Issue: Mead High School Eastern Washington University Team Camp Incident
Investigating Authority: Mead School District (Josh Westermann, Director of Student Services and Title IX Coordinator; Mark St. Clair, Director of Secondary Education)
Policy Reference – Policy/Procedure 3205: Investigation Report (Informal Complaint)

> *The Mead School District prohibits sexual harassment (including sexual violence) targeted at students carried out by other students, employees, or third parties involved in school district activities. In accordance with Policy 3205 and its corresponding procedure, the district has an obligation to provide a process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take immediate action to eliminate the harassment, prevent its reoccurrence, and address its effects.*

The following is summary of the investigation initiated by administrators at Mead High School and School Resource Deputy Mitch Othmer (Spokane County Sheriff's Office), and subsequently coordinated and completed by the district's Director of Secondary Education, Mark St. Clair, and the Director of Student Services and Title IX Coordinator, Josh Westermann.

Investigation Timeline:
From June 19 to 22, 2023, members of the Mead High School football team attended a "Team Camp" conducted by Eastern Washington University's football program. In addition to the student/athletes attending the camp, several coaches from Mead High School's football program also attended. Both players and coaches stayed on campus in dormitory housing. EWU's Team Camp is not a school district event, however players and coaches attending the camp do so based on their connection to/participation in the football program of their respective schools.

The four-day football camp completed without reports of issues or incidents. None of the coaches reported receiving any concerns or reports of issues from any of the athletes in attendance; additionally, coaches made no reports of issues or incidents to building or district administrators. On July 5, Mead's Athletic Director, John Barrington, received an email from a Mead High School parent. This individual did not have a child at the football camp (or associated with the football program). However, one of this individual's children was in possession of a video, reported to be of an incident involving student/athletes from Mead High School that had occurred in the dormitory during the team camp. In the email, this parent expressed concern that the video (one video, separated into two clips) provided evidence of potential assaultive behavior. In the email, the parent shared that "massage gun tools" had been used in an assaultive manner on one of the student/athletes.

The video clips attached to the email showed numerous (approximately 10 or 12) student/athletes in a dorm room. The video depicts laughing, shouting and something resembling a "dogpile" on an individual, however it's hard to determine what exactly is happening, apart from horseplay and/or roughhousing. Without specific mention of a massage gun or assault in the email, it would be difficult to know that a massage gun is being used on someone's body and, at first glance, the incident does not appear to be assaultive behavior. In fact, based on what is ***not evident*** in the video provided, it seems that the parent who sent the email must have been provided with additional context and information regarding what was taking place in the room.

Mr. Barrington forwarded the email to head football coach, Keith Stamps on July 5. On July 6, Mr. Barrington responded to the parent with a brief message thanking her for sharing the information; he included Mr. Stamps in his reply. Mr. Barrington and Mr. Stamps then spoke about the email and video and discussed next steps. It was decided that Mr. Stamps should speak with some of the players identified in the video. On July 10, Mr. Stamps spoke with several players identified in the video. Those interviewed, including the student identified as having been targeted, said that they were just "screwing around" and "roughhousing" in one of the rooms. The targeted student was interviewed and said that things were "all good," with his teammates and that he'd "had a good time" at football camp.

Mr. Stamps shared that a couple of the student/athletes he spoke with (that is, those identified as being directly involved) expressed being "embarrassed" and "apologetic" when questioned. Mr. Stamps informed them that this behavior was not in line with his expectations for conduct while at camp. Additionally, seeing that a couple of those he spoke with were "team leaders," he shared that the behavior was not indicative of what he expected of team leaders and that he expected more of them (that is, better behavior).

