of Transportation and Housing

Campbell's teams typically travel by bus to all on-island away competitions. The same bus vendor is used for all teams, and no teams travel by chartered bus. The only off-island competition reported during the 2023-24 academic year was for the boys' and girls' swimming teams to travel to Maui to participate in individual championships (February 2024).⁸ The teams stayed at a mid-range hotel, e.g., the Aston Maui Hills Hotel, and only stayed for the length of the championships (3 days).

2. Dining Arrangements

Campbell does not have a per diem allowance. Meals are purchased for the teams by the head coaches and then reimbursed by Athletics. The funding is from pooled funds collected at concession stands and various fundraisers, maintained by Campbell High School. Head coaches do not have access to the fund and no head coach indicated that they had additional funding sources for their teams. Head coaches who took part in the review also stated that they typically did not provide snacks or other foods in the locker rooms or during travel, with the only exception being the occasional practice of parents' providing waters or sliced fruit for the student-athletes. These parental provisions were not tracked but were described consistently by both boys' and girls' teams.

Recommendations

- Several boys' team coaches stated that they wished they could travel more, but Athletics leadership only allows travel outside of post-season participation if gender equitable. To the extent that optional travel is approved, Athletics leadership should continue to monitor this practice closely and continue to consider the number of athletes participating. A good example of this is with regard to the Las Vegas trips taken by a

⁷ See generally, 34 C.F.R. § 106.41(c)(4).

⁸ Prior to this review, four additional teams traveled off island. The girls' soccer team took a one-day pre-season trip to the Big Island via Hawaiian Airlines; no hotels were required. The boys' and girls' basketball teams took part in a trip to Japan as part of an exchange program and they stayed at the exchange school's facilities. Approximately 45 members of the boys' football team and approximately 35 members of the girls' volleyball teams took a trip to Las Vegas to participate in an invitational tournament. Approximately 10 additional boys' football players took part in this trip so AD Pico is allowing the girls' softball team to take an additional trip off-island during the 2024-25 year.

selection of football players and girls' volleyball players. AD Pico recognized that ten additional boys traveled and suggested sponsoring a similar trip for girls' softball to balance this inequity. That sort of intentionality is important and should be continued. At the same time, it is my understanding that both boys' and girls' basketball may also travel to the Pacific Northwest this year and that will likely be appropriate, provided both teams travel, are housed, and are fed equitably.

E. Coaching

In assessing the coaching component, compliance is assessed by examining, among other factors, the equivalence in availability, assignment, and compensation of coaches as follows: (a) availability of full-time, part-time, and graduate assistant coaches; (b) assignment of coaches, including training, experience and other professional qualifications and professional standing; and (c) compensation of coaches, including rate of compensation, duration of contracts, conditions relating to contract renewal, experience, nature of coaching duties performed, working conditions, and other terms and conditions of employment.⁹

In general, compensation disparities will be a violation of Title IX only where compensation or assignment policies or practices deny male and female athletes coaching of equivalent quality, nature, and/or availability. Nondiscriminatory factors can affect the compensation of coaches. In determining whether differences are caused by permissible factors, the range and nature of duties, the experience of individual coaches, squad sizes, the number of assistant coaches supervised, and the level of competition should be considered. Where these or similar factors represent valid differences in skill, effort, responsibility or working conditions they may, in specific circumstances, justify differences in compensation.

This component suffered the most for lack of access to certain coaches and/or inconsistent record keeping. For example, while each team had a head coach and at least one assistant coaches, several head coaches described having significantly more "coaches," which were really parents assisting the team. While such individuals could be considered as providing "coaching" under Title IX, these practices diverged extensively, with some parents serving in specific roles every game and practice (which was unusual but I would consider to be coaches), while others may have assisted at one or two practices only. I also could not adequately analyze the experience of the head coaches or assistant coaches. Moving forward, this component requires additional detail and analysis.

1. Availability of Coaches

The coaching analysis is not a pure question of quantity of coaching FTEs, but rather, an analysis of whether each team has appropriate numbers of coaches per team. Still, FTEs provide a helpful and consistent baseline to help assess this component:

⁹ See generally, 34 C.F.R. § 106.41(c)(5)-(6). The coaching discussion spreads over two components, insofar as subsection (c)(5) addresses the "opportunity to receive" coaching, and subsection (c)(6) addresses the "assignment and compensation" of coaches.

