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Most school districts failing to follow rules in reviewing sexual harassment policies 11 of 14 districts in Whatcom and Skagit counties require committee review

April 11, 2024 10:00 p.m.

BURLINGTON-EDISON Burlington Edison School District offices Jan. 9 in Burlington. (Finn Wendt/Cascadia Daily News)

Most school districts in Whatcom and Skagit counties have failed to follow, or don't know if they have followed, their rules for reviewing sexual harassment policies, according to an analysis by Cascadia Daily News.

By ISAAC STONE SIMONELLI

Enterprise/Investigations Reporter

documented sexual harassment complaints. An ad hoc committee functions as a proverbial "canary in the coal mine" in a bureaucratic landscape shrouded by confidentiality, said Skagit County parent Danica Kilander, who is taking the lead as a community organizer fighting for

increased transparency and protection of children in the Burlington Edison School District. As of 2023, 11 of the 14 districts in Whatcom and Skagit counties required an ad hoc committee of staff, students, parents and volunteers to review the

The absence of this type of policy review could leave students vulnerable to any potential shortcomings in the system, experts say. Bellingham Public Schools is the only district that has an "as needed" policy for

the district. A Meridian School District spokesperson said it has not convened an ad hoc committee to review sexual harassment policy and procedure. In 2023, the district adjusted its language from requiring an annual meeting to one every three years. [Read more: Standout Meridian track athlete still competing

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Three districts — Ferndale, Anacortes and La Conner — have policies that don't call for a committee. How a district approaches convening — or not convening — the committee is

explicitly written into student-on-student sexual harassment and assault

procedures. Other elements of the procedure, such as student discipline, often

are discretionary and shrouded by privacy laws designed to protect a child's

Through May 18, 2024.

"This ad hoc committee is the one place where you can get multiple perspectives on honest data and then you can compare it to the policies, the practices and the laws," Kilander said. "It gives you a fresh perspective of what's happening in our schools and whether or not we're doing enough to

Assault in Schools (SSAIS), agreed that it is important to obtain accurate feedback from diverse sources such as students, parents and community members when evaluating sexual harassment and assault policies. "It's absolutely important to have ample data from multiple sources because a school

harassment and assault policies. (Photo courtesy of Esther Warkov) a school district examines policies to determine whether they are working or not," Levin said. **Shifting policy at Burlington-Edison** Burlington-Edison is among those that has failed to follow district procedures and convene an annual ad hoc committee. Facing mounting pressure from

In many cases, districts that aren't meeting policy requirements won't see the need until there is a tragic incident, pointed out Joel Levin, the other founding member of SSAIS. "It takes some sort of extreme event before

district will assess problems through their

own lens — and usually that lens focuses on

protecting their liability," Warkov said.

Esther Warkov, co-founder of the national

Washington-based nonprofit Stop Sexual

local activists, the district held the first meeting — under new guidelines — Washington Office of Superintendent of Public Instruction (OSPI) is reviewing two complaints regarding Burlington-Edison School District. A complaint can be escalated to OSPI if the grievant has filed their concerns with the school

student-on-student sexual assault and harassment. "We do not comment on complaints that we are evaluating or investigating while they're in progress," Payne said.

OSPI Executive Director of Communications Katy Payne was unable to confirm

district, appealed the results of the district's investigation of the concerns —

if complaints were tied to parents' concerns about the district's handling of

often to the school board — and are still unsatisfied with the results.

stating that "parents reported satisfaction with outcomes, and victims felt supported and took their concerns seriously." But Whitney's statement to the board was backed up with scant evidence. A

representative committee this Spring and moving forward," Superintendent Chris Pearson said when asked about the records supporting Whitney's statement. For Kilander, the school board's unanimous approval of Pearson as superintendent in 2023 marked an opportunity for the district to get on track

