



Update on Fall 2020 Racial Incidents

When there is an incident in a school, the Burlington Area School District takes it seriously, completes a thorough investigation, and assigns consequences. To protect privacy, the District does not typically communicate the findings of its investigations or consequences issued to students to the public. The public not knowing the context or details of an investigation does not mean that the district neglected to take action.

BASD has been accused of not adequately addressing recent racial incidents. In an effort to be transparent with the public, we are disclosing more details related to racial incidents that took place during the Fall 2020 semester.

September 16, 2020 – Graffiti at Cooper Elementary School’s Playground

In the early morning of Wednesday, September 16, 2020, an aide at Cooper Elementary School, along with one student, discovered racial slurs scraped into the woodchips on the playground. Additionally, a small piece of playground equipment had been overturned. The District immediately contacted law enforcement. The surveillance cameras showed two students being present when the damage occurred.

The police began the investigation and worked with Ryan Heft, Associate Principal at BHS, and Dan Hayes, School Resource Officer, to identify the students from the surveillance cameras. This investigation took about one week to complete. As a result of the investigation, it was determined that one student, a minor, admitted to playing on the playground with two other students.

Consequences: The student who admitted to scraping the words in the woodchips served a suspension and was required to complete an assignment on equity. The police report, along with Hate Crime Violation charges, were sent to Racine County Juvenile Intake. The Burlington Area School District has attempted to ascertain the status of the case but is unable to since the student is a minor.

September 30, 2020 – Graffiti at Karcher Middle School Construction Site

On September 30, 2020, graffiti was discovered by the site superintendent at the construction site of the new Karcher Middle School. The racial slur was spray painted on the concrete floor inside the new building. The site superintendent notified Daniel Bocock, BASD Director of

Buildings and Grounds. The incident was then reported to BASD Superintendent Steve Plank and Officer Dan Hayes.

Following an email sent to families and staff from Superintendent Plank regarding the incident, a BHS teacher received messages from a concerned student and parent with a Snapchat video showing what appeared to be a number of high school age students entering the new Karcher Middle School construction area on the night of the incident. The teacher contacted BHS Principal, Eric Burling, immediately sharing the video. Mr. Burling reached out to Officer Hayes. The following day BHS school administrators were able to identify students in the video. School administrators and Officer Hayes interviewed all students involved and met with their parent(s)/ guardian(s) on October 1 and 2. A group of BHS and non-BASD students entered the construction site around 9:00 p.m. on September 29, 2020, and reportedly explored the construction site and played tag. Upon finding an orange spray paint can, one student, a minor, spray painted the "N" word and a tic-tac-toe game onto the concrete floor of the fitness center inside the building. Following this, the individuals left the site.

Consequences: Charges included trespassing on school district property into an active construction site and vandalized, spray painting a racial slur. Consequences ranged from out-of-school suspension (1-7 school days), athletic suspension (25%-100%), police contact, hate crime violation charge, report sent to Racine County Juvenile Intake. Head Football Coach, Steve Tenhagen, addressed the football team regarding the issue. The students that were involved addressed their teammates and apologized for their actions and the negative attention they brought themselves as well as representatives of the BHS football program.

October 22, 2020 – Racial Slur during Football Game

On Monday, October 26, 2020, the Burlington Area School District received an email from the Athletic Director at Westosha Central, alleging that a Burlington varsity football player used a racial slur toward a Westosha Central football player at a game at Westosha on Thursday, October 22, 2020. District administrators immediately investigated the claim by interviewing the Burlington athlete, a parent, and Coach Steve Tenhagen. Additional interviews included the Burlington athletes shown in video footage as being in the vicinity during the play, the head referee, and the Westosha Central head coach.

According to the head referee, the two players became tangled up and were told to stop it. Game officials say they heard the Burlington player use a vulgar word (bitch), but not a racial slur, at which point head referee stated, "I will handle it." Based on the review of the video footage, the game officials were in a position to hear what was said by the players.

According to WIAA policy, game officials would have immediately ejected a player from the game if a racial slur had been used. Since none of the officials reported hearing a racial slur, but rather a vulgar word, no ejection occurred. Given that the investigation was unable to substantiate the allegations that a racial slur was used, there were no consequences for the student.

October 28, 2020 - BHS Advisory Interrupted

During a Wednesday advisory meeting on October 28, 2020 an unauthorized person called into an advisory classroom's Google Meet. Before the teacher could disconnect the unauthorized caller (approx. 4 seconds) the caller repeated a racial slur several times. She immediately asked her students to log out of the meeting and called the office to report the incident to principal Eric Burling.

Mr. Burling immediately began to investigate the incident with the teacher to identify the caller. Students from the advisory class were followed up with by Associate Principals Ryan Heft and Emily Boyd to determine if any of the students had any insight on who may have been the caller and to check in on students' emotional health. Technology Director Scott Christensen checked to see if any school emails shared the Google Meet information. The school resource officer issued a subpoena to Google for the phone number that was used to call into the Google Classroom. The person responsible for this act may never be identified.

November 12, 2020 – Hate Speech during Google Meet

On Thursday, November 12, 2020, two separate 7th grade classes had an unwelcome anonymous attendee who entered the class's Google Meet. In both instances the caller spoke using language that was inappropriate for school.

In the English class the caller used vulgarities and exited the call immediately. The time the caller was in the meet was 15 seconds according to English teacher. In the PE Class, the caller used hate speech. The PE teacher attempted to shut down the meet and remove the caller. All of this was recorded and shared on social media. The video was 61 seconds long.

Investigator Jodi Borchart of the Burlington Police Department took over the investigation. Based on that investigation, a Disorderly Conduct charge was sent to Juvenile Intake for their review. It was found that a middle school student had given the login information for both classes to a non-BASD student, with the intent to "hack" into the class and cause a disruption. This action is a violation of the safe and responsible use of technology all students and guardians agree to at the start of the school year. As a result, the student was put on pre-expulsion through the 3rd quarter of the 2020-2021 school year.

Both calls were placed by the same individual who does not reside in Wisconsin. BASD students were never left alone with the caller. The teacher did not leave the call before the students. The teacher directed students to leave the call and then the teacher remained on after the students left, hoping to keep the anonymous caller there so the caller could be identified.

Consequences: The student who shared the login information received a suspension, pre-expulsion, and strong stipulations on computer use (for example, the Chromebook must remain at school, a staff member needs to log in the student for Google Meets, all activity on the Chromebook is monitored by administration).

Conclusion

In all of the circumstances described above, the District did not discriminate against any individuals on the basis of race in District programs or activities. The District promptly investigated each incident, involved law enforcement as appropriate, issued consequences for the students involved that aligned with District policies and codes of conduct, and offered support and follow-up to the students and families impacted on an individual basis.

When making student disciplinary decisions, a number of factors are considered (for example, the age of the student, previous disciplinary history, and whether the student has an IEP). The goal of discipline is for the student to consider their actions and not repeat the offense.

When members of the public hear rumors second-hand, the first step is to verify what is true. When people go to the media or post information on social media before knowing the facts or having a conversation with people at the district, it interferes with the district's ability to give the individuals involved due process.

The Burlington Area School District is committed to providing a safe, secure and respectful environment free from discrimination and harassment on the basis of race, color, religion, sexual orientation and natural origin. We invite the public to read the entire anti-racism / anti-harassment policy. BASD is one of only a few districts in the state with an anti-racism policy. The district shares a steadfast commitment to dismantling systemic racism, battling long-held stereotypes and fighting bigotry. The district has introduced a variety of learning opportunities to take the necessary steps to ensure that all students – including people of color – feel heard and can thrive in a welcoming learning environment.