| TEAM | BOYS HEAD COACH (V) | ASSIST. (V) | GIRLS HEAD COACH (V) | ASSIST. (V) | BOYS JV HEAD COACH | ASSIST (JV) | GIRLS JV HEAD COACH | ASSIST (JV) |
|-----------------------|------------------------------|----------------|-------------------------------|----------------|-----------------------------|----------------|------------------------------|----------------|
| Air Rifle | 1 | 0 | Same | 0 | NA | NA | NA | NA |
| Baseball /Softball | 1 | 2 | 1 | 2 | 1 | 2 | 1 | 4 |
| Basketball | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Bowling | 1 | 0 | 1 | 0 | NA | NA | NA | NA |
| Cross-Country | 1 | 1 | Same | Same | Same | Same | Same | Same |
| Football | 1 | 8 | NA | NA | 1 | 2 | NA | NA |
| Golf | 1 | 0 | Same | Same | NA | NA | NA | NA |
| Judo | 1 | 3 | Same | Same | NA | NA | NA | NA |
| Paddling | 1 | 0 | 1 | 0 | NA | NA | NA | NA |
| Soccer | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Soft Tennis | 1 | 1 | Same | Same | NA | NA | NA | NA |
| Swimming | 1 | 0 | Same | Same | NA | NA | NA | NA |
| Tennis | 1 | 1 | Same | Same | NA | NA | NA | NA |
| Track & Field | 1 | 2 | Same | Same | NA | NA | NA | NA |
| Volleyball | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Water Polo | NA | NA | 1 | 1 | NA | NA | NA | NA |
| Wrestling | 1 | 4 | Same | Same | NA | NA | NA | NA |

Given the inconsistency in the information received on this component, I cannot make a compliance determination in this report. I noted that most of the teams that were offered for both boys and girls had the same number of coaches and assistant coaches. Many of the smaller teams had a single head coach and assistant for both boys and girls. This is indicated with the term “same.” Football did have significantly more assistants than any other team, but it is also accepted that football is a sport with positional coaches. Since I was not able to meet with many of these assistants, it was difficult to understand their role to assess this practice at Campbell High School. Also, please note that some of these coaches are no longer there and assistants may have been needed. For example, the wrestling head coach left the team and there are additional assistant coaches until that spot is hired.

2. Compensation of Coaches

Unlike the counting of coaches and assistant coaches, the compensation of coaches was clear because set by the state as a schedule. Exhibit C is the pay schedule for the 2023-24 year and it shows the varying rates for coaches who are teachers versus coaches who are not teachers. Rates tend to be the same for both boys’ teams and girls’ teams, with the exception being that the football coaches, both head and assistant, earn more than any other coach. This may be a result of the job requirements for football coaches, and I will assess this with the Hawai‘i DOE in my next meeting. It was clear that Campbell High School had no discretion in terms of coach compensation and did not pay its coaches directly. Moreover, even though I was unable to assess coaching experience at Section (I)(E)(1), experience does not appear to factor into the coaching

pay schedule at all. Still, it is an important metric to assess relative quality and experience of the coaches for each sport.

Recommendations

- This component will be a focal point in future reviews, and further recommendations will be made as appropriate.

F. Academic Support

Compliance regarding the opportunity to receive academic tutoring and the assignment and compensation of tutors is determined by examining the following factors: (a) tutor availability, including the procedures and criteria for obtaining tutorial assistance; (b) tutor qualifications and experience, including training; and (c) rates of pay and employment conditions.¹⁰

No student-athlete receives academic tutoring because of their athletic participation. Some head coaches described that their student-athletes attend 60- to 90-minute study halls overseen by Campbell High School staff, but those study halls are not specific to student-athletes and are available to all students. No special provisions are made for those who compete in athletics.

G. Locker Rooms, Practice Facilities, and Competitive Facilities

There are several factors to consider in evaluating the provision of equitable locker rooms, practice facilities, and competitive facilities for compliance: (1) quality and availability of the facilities provided for practice and competitive events; (2) exclusivity of use of facilities provided for practice and competitive events; (3) availability of locker rooms; (4) quality of locker rooms; (5) maintenance of practice and competitive facilities; and (6) preparation of facilities for practice and competitive events.¹¹

| SPORT/LEVEL | GENDER | COMPETITIVE FACILITY | PRACTICE FACILITY | LOCKER ROOM ¹² |
|---------------------|--------------|----------------------|-------------------|--|
| Air Rifle | Boys & Girls | Wrestling Room | Same | None |
| Baseball Varsity/JV | Boys | Baseball Field | Same | Baseball has a storage shed, with limited locker stalls; no meetings are held in the shed and boys “rarely” use it except for inclement weather. |

¹⁰ See generally, 34 C.F.R. § 106.41(c)(5)-(6).

¹¹ See generally, 34 C.F.R. § 106.41(c)(7).

