

A Short History of Title IX at BUSD

PTA Council Feb. 24, 2020/Peggy Scott, member, SHAC

Spring 2010:

- BHS Counselor Anthony Smith is escorted out of the building for alleged sexual harassment of a student. He returns to work either end of year or August 2010.
- A subsequent federal lawsuit against the District is filed in April 2011, and is settled prior to the beginning of the 2012-13 school year. Among other things it stipulates that the District would form an advisory committee, composed of BUSD staff and parents, to clarify BUSD's sexual harassment policy regarding procedural timelines and deadlines. This is the **Sexual Harassment Advisory Committee (SHAC)**.
- Smith remains on staff actively counseling high school students for six more years, but is finally terminated by BUSD, presumably for repeated sexual harassment. Attorneys for BUSD use many of the arguments that original lawsuit had used against Smith to terminate him.

Oct. 2010:

- One parent starts asking school board and Supt. Bill Huyett who the Title IX Coordinator is. This continues periodically for 4 years. Since this is a federally mandated position, parent assumes BUSD must have one.

Dec.2014:

- "Team 15 slut pages" scandal breaks. Students testify at board meeting.
- SHAC discovers District lied in Handbook some months earlier. Name and phone number of Delia Ruiz, Asst. Supt for HR was entered as Title IX Coordinator, but no one had informed Ruiz of this new duty, nor called her with a case. She found out in a public meeting and said it was a conflict of interest for her to be T9C (Title IX Coordinator abbreviation.)
- School Board members ask Director of Student Services Susan Craig, to fill that position, even though this is against Title IX regs that specifically say that a position that handles discipline cannot do that job.
- SHAC continues to lobby for T9C to be funded and position hired.

March 2015:

- School Board decides to fund T9C position.

May 2015:

- SHAC requests job description get written and posted. Job posted in July for 2 weeks

Sept. 2016:

- District agrees to post job until filled as per SHAC request.

June 2016:

- School board re-writes and adopts expulsion policy that affects sexual harassment and assault cases to focus on Restorative Justice.

March 2016:

- BUSD finally hires first T9C (Bev Bueno). She has no T9 experience and has never heard of Ed Code. She agrees to report statistics on caseload and content to SHAC.

November 2016

- Bueno is separated right after federal audit of BUSD is delivered by CDE.
- Susan Craig steps back in as T9C for another 9 months through summer 2017.

Winter 2017:

- A "large file of unresolved complaints, 5 inches thick" is delivered to Supt. Evans office from Student Services office. No one in the public knows how many complaints are in it but it is at least 2 – 4 years old. Many are about sexual harassment and bullying.

