

Decision Regarding Responsibility

Pursuant to Title IX of the Education Amendments Act of 1972

To: Izzy Dieker Family (Complainants), including Tasha Cooper (Mother of Issabelle Dieker), Daniel Dieker (Father of Issabelle Dieker), and Issabelle Dieker (Student hereafter referred to as “Izzy Dieker” or “Izzy”); and Corey Wiltz (Principal) and Kristi Gadino (Bus Driver), Respondents

From: Angela Stallbaumer, Assistant Executive Director for Legal Services for KASB/Attorney, Decision-Maker

Re: Formal Complaint Investigation

Alleged conduct constituting sexual harassment: It is alleged that Complainant Izzy Dieker was subjected to discrimination on the basis of sexual orientation. In particular, it is alleged that Izzy was punished for talking about her sexual orientation on the school bus, using the word “lesbian” to describe herself.

The district opened a formal complaint investigation into a formal complaint received on February 12, 2021, from the above-listed Complainants alleging acts that may constitute sexual harassment as defined by federal Title IX regulations and District Policy JGEC (students) and GAAC (employees), in compliance with Title IX of the Education Amendments Act of 1972. When referring to all Complainants and Respondents collectively, the word “Parties” shall be used throughout this document.

Additional Information About the Formal Complaint Investigation Process

This decision concludes the investigation process. It is presented to the parties simultaneously and to the Title IX Coordinator to refer to for any further action.

The Complainants or Respondents may appeal the decision-maker’s determination regarding responsibility or a dismissal of a formal complaint, on the following bases:

- Procedural irregularity that affected the outcomes;
- New evidence that was not reasonably available at the time that could affect the outcome; and/or
- The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias against either party that affected the outcome.

The request to appeal shall be made in writing to the Title IX Coordinator within 20 days after the date of this determination. Appeals shall be on the record and heard by an attorney, an independent hearing officer appointed by the board, or the board. The appeal decision-maker may not be the Title IX Coordinator, the Investigator, or the decision-maker from the original determination.

Retaliation Prohibited

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege provided by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated in any manner in an investigation or proceeding under Title IX.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

The recipient must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted under the Family Educational Rights and Privacy Act, or as required by law, **or as required in this process**. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination required under Title IX.

If you believe that you have been retaliated against due to your involvement with this investigation, immediately report the alleged retaliation to the Title IX Coordinator, Bob Blair.

Investigation Methods:

On February 12, 2021, the Title IX Coordinator received a formal complaint from the Complainants, which had been signed on February 10, 2021, alleging discrimination of Complainant (student) by staff members on the basis of sexual orientation. The original incident and resultant disciplinary action stemmed from the student's interaction with her bus driver on the way home from school, although the Respondents included both the bus driver and the Middle School Principal who handled the disciplinary follow-through.

Supportive measures were offered to the Complainant (father) by the Title IX Coordinator in the form of allowing the family's two school aged children to be placed on another bus with a different driver throughout the course of the investigation. The Complainant (father) accepted this supportive measure.

The parties were given notice of their rights throughout the investigatory process and notice of Investigator Sue Givens' intention to interview witnesses. Over the course of three days, February 25th, March 3rd, and March 9th, the Investigator conducted witness interviews. After review of all evidence provided, the investigator drafted and distributed an initial Investigation Report. All witnesses were given the opportunity to submit written or oral evidence relevant to the complaint, and the Parties were allowed 10 days to review such report and submit written responses thereto for the Investigator's consideration. After taking into account these submissions, the Investigator issued a Final Investigator Report to the Parties and the Title IX Coordinator on April 9, 2021.

After receiving the Final Investigator Report, the Decision-Maker, Angela Stallbaumer, afforded the parties the opportunity to submit written, relevant questions that the parties want asked of any party or witness; to receive the answers thereto; and to allow for additional follow-up questions. However, none of the Parties seized the opportunity to do so. This opportunity was described in an email and attached notice sent to the Parties on April 26, 2021. As no such questions were received by the initial timeline provided, which ended April 29, 2021, the Decision-Maker notified the Parties that the time allotted for submitting written questions to the other parties had come to a close. Although, she let them know that they could reach out to the Decision-Maker if they had intended to submit questions but were unable to do so due to hardship based on time constraints. None of the Parties requested additional

time for submissions. So, as no questions were submitted, there was no need to afford the Parties time to respond to questions or additional time to ask limited additional follow-up questions.