¹² Teams without dedicated locker rooms are listed as “None.” Some teams do not utilize locker room space at all (e.g., air riflery), while others utilize gender-specific general physical education locker room space that is adjacent to the gym, but they do not store equipment during the season. The only locker room where student-athletes can store gear for the season is the Varsity Locker Room used by football (fall), girls’ soccer (winter), and girls’ track and field (spring). AD Pico has made these choices intentionally to compensate for football’s use of the Varsity Locker Room in the fall.

| | | | | |
|--------------------------|--------------|--------------------------|------|---|
| Softball Varsity/JV | Girls | Softball Field | Same | Locker room is located next to the new batting cage, including two single bathrooms but no showers. |
| Basketball Varsity/JV | Boys & Girls | Gym | Same | Boys: None Girls: Gym Locker Rooms |
| Bowling | Boys & Girls | Barber's Point Bowling | Same | None |
| Cross Country Varsity/JV | Boys & Girls | Various | Same | None |
| Football Varsity/JV | Boys | Multiuse Field | Same | Varsity Locker Room |
| Golf | Boys & Girls | Various | Same | None |
| Judo Varsity/JV | Boys & Girls | Gym/Wrestling Room | Same | None |
| Paddling | Boys & Girls | Keehi Lagoon | Same | None |
| Soccer Varsity/JV | Boys & Girls | Multiuse Field | Same | Boys: None Girls: Varsity Locker Room |
| Soft Tennis | Boys & Girls | Ewa Beach Community Park | Same | None |
| Swimming Varsity/JV | Boys & Girls | VMAC/Kroc Center | Same | Boys and girls have daily use lockers and shower space; per head coach, girls' side is same but slightly larger; not controlled by Campbell High School |
| Tennis Varsity/JV | Boys & Girls | Ewa Beach Community Park | Same | None |
| Track Varsity/JV | Boys & Girls | Track/Multiuse Field | Same | Boys: None Girls: Varsity Locker Room |
| Volleyball Varsity/JV | Boys & Girls | Gym | Same | Boys: None Girls: Gym Locker Rooms |
| Water Polo | Girls | VMAC/Kroc Center | Same | Girls have daily use lockers, shower space |
| Wrestling Varsity/JV | Boys & Girls | Gym | Same | None, both teams use physical education locker room to shower, but no lockers. |

As indicated in the chart, most of Campbell High School's boys' and girls' teams utilize the same practice and competitive facilities. For example, boys' and girls' air riflery both practice and compete in the Wrestling Room, boys' and girls' basketball practice and compete in the gym, boys' and girls' paddling utilizes the Keehi Lagoon, and boys' and girls' swimming teams use the same facility and practice/compete together whether at the Veteran's Memorial Aquatic Center ("VMAC") or the Salvation Army Kroc Center pool (in prior years the VMAC was used but the head coach stated that the Kroc Center is used increasingly and was excellent). Despite using shared facilities, no head coach recalled being forced off a field by another team, being rushed off, or having their activity (practice or competition) curtailed. While these facilities are not "exclusive use" in the sense that other teams do utilize them, athletics takes priority over

other Campbell High School activities and no member of the public is allowed to utilize the fields, most of which are secured by locked gates.

Two teams that use different fields because of sport requirements are the baseball and softball teams. The fields abut one another and both have undergone substantial renovations, including the installation of new turf fields, covered dugout areas, bullpen areas, and batting cage/bullpen space. Both fields are exclusively used by the softball and baseball teams, respectively, except for isolated incidents in which the outfields of both fields may be used as an overflow field for junior varsity soccer, for example. (This occurred during one of my facility reviews, and the girls' soccer players utilized a relatively contained 40x40 portion of the outfield to conduct passing drills for approximately 20 minutes while neither field was used by other teams.)

Because the baseball and softball fields abut each other, a temporary barrier is used to separate the fields when both teams are practicing or when games are played, but the coaches of the teams all stated that was not a concern in the fall and winter because boys' junior varsity baseball and girls' junior varsity softball participate in different seasons. In the spring, both boys' and girls' varsity softball use the fields, but the softball coaches did not feel the temporary outfield barriers created a challenge. Similarly, the left field of the softball field does not have a foul ball line that extends to the fences, but the head coach stated that it has not been a challenge and the temporary barriers make the difference even smaller during games. Both teams have access to bathroom facilities that are equidistant. Baseball's storage shed is closer to the baseball field than the girls' storage space, but the girls' storage space is larger, cleaner, and does not share space with lawnmowers and other maintenance equipment as the baseball team does.

Football, boys' and girls' soccer, and boys' and girls' track utilize the Multiuse Field, which is the best facility at Campbell High School, insofar as it has newly installed turf similar to the baseball and softball fields. The Multiuse Field also has lighting, extensive stadium seating, concessions stands, access to bathroom facilities, a press box, and storage access.¹³ Even though boys' and girls' soccer and track also utilize the Multiuse Field, it is also utilized by football, which does not have a mirrored sport. Moreover, none of Campbell High School's outdoor teams utilize a similar field, i.e., baseball and softball require specific field attributes and tennis and soft tennis require courts. Thus, this is not clearly a Title IX challenge. However, if and when Campbell High School starts additional girls' sports, i.e., girls' flag football, that team should be provided equal access to the Multiuse Field.