As Mr. Stamps questioned those involved, he learned that in addition to what he'd seen in the video, there was an altercation between two of the players over a sports drink that had been stolen from a room. In his questioning of one of the two student/athletes identified as having been involved in the altercation (the other was attending another summer camp and unavailable), the student/athlete communicated that it was "not that big of a deal" and that "they're good now" and that there was no lingering animosity. It was not until months later (December), when he was presented with additional video footage, that Mr. Stamps learned this particular student/athlete was part of another massage gun incident at the EWU Team Camp; however, this student/athlete made no mention of the incident to Mr. Stamps when they spoke in mid-July.

Believing he had addressed the issues brought to his attention and based on what the student/athletes had shared with him, Mr. Stamps did not believe that deeper investigation was necessary. Neither Mr. Stamps nor Mr. Barrington contacted any of the parents of the athletes involved. They also did not inform Mead's certificated administrators about the email and video sent to Mr. Barrington, or about any of the follow-up conversations Mr. Stamps had with football players.

Nothing more related to the incident at team camp resurfaced until a concern was raised by a football parent in mid-November 2023. It was at this time that a parent approached Mr. Stamps (at the post-season football banquet) with concerns about some video she had in her possession related to incidents that took place at team camp back in the summer. This conversation ultimately resulted in a meeting between Mr. Stamps and the parent on Friday, December 8.

At this meeting, the parent showed Mr. Stamps two videos in her possession. At this time, Mr. Stamps becomes aware that there were two separate "incidents" at team camp. Also, these new videos present a much different view than what he'd seen previously in the videos emailed to Mr. Barrington in July. These videos present a much different (clearer) perspective of what had taken place in the dorm rooms.

On Monday morning (December 11), Mr. Stamps spoke with Mr. Barrington, describing the video the parent had shown him and shared his concern that what had taken place back in June at the team camp "may be bigger that they'd thought" when they were first made aware (via email) in July. The two agreed they needed to share what they knew with building principal, Kimberly Jensen. Up to this point Dr. Jensen had no idea that there had been issues at the EWU team camp in July. Mr. Barrington and Mr. Stamps shared what they knew with Dr. Jensen, however Dr. Jensen reported that the descriptions she received were of "roughhousing boys" and "horseplay" in a dorm room that had gotten out of hand. Mr. Stamps shared that he believed the incidents might be "more serious" and that the parent who had expressed concern to him had said that this "…bordered on sexual assault." Dr. Jensen reported trying to clarify whether what Mr. Barrington and Mr. Stamps saw represented "assaultive behavior." The three then discussed next steps. Dr. Jensen asked Mr. Barrington and Mr. Stamps to "log" the team camp incidents in the district's student information system (PowerSchool). Log entries were completed the next day (Dec. 12).

From that point forward, the recollections of those involved in this conversation were not consistent as it pertained to next steps and what needed to be done to clarify and address what had transpired at the team camp. Mr. Stamps reported following up with the parent who had shared the video with him (he spoke with her about what was being done); however, two weeks of winter break then took place and it was not until six weeks later that the incidents were revisited or investigated further.

On January 19, Dr. Jensen received an email from another parent expressing concern and asking questions about the team camp incident and its potential connection to more recent issues between some of the same student/athletes who were participating in winter sports. The email sent to Dr. Jensen prompted her to reach out to administrators at the district office on Monday, January 22 - she provided information about what seemed to be an issue of increasing concern. Deeper investigation began in earnest, and Dr. Jensen began to seek-out sources for copies of the videos shown to Mr. Stamps. Dr. Jensen had yet to see any of the videos, and Mr. Barrington did not inform her that a parent had sent him videos back in July.

On February 20, 2024, Dr. Jensen obtained copies of the videos. After viewing these videos, Dr. Jensen immediately informed Mead High School's Resource Deputy (Deputy Mitch Othmer) and provided him with a copy of the videos in her possession. Dr. Jensen and Deputy Othmer reached out to the parents of the victims. They were successful in scheduling an investigative interview with the student (and parent) assaulted in the first incident, however the parents of the student involved in the second incident did not grant consent for their son to be interviewed and did not participate in the investigative process. Dr. Jensen also scheduled each of the students identified in the videos for interviews, which were conducted on Feb. 23, by Mead's Director of Student Services, Josh Westermann, and Mead High School Asst. Principal, Coretta Hoffman.