Therefore, this Decision Regarding Responsibility was compiled based on the evidence presented through the Final Investigation Report and provided therewith. It is based on a preponderance of the evidence standard.

Policies or Conduct Rules Related to the Facts of the Case:

As this case centers upon an allegation of sex discrimination, it is important to note district policy concerning sexual discrimination and/or harassment. First, Board Policy JGEC (regarding sexual harassment for students), Board Policy GAAC (regarding sexual harassment for staff members), and the NLC Elementary 2020-2021 Student Handbook all contain similar language providing the district will maintain a learning environment free from discrimination, insult, intimidation, or harassment due to sex.

Board policies JGEC and GAAD, then offer substantially similar language such as the following excerpts, pulled from JGEC.

Discrimination on the basis of sex, including sexual harassment, will not be tolerated in the school district. Discrimination on the basis of sex of employees or students of the district by board members, administrators, licensed and classified personnel, students, vendors, and any others having business or other contact with the school district is strictly prohibited.

Sexual harassment is unlawful discrimination on the basis of sex under Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, and the Kansas Act Against Discrimination. All forms of sexual harassment are prohibited at school, on school property, and at all school-sponsored activities, programs, or events within the United States. Sexual harassment against individuals associated with the school is prohibited, whether or not the harassment occurs on school grounds.

It shall be a violation of this policy for any student, employee, or third party (visitor, vendor, etc.) to sexually harass any student, employee, or other individual associated with the school. It shall further be a violation for any employee to discourage a student from filing a complaint, or to fail to investigate or refer for investigation, any complaint lodged under the provisions of this policy.

Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking...

The district encourages all victims of sexual harassment and persons with knowledge of such harassment to report the harassment immediately. Complaints of sexual harassment will be promptly investigated and re-solved. Any person may make a verbal or written report of sex discrimination by any means and at any time...

Any employee who witnesses an act of sexual harassment or receives a complaint of harassment from another employee or a student shall report the complaint to their immediate supervisor, building administrator, or Title IX Coordinator. Employees who fail to report complaints or incidents of sexual harassment to appropriate district officials may face disciplinary action. District officials who fail to investigate and take appropriate corrective action in response to complaints of sexual harassment may also face disciplinary action.

Complaints received will be investigated to determine whether, under the totality of the circumstances, the alleged behavior constitutes sexual harassment under the definition outlined above. Unacceptable student conduct may or may not constitute sexual harassment, depending on the nature of the conduct and its severity, pervasiveness, and persistence. Behaviors which are unacceptable but do not constitute harassment may provide grounds for discipline under the code of student conduct.

If discrimination or harassment has occurred, the district will take prompt, remedial action to stop it and prevent its reoccurrence...

Transportation handbook language provided by the district that is applicable to bus riders says that students are to obey the driver promptly and courteously while on the bus. At those times, classroom conduct is expected, and the policy provides that only low, conversational volume levels are acceptable for safety purposes. It also says that unnecessary conversation with the driver is prohibited while the bus is moving. The language goes on to say that proper seating is required for bus safety design to work properly. While seated, students are instructed to face forward, with the student's torso facing forward at all times, the student's back flat against the back of the seat, and the student sitting flat on the seat with both feet and legs kept in front of the student's body. The on-bus requirements go on to say that bullying, use of profane or obscene language, or moral offenses are prohibited. Should students be suspended from bus privileges, the handbook says that the parent is responsible for the transportation of their student to and from school during the period of the suspension.