Locker rooms present a different challenge for Campbell High School. Most of Campbell's boys' teams do not have access to locker rooms and those student-athletes use the general physical education space to change and shower and use storage closets to store (and lock) their personal items while they are participating. The basketball and volleyball teams occasionally use the locker rooms adjacent to the gym on game nights and both boys and girls are flip-flop schedules and share their space with visiting teams. For example, if girls' basketball is playing a home game, the boys' basketball team will be traveling so the visiting girls' team may use the boys' basketball locker room for the game. When this occurs, it was shared that the locker rooms are

¹³ Athletics has expanded storage space for all outdoor teams by utilizing large shipping containers that are on campus. The shipping containers are roughly 8 feet wide and 20-30 feet long.

designated for the visiting teams so that members of the opposite sex do not inadvertently enter. Neither boys' nor girls' coaches described this as a challenge because neither team stores gear nor personal items in their spaces.

The only additional locker space is the Varsity Locker Room, which is a dedicated locker room with coaching offices, showers, and the ability to use the extensive number of lockers for storage during the season. The football team utilizes the Varsity Locker Room in the fall, the girls' soccer team utilizes it in the winter, and the girls' track and field team utilizes it in the spring. In this way, the use of the girls' soccer and girls' track and field teams offsets the football team's use of the facility in the fall.

Recommendations for this Component

- None of Campbell High School's locker room spaces are high quality. While there are sufficient lockers, they are old; the showers and bathrooms all have running water and are operational (a challenge for the Varsity Locker Room in the past) but they are outdated and not of high quality; none of the spaces are well-designed for team meetings. Campbell is in the planning stages for a new facility that will house additional locker rooms. As that planning continues, Campbell High School should ensure new locker space is assigned in a gender equitable manner.
- General consideration should be given to the teams that have to travel off-campus for their practice and competitive events, e.g., boys' and girls' golf, boys' and girls' bowling, boys' and girls' paddling, boys' and girls' swimming and water polo. While the practice impacts both boys' and girls' team of each sport, students reported carpooling or riding their bicycles to these facilities. Campbell High School may consider utilizing vans or other group transportation if it will improve participation numbers, particularly for the underrepresented student-athletes.

H. Medical and Training Facilities and Services

The legal standard for determining compliance with the provision of medical and training facilities and services considers the following factors: (a) availability of medical personnel and assistance; (b) health, accident, and injury insurance coverage maintained by the institution; (c) availability and quality of training facilities and athletic trainers; and (d) availability and quality of weight training and conditioning facilities.¹⁴

1. Availability of Medical Personnel and Assistance

Campbell High School does not have access to medical doctors during practices or games, except for football. OIA rules state that the home team (i.e., "site manager") is responsible for securing the services of a doctor, ambulance, or medical intern (preferably a doctor) for football because it is a collision sport. If a doctor cannot be secured, then the home team may contact the

¹⁴ See generally, 34 C.F.R. § 106.41(c)(8).

visiting team for assistance. It is unclear if this difference is a gender equity concern, as there exists a legitimate non-discriminatory justification that football is the only collision sport, as compared to contact sports like basketball or soccer where contact is incidental. This is raised as an issue for OIA review in Section II, with the suggestion that the OIA review whether other contact sports should be required to have medical personnel present and, if so, to make this gender equitable.

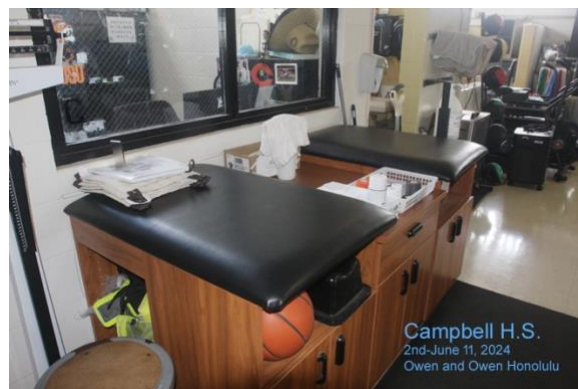
When Campbell High School does host football games, Dr. Kristin Fernandez is the team doctor and there is also a sports medicine physician named Dr. Lafe Harris who may attend.

2. Health, Accident, and Injury Insurance Coverage

Campbell High School does not offer health, accident, or injury insurance coverage to any student-athlete. On its website, it states that insurance is not required, but “it is highly encouraged that [parents] have medical insurance for [their] child in the event they should get injured while participating in athletics.”¹⁵ The Hawai‘i DOE Parent-Student Handbook similarly states that insurance is not required and the DOE is not responsible for any student’s medical costs incurred as a result of injury from participation in any athletic activity or event.

