

May 17, 2013

Mr. English,

1. You wrote on May 14th that sexual activity on a field trip doesn't prove that the chaperones failed to do their duty: "We also do not agree with your assertion that if sex occurred this proves the chaperones somehow failed to perform their duties. That depends on the specific circumstances."

How can this be? Neither sexual activity nor sexual harassment/assault are permitted on field trips. A chaperone's duty is to protect our children who are developmentally in need of supervision. Since when is any sexual activity allowed on a field trip when it is the chaperones' responsibility to prevent harmful activity? Under what circumstances could sexual activity occur that would excuse the chaperones from responsibility? Please tell us which "specific circumstances" would relieve the chaperone of his/her responsibility.

And who decides which specific circumstances would relieve a chaperone of responsibility?

You have written that you speak on behalf of the District, the Superintendent, and the School Board. Do they concur with this belief, and if so, do you decide when sexual activity may occur without the chaperone being negligent?

2. Please note the definition of Sexual Assault in the Seattle Schools Code of Prohibited Conduct

E-215 Sexual Assault

Sexually assaulting or taking indecent liberties with another person.

Sexual assault includes unwanted touching or grabbing of sexual parts, indecent exposure, using force to engage in intercourse, oral sex, or other sexual contact, — pantsing behavior by other than elementary-age students, engaging in intercourse or oral sex whether or not the other person clearly refuses or does not have the mental or physical ability to consent. Sexual assault does not include incidental touching unless it is flagrant, purposeful, or repeated.

In addition to our daughter reporting the rape, the assailant admitted to sexual activity that falls under E-215 of prohibited conduct. We know he confessed to the principal upon returning from the trip. Mr. Howard told us so before he denied saying so the next day, and the parks department report verifies that the assailant admitted this to the principal. We know that our daughter submitted a rape kit at the hospital.

How can the district continue to deny that our daughter was assaulted and that its chaperoning was inadequate? Sexual activity is never permitted on school trips, Mr. English. Please explain why you think it could occur under "specific circumstances" without the chaperones failing to uphold his/her duty to protect our children. Please explain what "specific circumstances" those would be. Please explain who decides whether "specific circumstances" excuses a chaperone from failing to prevent sexual activity/harassment/assault on a field trip. Please tell us whether the district and school board (for

whom you speak, you say) concur with your statements that sexual activity may occur without indicating negligent chaperoning---in light of policies that prohibit it on field trips as well as policy E-215. Please explain why the district believes that sexual assault didn't occur in light of the definition above?

parent [REDACTED] parent [REDACTED]