The NLC Elementary 2020-2021 Student Handbook also contains policy relevant to this instance. In the Conscious Discipline (K-8) portion of the handbook, it provides, in part:

Conscious Discipline R is an evidence-based, trauma-informed approach. Conscious Discipline provides an array of behavior management strategies and classroom structures that teachers can use to turn everyday situations into learning opportunities. Conscious Discipline is a philosophy that all teachers and support staff at NLC receive training in. Conscious Discipline is a skills-based SEL program to help educators resolve conflicts, enhance brain development by creating optimal learning environments, support self-regulation in ways that strengthen relationships instead of destroying them, and help children build respectful relationship with themselves, peers, parents, and each other. At the core of Conscious Discipline is safety and connection along with 7 skills staff and students will learn about and practice: Composure, Assertiveness, Encouragement, Choice, Empathy, Positive Intent, and Consequences...Moving from dysregulated (Survival or Emotional) to regulated (Executive) is critical for learning to occur...

In the portion of Conscious Discipline geared primarily toward the 6-8th grade students, the handbook states:

Consequences teach children to examine their behavior, reflect on the impact of their choices and make changes until they reach their highest goals.... Problem-solving motivates children to become part of the solution through the use of shared power. Problem solving is a tool best utilized when all parties are in a relaxed, alert executive state with access to their executive skill set. The state allows for the creative thinking necessary for brainstorming solutions and creating a plan.

Teachers and staff will use the A.B.C. Approach

- *A = Access our executive state through active calming.*
- *B= Be willing to perceive misbehavior as a call for help.*
- *C = Coach new skills as needed.*

Examples of some minor student behavior that will be addressed using the CD approach are as follows:

- *Inappropriate language*
- *Defiance/lack of cooperation*
- *Inappropriate/disruptive behavior*
- *Disrespect to others/attitude*

Later, in the student expectations section, the handbook provides:

Students are expected to conduct themselves in a manner that respects the rights of others and is in accordance with safety rules and regulations...Students have primary responsibility for their actions. We encourage self-control...Student must observe the safety rules of the school for their own security and that of others...

In the philosophy and basic rules for a positive school climate sections specific to 6-8th graders, it says that one of the purposes of the school is to meet the basic needs of early adolescents by providing structure through clear rules and consistent consequences. The handbook goes on to say that students are to be polite, not infringing on others physically or emotionally.

Finally, the transportation section of the handbook provides the following excerpts:

- *The bus driver is in charge of all students while riding, loading on and unloading from the bus...*
- *The bus driver has the authority to assign seats.*
- *The students are to sit in their assigned seats facing to the front of the bus with no portion of their body or any object in the aisle.*
- *Students are to remain in their seats when the bus is in motion...Students are not allowed to use profanity or improper language...All other appropriate school rules will apply to bus conduct.*
- *Violations will be reported to the school principal who can deny the privilege of riding the bus or take other appropriate actions.*

Allegation:

As previously mentioned, the formal complaint alleges the Complainant (student) was subjected to harassment on the basis of sexual orientation on account of statements made by the student regarding her sexual orientation on the school bus. Specifically, she allegedly said, "I am a lesbian," and this resulted in her receiving an oral reprimand, being moved temporarily to the front of the bus, a disciplinary writeup, and suspension of bus privileges for two days.

Findings and Facts Related to the Allegation:

While a wealth of information was accumulated throughout the investigative process and summarized in detail in the Final Investigator Report, the Decision-Maker, for the purposes of this writing will not restate them all word for word. This information was all reviewed in determining whether the preponderance of the evidence suggests sexual harassment occurred in this instance and is adopted by reference herein as if part of the document itself. However, the findings provided in this report will be focused on summative information and direct observation from evidence provided, as some witness accounts proved somewhat inaccurate when compared to video and audio evidence secured from the interior bus camera.

To hopefully create a clearer picture of what transpired, the findings of fact will first chronicle the evidence and witness statements of the events as they experienced them and came to understand the unfolding circumstances. Then, near the middle, the findings will summarize the video and audio evidence secured from the bus surveillance to give the reader context.