3. Availability and Quality of Training Facilities and Trainers

Campbell High School’s athletic trainer’s facility is adjacent to the gym and offers several training tables that can be used to treat student-athlete injuries, there is an operational ice machine and soaking tub, and it has adequate medical and rehabilitation supplies, including Game Ready Cryotherapy machines, massage guns, and various strengthening/cardio equipment for rehabilitation. Images of the room include the following:



¹⁵ <https://www.campbellhighschoolathletics.org/faqs>.



The athletic training room is open at end of the school day until 30 minutes after the last practice. It is also available for weekend events until after the last event. Both policy and practice are that treatment is provided on a first come, first served basis and there is no priority for any student-athletes or any specific team. In a training room handbook, it makes explicit that services are provided “regardless of gender/sport,” though in-season sports are given priority.

Campbell High School has instituted a Concussion Management Program to ensure student athletes return to athletic participation safely, and it is aligned with the National Athletic Trainers’ Association and the National Federation of State High School Association guidelines, which indicates in relevant part that “any player who shows signs, symptoms or behaviors, associated with a concussion must be removed from the game and shall not return to play until cleared by an appropriate health-care professional.” The Campbell Athletics website also includes annual physicals, risk mitigation forms, the Parent and Student-Athlete Handbook, and other related forms that are applicable to all student-athletes.

The training room is staffed by Assistant AD/Athletic Health Care Trainer Gisele Furukawa and Athletic Health Care Trainer Alexis Domingo. Both trainers are Certified Athletic Trainers and both hold the State of Hawai‘i Licensure for Athletic Trainers. Head were consistent in stating that both trainers were “excellent” and went “above and beyond” to treat all athletes, regardless of sex. The trainers also indicated that they had more than sufficient supplies, given that they are the largest school on the island.

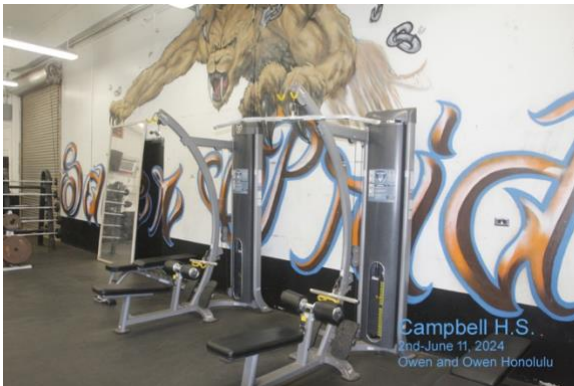
4. Availability and Quality of Weight and Conditioning Facilities

The weight room is a shared facility for all student-athletes and is located on campus. The primary weight room is an internal space, but there is also an adjacent external space that is approximately a quarter of the size of the weight room and in which student-athletes may train. The internal weight room includes varying types of equipment, including a range of heavy and light weight equipment, light dumbbells, and a range of other equipment, e.g., pull down machines. There were two stationary bikes in an elevated section of the weight room, and they were described as being used infrequently. The external weight room has weights and weight machines, as well as training tires. It was described by several head coaches that the external space is rarely used by any student-athletes

Asked whether the larger teams, e.g., football, receive priority access to the weight room, no head coach indicated this was a problem. Several coaches stated that their student-athletes did not frequently use the facility, but they described that was more attributable to their sport than any pressure that a student-athlete may face (e.g., riflery and tennis stated that their student-athletes rarely used the weight room).

Campbell High School's weight training teacher has an office in the weight room and is occasionally available to any student-athlete using the area as her schedule allows. She does not coordinate workouts for any specific teams and there are no other strength and conditioning coaches assigned to any team, boys or girls.

The following are sample photos of the weight training facility taken during the June 2024 site review, with additional photos available to the parties:





Recommendations for this Component

- Athletics staff should continually monitor the weight room to ensure that no team is given priority or is allowed to constructively take over the weight room because of their size. This is commonly a problem with larger teams like football, in which the sheer number of student-athletes utilizing the facility may be intimidating the point that others do not utilize the space.
- Athletics staff should continue to assess the need for any cardiovascular machines, e.g., training bikes, ellipticals. It was described that the two stationary bikes in the weight training facility are rarely used and there was another space with additional equipment that was limited to physical education classes. However, this is a common challenge where some high school sports do not benefit solely from weight training and the impact of this challenge often falls primarily on girls.

I. Housing and Dining

In assessing compliance regarding housing and dining benefits, the following factors are analyzed: the equivalence for male and female student-athletes regarding (a) housing on campus, including housing options provided when the student athletes are required to be on campus when school is not in session; and (b) dining facilities and services or other related special services provided for student-athletes, including athletics-related meals, snacks, and nutrition support.¹⁶

1. Housing

Campbell High School does not provide any housing for student-athletes. Even if student-athletes are required to be on campus when school is not in session, no student-athlete resides on Campbell's campus. In the Introduction, I mentioned some of the head coach survey questions were not relevant to Campbell High School; this is one such area of inquiry.