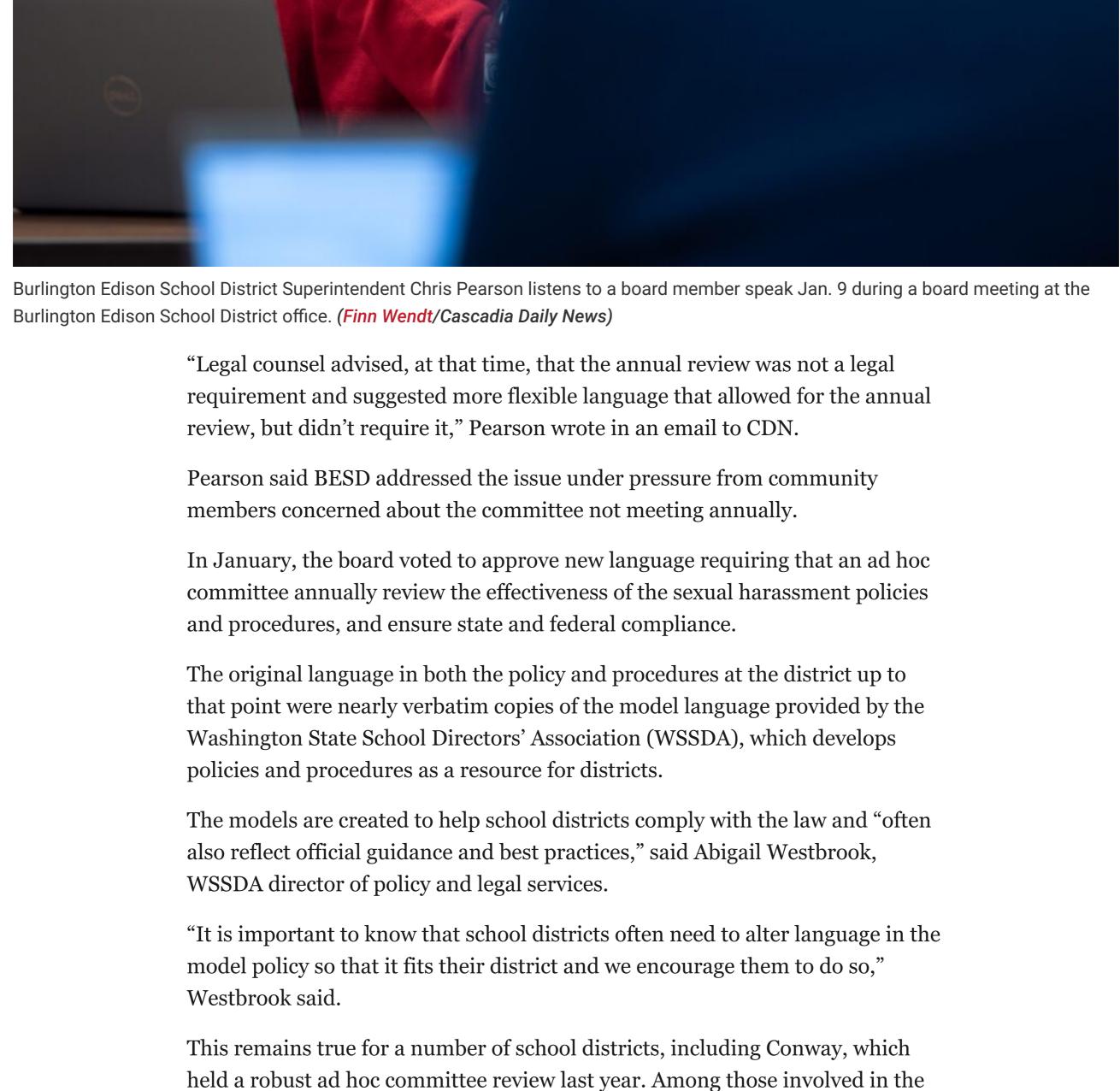
Instead, the requirement to have the committee was stripped out. The new

on July 1, 2023. The next month, the language in the school district's sexual

procedure was approved by the board shortly after Pearson began his position

to combat sexual harassment in schools.

harassment policy was also changed.



committee were the superintendent, parents, a school counselor and other staff

members, confirmed Superintendent Jeff Cravy. The committee was pulled

The BESD has also been out of compliance with state law by not providing

certain policies and procedures in Spanish, including the one on sexual

In the 2023-24 school year, 23% of the district's students were English

language learners, meaning they do not speak English as their primary

language. Per state law and the district's policy, it's necessary to provide

written translations of vital documents for each limited English proficient

group that comprises at least 5% of the district's total parent population.

Such documents include: safety, discipline, conduct expectations and any

documents notifying parents of their rights under applicable state and federal

together as part of the district's risk management process.

harassment — up until recently.

laws.

wrote.

receiving "feedback."

monetary constraints.

Warkov said.

Spanish language materials lacking

[until I asked]," said Raquel Morales, a mother of two. Morales said that many minority parents in the district are often scared to speak up about issues their children are facing in schools.

Pearson confirmed the district was in the process of translating policies after

"We will continue to translate policies throughout the upcoming months," he

Most of them say they "don't want any trouble," Morales said.

"They have never translated any policies in any other language than English

"This is a very serious problem because these students experience sexual harassment and assault at disproportionately higher rates than white students," said Warkov, of Stop Sexual Assault in Schools.

Warkov noted that girls of color are less likely to report sexual harassment and

assault for several reasons, including fear of retaliation, immigration status,

social influences, sense of shame, and lack of family support due to time and

"These issues can be compounded by the absence of policies written in their

families' first language and the school's failure to follow existing policies,"

Studies show girls of color are more vulnerable to being targets of sexual

harassment and assault because of their gender and their race.

Isaac Stone Simonelli is CDN's enterprise/investigations reporter; reach him at isaacsimonelli@cascadiadaily.com; 360-922-3090 ext. 127.

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At least two, Bellingham and Burlington-Edison, have not convened a designated group of stakeholders to assess policy by the end of 2023, even after

effectiveness of the district's policy on the sexual harassment of students. Nine districts require an annual meeting. Of those, only four confirmed they had done so, with most holding their first meeting within the last 12 months,

after years of dormancy or non-compliance with the policy, according to a CDN survey of district documents. gathering stakeholders to review the effectiveness of their sexual assault procedures. The district confirmed in February that it has not held a meeting because it has not identified any need to do so. This is despite three district administrators who faced charges for failing to report a sexual assault of a

student. The three assistant principals resolved criminal charges in December 2023 through an agreed resolution, but a federal case is still pending against despite rape, perjury charges]

identity.

prevent harmful behaviors."

Esther Warkov, co-founder of the

Washington-based nonprofit Stop Sexual Assault in Schools (SSAIS), says it's important to obtain accurate feedback from diverse sources such as students, parents, and community members when evaluating sexual starting in February.

The district had a "self-directed review" of the policy with legal counsel in the spring of 2023. District records show the director of human resources and Title IX coordinator Jennifer Whitney presented the policy to the school board in June 2022, record request by Kilander, reviewed by CDN, revealed a survey completed by one parent and observations by three administrators. Whitney's efforts all fell outside of the ad hoc committee procedure outlined by the district. "We do understand that this feedback was very limited, and we are committed to gathering more robust feedback through the convening of a larger and more

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