1. On the afternoon of Wednesday 27, 2021, the bus driven by Respondent (Gadino) and carrying Complainant (student/Izzy) had passengers from both the lower elementary grades and the middle/junior high range of 6th to 8th graders. Izzy and several other students closer to her age and grade level sat in the back of the bus.
2. At one point in the trip, Respondent (Gadino) said in her written statement and interview with the Investigator that Izzy said, "I'm a fucking lesbian." Respondent said, "language", and she said the student said, "what I am." Respondent then allegedly told Izzy that "nobody cares", and to "watch your language". To which Izzy allegedly said, "Yes, I speak English." Respondent reported stopping the bus and going to the back of the bus to address the student, telling her to watch her language as they have little kids on the bus who did not need to hear that language or hear it from her. She mentioned that if she can hear her at the front of the bus, she is too loud. Respondent then had Izzy come to the front of the bus.
3. Although Respondent's (Gadino) written statement does not mention Izzy refusing to come to the front of the bus, Respondent (Wiltz) said that she did. Respondent (Wiltz) stated during his interview that he received a call from Respondent (Gadino) at 4:33 p.m. on January 27th. At that time, he said she reported that Izzy was using vulgar language (specifically "fuck"), yelling out about being a lesbian, was asked to stop, and did not comply when asked to move to the front of the bus.
4. Respondent (Wiltz) called Izzy's father that evening to let him know that she would be suspended from the bus for being "non-compliant", which he characterized for the Investigator as using [foul] language and refusing to come to the front of the bus. Respondent (Wiltz)

recalled telling Complainant (father) that he was concerned about use of the term “lesbian” in front of younger students but stressed the bigger issue was compliance with driver instructions.

5. The REPORT OF BUS CONDUCT filled out by Respondent (Gadino) concerning Izzy for disciplinary purposes the next morning checked several boxes for infractions, including disobeying driver; unacceptable language; and rude, discourteous, noisy, or annoying behaviors. It also said, “Izzy was using improper language, when asked 2x to stop she used improper language again. Then delayed drivers request to move to front.”
6. On that morning, a social worker at the school noticed that Izzy was talking to other students in the hallway and crying. After listening to Izzy’s recounting of the last afternoon’s bus ride, she asked if Izzy cussed or yelled. Izzy said, “no.” When asked if Izzy thought she had been kicked off the bus for saying she was a lesbian, Izzy replied, “yes.” The social worker emailed Respondent (Wiltz), and he requested she come visit with him in the office. Respondent (Wiltz) said that Izzy had been disrespectful and non-compliant. At the time, he had not watched the bus’s surveillance.
7. On January 28, 2021, Respondent (Wiltz) conferenced with Izzy. She disputed the report, saying that she did comply with the driver’s request to go to the front of the bus. Respondent Wiltz assured her that he would watch the bus surveillance for confirmation.
8. According to Respondent (Gadino), Respondent (Wiltz) requested access to the bus’s camera footage on Thursday the 28th, and she dropped it off that afternoon.
9. A recounting of the bus’s video footage from January 27, 2021 as paraphrased from the Investigator’s Physical Evidence Review is included below. The Decision-Maker also had the opportunity to review the footage, so her impressions will be noted separately.
 - a. The Decision-Maker’s first impression of the footage was that the atmosphere of the bus was quite chaotic. Students approximately Izzy’s age and grade level and Izzy sat in the back of the bus while younger students were generally in the front. This older group of students was very loud and rambunctious as a whole. While Izzy’s voice could be heard from time to time, she did not stick out as being more noisy or obnoxious than any of the other students.
 - b. What did stick out to the Decision-Maker was the offensiveness of the words and phrases used by this group. As a parent of two elementary school students and one middle school student that ride the bus, myself, I found the language used by this group to be shockingly profane and inappropriate for the school or bus setting. It pained me to think that students Izzy’s age even knew, let alone utilized the language they did with such frequency and ease, and it was especially troubling that they were allowed to do so in close proximity to younger, impressionable students. The first impression was that the policy specific to bus decorum was not being consistently followed on this bus.
 - c. As noted in the Physical Evidence Review by the Investigator, the word “fucking” is said several times by male and female voices. Also audible were phrases such as “gay-assed mother fucker”; “jerk me off, daddy” (not noted in the Investigator’s report but heard by the Decision-Maker); “touch my dick”; “fucking nigger”, “what the fuck”, “kill you”; “stop putting your fucking camera in my face”; and “wants to have sex”.
 - d. At most times while this conversation was happening, the students were not sitting with their back against their seats as the handbook would require. Instead, they were

leaning out into the walkway, turned around, peering into the seat behind them, and/or in frequent motion.