¹⁶ See generally, 34 C.F.R. § 106.41(c)(9).

2. Dining Services & Nutrition

Campbell High School also does not have student-athlete specific meals, dining halls, or nutrition support. Similarly, Athletics does not sponsor fueling stations or the equivalent type of nutrition support commonly seen in post-secondary athletic programs. Campbell High School does not have a nutritionist or dietician that supports Athletics or student-athletes.

There were no compliance concerns in this area, so there are no recommendations other than to be vigilant if meals, snacks, or similar benefits are introduced more formally. In that scenario, those benefits should be provided equitably by gender.

J. Publicity and Marketing

Compliance regarding the provision of publicity and marketing is determined, in relevant part, by assessing the following factors: (a) availability and quality of sports information personnel; (b) quantity and quality of publications and other promotional sources featuring boys and girls programs; and (c) access to other publicity resources for boys and girls programs.¹⁷ Publicity and marketing takes on added importance for Campbell High School because public high schools do not recruit athletes as do post-secondary institutions. Accordingly, publicity and marketing are an avenue to increase knowledge – and hopefully participation – of new sports that may be available. Thus, coaches were asked about how they could better improve the community’s knowledge of their sport and participation opportunities at Campbell High School.

1. Availability and Quality of Sports Information Personnel

Campbell High School does not have dedicated sports information personnel. Virtually all the coaches interviewed stated that AD Pico or Assistant AD Furukawa create most of the materials related to publicity. Some head coaches indicated that they may post on Instagram about their teams or repost content created by Campbell High School, but no team indicated having any separate sports information professionals. AD Pico highlighted that Campbell Athletics has updated its web page: <https://www.campbellhighschoolathletics.org/>. AD Pico stated that the person who developed the site also assists in creating templates for all teams to be highlighted on social media and manages the official Campbell High School Instagram pages.

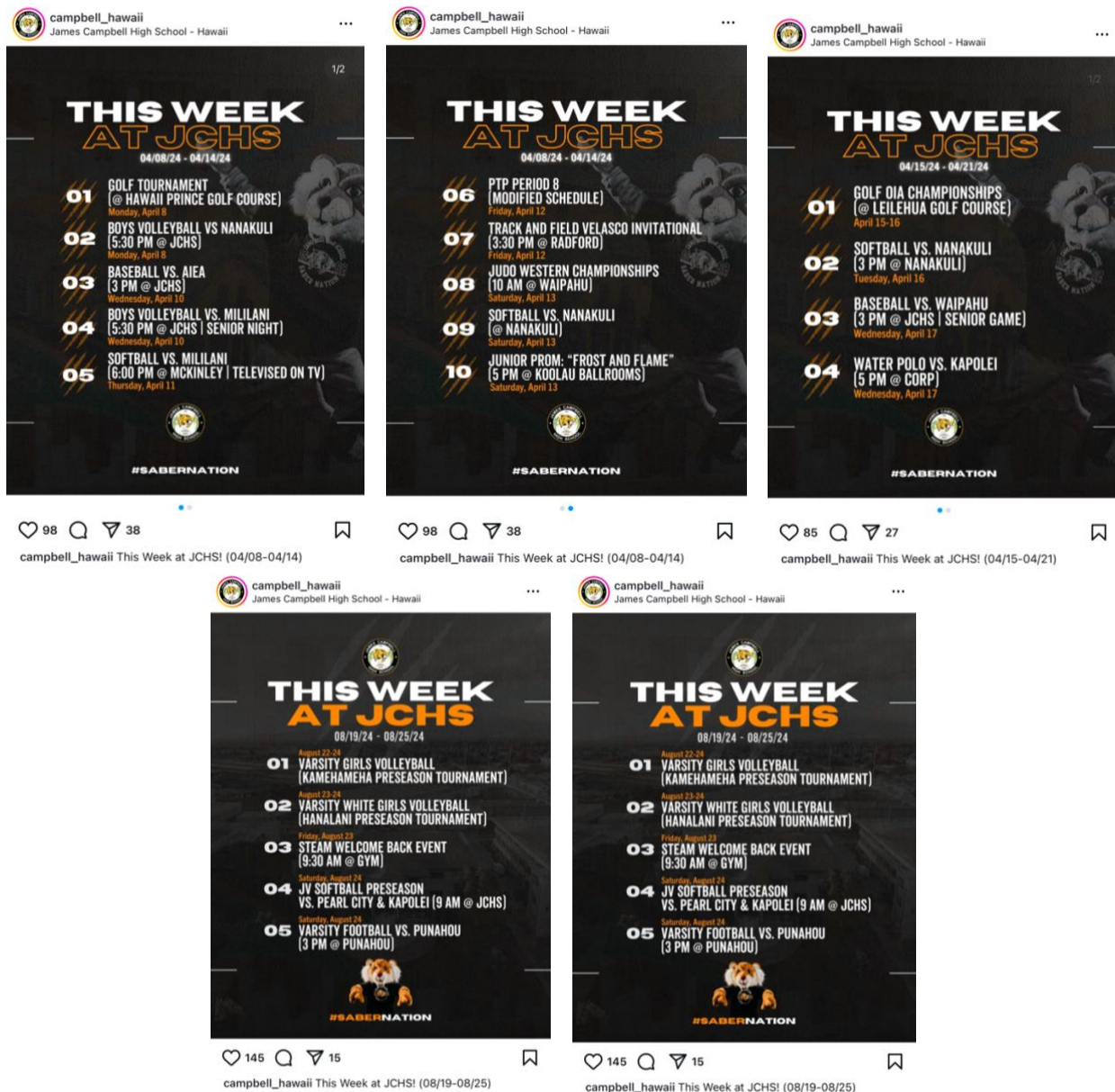
2. Quantity and Quality of Promotional Resources