Mead's Director of Secondary Education, Mark St. Clair, scheduled interviews with each of the staff members involved to better understand and document the timelines, establish what staff knew about these events, when each of them was informed, and what had been done to investigate and respond. Mr. St Clair and Director of Human Resources, Keri Hutchins, interviewed John Barrington (Athletic Director), Keith Stamps (Head Football Coach), Jerrod Thomas (Asst. Football Coach), and Kimberly Jensen (MHS Principal).

Mr. Westermann was contacted by representatives from Eastern Washington University (campus security as well as the university's Title IX Director) and met with them along with Deputy Mitch Othmer on Feb. 27 to discuss what the district had learned in our initial investigation.

Investigative information was then analyzed and considered in the context of the district's Policy/Procedure 3205 (Sexual Harassment of Students Prohibited) specifying that, "*The district is on notice and required to take action when any employee knows, or in the exercise of reasonable care should know, about possible sexual harassment*." The district's Title IX Coordinator (Josh Westermann) directed all investigative efforts from this point forward, also working to ensure the district was meeting it's obligation to provide supportive measures.

Equipped with information learned during initial interviews conducted with students, Mr. Westermann and Mr. St. Clair conducted a second interview with the victim in the first incident along with his mother. There were allegations against the victim (again, stemming from initial interviews conducted on Feb. 23) that required further investigation. Building administrators at Mead High school also provided Mr. Westermann with the names of additional students *indirectly* involved in the incidents (the bystanders not initially identified). Mr. Westermann immediately contacted the parents of those students, informing them of the district's investigation.

Investigative efforts were completed, and the final report was being completed when on Saturday, March 9 and again on Monday, March 11, the parent of the student/athlete targeted in the first incident reached out to the Director of the Greater Spokane League (GSL) and the Executive Director of the Washington Interscholastic Activities Association (WIAA) to express concern. She shared her belief that the district was attempting to "minimize" what had happened to her son. She informed them that her son had been bullied, assaulted, and molested (sharing that other players had

"…shoved a massage gun up his anus") and also alleging that her son was now the victim of retaliation and discriminatory harassment. Both the Director of the GSL and Executive Director of the WIAA reached out to the district to share what the parent had sent to them.

In response to these emails, a third meeting was scheduled with the victim of the first incident and his mother (Friday, March 15). At this meeting, district officials sought to clarify words/descriptions the parent used in the emails – words and descriptions that had not been used in the initial interviews. In fact, when asked initially (by Dr. Jensen and Deputy Othmer) if the student believed the incident was sexual in nature or if the other players had "sexual intent," the victim of the first assault had stated that he did not believe that to be the case. When questioned, he was adamant that he'd been wearing underwear, his football girdle, and athletic shorts and acknowledged that he'd not been penetrated. In this meeting the mother of the victim made clear that she was angry for the following reasons:

- Her perception was that there was a lack of progress in the district's investigation.
- She was frustrated that the perpetrators were still in school (she expected these students would be suspended during the investigation) and she was concerned with retaliatory behavior against her son.
- She believed that her son was facing ongoing discriminatory harassment.
- She did not feel the district's supportive measures to be adequate.

The mother acknowledged that she'd reached out the GSL and WIAA in frustration and with the belief that recent questions asked of her son (allegations about her son's sexualized behaviors and any role he may have played in the second assaultive incident at team camp) were an attempt to somehow place blame on him. On multiple occasions in this meeting, she referred to what she'd heard – or been told – about the video of the assaultive incident. When asked if she had seen the videos, she acknowledged that she had not and that she was still relying on what had been described to her.