- e. At one point, one of the boys stands up, facing the rear of the bus while it is in motion, points to the students (including Izzy) who were around and behind his seat with his water bottle one by one and says “fuck you, fuck you, fuck you” to each in turn.
 - f. Despite all these statements, the Respondent (Gadino) is generally only heard to chime in to tell one of the students to put his mask on.
 - g. Nearly nine minutes into the footage, Izzy says, “I’m a lesbian.” It was in a loud voice, but it was not noticeably louder than her previous statements. The driver immediately responded, “Stop now.” Izzy then says, “It’s true.” The driver says, “I don’t care. Watch your language.” Izzy says, “Yes, I speak English.”
 - h. About 40 seconds after the initial exchange, Respondent (Gadino) pulls the bus over and walks to the back of the bus to address Izzy. She says, “Front row.” Izzy said, “I didn’t say anything.” Respondent says, “Really, who said they were lesbian?” Izzy said “...wasn’t anything wrong with that.” Respondent said, “I’ve got little kids up here. Do you think these little kindergarteners need to know what that word means?” Izzy responds that she does think they need to know what it means and follows the driver to the front of the bus without incident. The male student sitting across the aisle from Izzy initially followed them to the front of the bus, but the driver directed him to return to his seat.
 - i. As the driver gets to the front of the bus, she tells a student in the back of the bus, “Put your mask on. That’s five times.” Only one other student was written up for behavior on the bus that day, and it was due to a mask violation.
10. Respondent (Wiltz) said he did not watch the footage until the afternoon of Friday, January 29th. Finding that Izzy did comply with the driver’s request to come to the front of the bus, he called her into his office around 2:30 p.m. He told Izzy that her bus riding privileges would resume on the following Monday. It is disputed between Izzy and Respondent (Wiltz) whether he made comments at that time that it was still not appropriate to say “lesbian” and that “her parents thought they could call the shots.”
11. Also on that Friday afternoon, Respondent (Wiltz) met with a teacher who had spoken with Izzy on Thursday and Friday of that week and Izzy at the teacher’s request. The teacher said that Izzy was upset on Thursday but came to her in tears after her conference with Respondent (Wiltz) Friday afternoon. The teacher questioned how many writeups are required prior to suspension of bus privileges, thinking that this action required three writeups. Although Izzy had two writeups for the year, Respondent (Wiltz) told the teacher that he could override that procedure. This teacher confirmed that words like “fuck” were not actually used at the time of the incident and asked, “If she had said, ‘I am straight’ would we be here?” She said the Respondent (Wiltz) responded, “No, because it’s not inappropriate.”
12. The social worker recalled witnessing Izzy return from her initial conference with Respondent (Wiltz) a little after 2:30 p.m. She said Izzy was sobbing and saying that she was still kicked off the bus. At this point, the teacher previously mentioned escorted her to the office to follow-up with the principal. Upon their return, the teacher reported to the social worker, “She’s not allowed to get on the bus.”

13. When Respondent (Wiltz) called Izzy's father that afternoon around 4:45 p.m., he said that although Izzy did comply with the driver's request, she still used vulgar language. When Complainant (father) asked why Izzy had not been allowed to ride the bus home on that Friday afternoon, Respondent (Wiltz) said it was because the conversations had happened late in the day, he needed to transport a student, and he assumed they were already on their way to pick Izzy up since they lived 20-30 minutes from the school.
14. The Administrative Action Log maintained by Respondent (Wiltz), which had a timestamp of January 29, 21 at 5:03 p.m. standard time listed a behavior type of Inappropriate language, bullying, and threats. His comment was that vulgar language on the bus was reported by the driver, Respondent (Gadino). Consequences for this behavior was loss of bus privileges on "1/27 and 1/28 – talked with dad on phone". Note that this entry did not reflect that Izzy did not ride the bus on January 29th and that the entry was completed after viewing the surveillance footage.

Determination:

It is this Decision-Maker's determination that sexual harassment of Izzy did occur, and both Respondents share responsibility therefor.