The primary means of publicity shared by the coaches was during school day announcements, limited signage, and social media. The announcements and signage were observed when I was on campus and the announcements included a focus on girls’ basketball, as they were playing at home that night. Signage was described as limited and basic, and again, I confirmed this during a visit where the only signage was a single page of white paper with an arrow pointing to where

¹⁷ See generally, 34 C.F.R. § 106.41(c)(10).

the girls' basketball game was being held and a similar sign to a boys' soccer practice. Campbell Athletics updated its web page: <https://www.campbellhighschoolathletics.org/>, which provides coverage of all sports and features male and female athletics equitably. For example, the main page video carousel features several facilities, baseball, softball, boys' and girls' basketball, track and field (highlighting a female runner), football, and girls' volleyball. No individual team is highlighted for more than a few seconds and the same video plays on a loop.

Regarding the online content, the social media was equally focused on boys' and girls' sports. The following are some recent examples demonstrating publicity for golf, boys' and girls' volleyball, baseball, softball, track and field, judo, water polo, and football:



In the gym area, both boys' and girls' team championship and records are featured, including standout alumna like Jocelyn Alo who played softball at Campbell.

Additional publicity is provided to some of Campbell High School's teams via local television. AD Pico stated that local television stations often cover football, but also boys' and girls' volleyball, girls' and boys' basketball, baseball, and softball, with a primary focus on post-season play for all sorts. No team at Campbell High School has all of their games televised. AD Pico has advocated with local content providers to ensure coverage of both boys' and girls' sports and not just football, for example. It was shared that he is making progress in this regard, but it is an annual conversation.

3. Potential Ways to Publicize Feeder Programs

Given that Campbell High School seeks to grow its participation opportunities for the underrepresented sex (*see Section I(A)*), it should consider publicizing its programs. It is my understanding that AD Pico already facilitates information sessions in the spring for the middle schools that feed into Campbell High School: Ewa Makai Middle School and the Ilima Intermediate School. There is a sports signup day in the spring at each middle school. First year students also start a few days before sophomores, juniors, and seniors, and AD Pico has one portion of that time where Athletics sets up informational booths to share sport offerings.

Head coaches also suggested publicizing the teams at the VMAC/Kroc Center (swimming programs), at Keehi Lagoon (paddling), and the Barber Bowling Center (bowling). Some head coaches also suggested that providing additional opportunities for them to present at the feeder middle schools may also be helpful, but this was not a universal suggestion. If this is done, Campbell High School should ensure gender equity by presenting boys' and girls' offerings of the sport in question.

Recommendations

- The structure of Campbell's provision of publicity and marketing support appears largely equitable, insofar as AD Pico and Assistant AD Furukawa provide equal publicity to all teams and seemingly guided only by a weekly schedule in determining what to publicize.
- Campbell High School should consider the efforts suggested by the coaches, e.g., setting up additional visiting days with middle school feeder programs and also publicizing the Campbell teams, as allowed, at the facilities at which they compete. These outside facilities are not owned or controlled by Campbell High School, so this may require outside permission. At other schools, additional practices have been to allow student-athletes to speak with middle school students, providing tickets to games, etc.

K. Support Services

Compliance is assessed by examining the following factors, comparing resources available to the boys' teams and girls' teams in the following categories: (a) the amount of administrative assistance provided the programs; (b) the amount of secretarial and clerical assistance provided to the programs; and (c) other related amenities provided to teams regarding administration of their programs.¹⁸

None of the teams indicated that they received support services from Campbell, as defined by Title IX or otherwise. Specifically, no team stated that they have administrative, secretarial, or clerical assistance dedicated solely to their team or even available to them as coaches. Instead, the head coaches indicated that, if needed, they would ask for assistance from AD Pico or, in rare instances, Assistant AD Furukawa (the head coaches acknowledged that Assistant AD Furukawa is also an athletic trainer and they do not wish to overburden her). Athletics, generally, does not have any designated administrative, secretarial, or clerical assistance.