She then clarified that based on what had been shared with her about the incident and based on her son's description, the incident did not "technically" qualify as "having a massage gun shoved up his anus" or "molestation." She also acknowledged that her son had shared that he did not believe there was sexual intent in what had taken place at the team camp (this was shared in a previous interview with Dr. Jensen and Deputy Othmer). District officials clarified the availability of supportive measures and expressed the importance of sharing retaliatory behavior or discriminatory harassment with district officials so that it could be addressed and appropriate supports put in place.

Following this meeting, and with the investigation complete, the results were turned over to the district Superintendent for the completion of the written Title IX determination.

Investigation Summary:

- On the second day of team camp at EWU (June 20), the first of two assaultive incidents took place. Approximately fifteen student/athletes were in a dorm room during an afternoon break from on-field activities when four of the young men took the victim to the ground and restrained him (immobilizing his upper body and arms, while holding his legs apart). A fifth student/athlete, holding a pulsating massage gun, approached and proceeded to apply the massage gun in the general area of the victim's groin/perineum/anus. Because there are multiple bodies obscuring the view in this video, it is difficult to see *exactly* where the massage gun touches. The massage gun appears to be on the victim's body for about 6 seconds. The video ends as after the young man with the massage gun steps away from the victim.

- When interviewed, the victim in the first incident said that it's possible that he'd been targeted because he had been drinking from another player's water bottle and that "he was pissed at me." This individual also shared his belief that he is not well-liked and that others on the team tell him he is "annoying." He shared that the same individual who he'd mentioned being involved in the water bottle issue had also told him prior to team camp that he'd better hope they're not in the same room (at team camp) or he would "rape" him; it's important to note that he didn't believe the word "rape" was used in a literal sense. When questioned further, he said it's a term used by many young men to flippantly refer to having someone "mess with you."

- When asked why this individual in the first incident was targeted, many of the student/athletes interviewed suggested in various ways that he had it coming as he is "…*always messing with you*," that was been "*disrespectful to the trainer,*" and that he has exhibited unwelcome sexualized behaviors that made others uncomfortable.

- On the third day of team camp, just before 10:00 PM bed check, another group of student/athletes (many of the same involved in the first incident) forced their way into a dorm room and restrained the second victim. When this video begins, there are four student/athletes seen holding the victim down as another young man, wearing an odd-looking mask (not a surgical mask) and very clearly holding a massage gun, announced to the those in the room that they are about to perform the *"sacrifice of all sacrifices*." The student/athlete holding the massage gun approached the victim, who is now being held down with legs spread apart and places the pulsating massage gun into the victim's groin/perineum/anus area for approximately 11 seconds.

- When asked why this individual was targeted, there is not a consistent response from those interviewed. The student/athletes interviewed suggest that the victim was "…*just pushed into the room*." but was generally well-liked. Students described that "*it just happened*" and a few said they, "…*couldn't say how…*" or why he was selected.

- Dr. Jensen reported that the parents of the student/athlete involved in the second incident were not interested in participating in the investigation – apart from a meeting with Mark St. Clair at the district office to watch the video of the incident – they were not engaged in the investigation. They submitted a public records request for a redacted copy of the video on Feb. 29 – the district provided the parents with a redated copy of the video on March 14.

- Looking at the video evidence, each incident depicts many of the typical characteristics of hazing/HIB behaviors; however, given the area of the body targeted, each of the incidents may represent sexual harassment assault.

- When questioning the students involved, none of them believed these incidents to be connected to a "rite of passage" or something that was done to "initiate" players new to the team or program. However, each of the two victims was an incoming sophomore, while all the student/athletes involved in the assault were upperclassmen. The video clearly shows the incidents as either planned and/or in some way "ritualistic" (including a mask and an "announcement" of what was about to be carried out), yet none of the students interviewed believed they were carrying out any type of team tradition or initiation ritual.

  Many of the student/athletes interviewed reported awareness of the football team "messing with guys" at previous team camps, however none of those interviewed shared that what was shown on the video had been carried out previously. No explanation was given as to why they chose that particular area of their bodies.