The rationale for this determination is as follows. The definition of sexual harassment provided in Board policies GAAC and JGEC is below.

Sexual harassment shall include conduct on the basis of sex involving one or more of the following: (1) A district employee conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcomed sexual conduct; (2) unwelcomed conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's educational program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking...

For conduct to be sexual harassment under present federal law and Board policy, it must include at least one of the definition's elements above. I believe the first element is not applicable in this situation, as submission to conduct on the basis of sex is not being required in order for the student to get some sort of perceived benefit, aid, or service from a district employee.

Similarly, what is described in the Final Investigator Report and this Decision Regarding Responsibility would not meet any of the definitions listed in the third element.

However, this Decision-Maker finds that the preponderance of the evidence demonstrates that Izzy was subjected to conduct on the basis of her sex which was unwelcomed and which would be determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denied her equal access to the district's program or activity.

Differential treatment of Izzy based on the nature of her statement was initially demonstrated by Respondent (Gadino). To allow a steady stream of profane language to be loudly aired on the bus without any response and then to take such drastic actions to stop the bus and admonish Izzy for her statement regarding her sexual orientation in front of her peers, shows both a lack of knowledge of the protections afforded to students under Title IX and a strikingly inconsistent and ineffective disciplinary strategy.

The Decision-Maker was hesitant to find similar responsibility for Respondent (Wiltz) at first, given his lack of first-hand knowledge of what transpired on the bus and the driver's initial inaccurate accountings thereof. However, his actions to double-down on the disciplinary action given, to fail to timely review the footage and respond to the Complainants with what he learned in time for her to ride the bus, to keep her from riding the afternoon bus on Friday for no apparent reason, and to not adjust his dialogue after learning no otherwise profane or vulgar words were used in Izzy's statement showed that he, too, believed "lesbian" to be a vulgar and inappropriate word. With this in mind, the Decision-Maker believes he could also benefit from a greater understanding of Title IX and its protections as well as some sensitivity training generally.

In this case, the impact to Izzy as concern school programs and activities was initially being denied access to transportation to school for making a statement about her sexual orientation. Taking away this transportation activity for two days created a short-term barrier to her getting to school from her home 20-30 miles away, especially since she had working parents.

At a deeper level, though, the actions of the Respondents reflected that they fundamentally disapproved of her sexual-orientation and, quite possibly, her as well. When one identifies oneself as fitting into a category, and a school official lets you know that they find this category's defining characteristics to be vulgar, it follows that the student would likely internalize their disgust and general disapproval. This is evidenced by the student being noticeably upset at school on the day following the suspension and after further discussion with Respondent (Wiltz). The damage done to her relationship with her bus driver and the building administrator of her school is going to take much time and effort to repair, and I can understand a hesitancy on the Complainants' parts to interact with them in the future. The Decision-Maker understands why Complainant (father) pursued supportive measures to have his daughter transported by a different driver and why Complainants may harbor ill-will toward the school's principal.

This perceived "attack" on Izzy's sexual orientation was very personal to her and her family, and I do believe it was severe. It was pervasive in that it was not an isolated problem with one staff member but seemed to permeate her school environment over time. And, it was objectively offensive, as it caused Izzy, her friends, and school staff members supporting her to feel deeply hurt, upset, and angry.

Please note that the district has a duty to protect persons who participate in complaint investigations from retaliation, as previously mentioned above, so I did not further share the names of all persons providing testimony in this matter.

As employees also have privacy rights protecting their personnel and disciplinary records, I will similarly not be providing all Parties with exact recommendations for any corrective action that may be taken in this matter. I will say at this juncture that I believe the Respondents share the responsibility for sexual harassment of Izzy, and I do believe training of staff members and further disciplinary action for the Respondents is warranted under these circumstances. However, I trust that district administration and the Board will confer and/or seek the counsel of the board's attorney in adequately addressing this issue in moving forward given this Determination Regarding Responsibility.

Thank you all for your candor and patience throughout this process. Please feel free to contact Bob Blair at the district office if you have further questions regarding this matter.

Angela Stallbaumer

Angela Stallbaumer, Decision-Maker/Attorney

5/6/21

Date

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