Office space is also a form of support service and no head coach receives office space by virtue of their position as a coach. The only coaches who had office space are also teachers at Campbell High School and their office space is provided to them in relation to their role as teachers or administrators. None of the coaches meet regularly with teams or individual athletes in their office space, but several coaches said they may allow students to lock their personal items in their office during longer meets, matches, or practice sessions.

The Varsity Locker Room has attached office space that is used by the football team in the fall, the girls' soccer team in the winter, and the girls' track and field team in the spring. None of the head coaches indicated that they utilized the office space extensively or that they watched film or used the office space to further team activities, however, each of the head coaches indicated that they had access to the space. The girls' soccer coach stated that he was reticent to use the space since it adjoins the girls' changing and showering areas. This office space has blacked out privacy shades over the windows, but still the girls' soccer coach expressed caution so the girls on his team were not uncomfortable.

Recommendations

- Campbell High School, potentially with approval and funding from the Hawai'i DOE, should consider administrative support for Athletics, particularly due to my request in Section I(A) and Section I(E) that head coaches more frequently assess participation opportunities and assistant coaching opportunities in the Roster Tracking Tool. Currently AD Pico is shouldering the burden for many of the Campbell High School's compliance efforts, many of which are administrative in nature, e.g., collecting rosters, scheduling facilities. Administrative support may allow him to focus on bigger issues for Athletics.

¹⁸ See generally, 34 C.F.R. § 106.41(c).

- While the coaching office space in the Varsity Locker Room is available to girls' sports coaches in the winter and spring, it very much has the feel of a football space, with football pictures, football gear, and other similar materials. To the extent that Campbell High School can make this office more of a welcoming space for all teams, it may see its usage increased. I do not anticipate that the space can be altered to allow male coaches of female teams to create appropriate boundaries to benefit their female athletes.

II. INTERACTIONS AND UPDATES REGARDING THE OIA AND THE HAWAI'I DOE

In Section VIII of the January 26, 2024 *Interim Report*, I provided suggestions for the OIA to review in regard to its governance documents. After concluding this first year report, I have additional suggestions for consideration by the OIA:

- The OIA Manual requires that doctors are available for football games, but no other sports. This difference is likely because football is the only collision sport that the OIA oversees, but it should assess whether such requirements are appropriate in other high-injury contact sports (e.g., basketball, soccer). If so, this requirement should be updated and a similar approach taken for both boys and girls in those contact sports.
- While not universal, some sport schedules (e.g., softball) appear to default the girls' teams to the earlier-timed start while the boys' teams start later. It was described that this earlier time slot is often the preferred time slot for reasons related to heat and other factors. Still, this should be reviewed to ensure that both girls and boys can benefit from later starts, as this is often considered a more "prime time" opportunity and it also serves a more practical purpose of allowing parents and loved ones to come to the games at issue. This may be of particular import with regard to the Multiuse Field, which has lights and allows for evening contests, to which both boys and girls should benefit.
- OIA should continue to advocate for equitable television coverage for all of Campbell High School's – and Hawai'i high schools in general – female teams.

Additionally, I have been working closely with Specialist Takahara-Dias regarding her compliance efforts at the Hawai'i DOE. Specialist Takahara-Dias is updating complaint reporting processes, is working on the Hawai'i DOE's Title IX training video, has drafted additional compliance assessment forms, and has established a Gender Equity in Athletics Workgroup that will apply to all public schools covered by the Hawai'i DOE. She is also working closely with Hawai'i's Capital Improvement Plan to target Title IX compliance issues and will embark on a review of upwards of 44 schools on Honolulu and beyond over the next few months. Despite just being hired late in 2023, she has developed materials at a fast pace.

III. UPCOMING EFFORTS BY THE INDEPENDENT EVALUATOR

As described in the Introduction, for the 2024-25 academic year, head coaches will be interviewed promptly at the end of their competitive seasons. In early December, I will travel to Campbell High School to conduct training for all head coaches along with AD Pico. Pursuant to the Settlement Agreement, I have provided him the materials and have talked with him

extensively about Title IX compliance. He sat in on my trainings for Campbell High School's head coaches and administrative staff in the winter of 2023/24 and will join them again when I conduct those trainings this fall/winter.

I will also be joining Specialist Takahara-Dias in presenting and answering questions for OIA member schools and will conduct separate sessions with Hawai'i DOE and OIA leadership when on campus in December. The anticipated focus of all meetings will be Title IX compliance.

CONCLUSION

Title IX has clear and specific equity standards that can impact virtually every part of an athletic program. While there are challenges identified in this report (as the point of the report was to highlight disparities), there are also areas of improvement. I will continue in my role to highlight these challenges and provide support, as appropriate, to assist Campbell High School in reaching Title IX compliance and, more importantly, to improve the experience for all student-athletes.