

*Shawn Ann Flood
Attorney, Of Counsel*

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MAY 12 2015

GENERAL COUNSEL
BELLEVUE SCHOOL DISTRICT

April 8, 2015

Annie Cole
General Counsel
Bellevue School District
12111 NE St.
Bellevue, WA 98005

Re: Complaint.

Dear Ms. Cole:

This is my report to you on my investigation into allegations of harassment, intimidation and bullying against student athlete

A. Nature of Complaint and Background.

_____ is a _____ enrolled at Bellevue High School. Formerly, he was a student at Academic Institute, a private school in Bellevue. _____ played football for Bellevue High School the last three seasons.

On January 15, 2015, _____ emailed district athletic director Jeff Lowell with a complaint that Tracy Ford verbally abused _____ and tried to provoke _____ into a fight. _____ also complained that assistant coach Jeff Razore harassed _____ at school trying to convince _____ not to quit football at Bellevue High. In addition, _____ complained that TC Lewis, on behalf of the head football coach, was calling _____ without parent permission asking questions about football and making _____ uncomfortable.

B. Investigation.

I interviewed the following individuals regarding this complaint:

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- _____ and _____, complainants
- Butch Goncharoff, head football coach
- Pat Jones, assistant head coach
- Jeff Razore, assistant coach
- Matt Coombs, assistant coach
- Connor Mawhinney, assistant coach
- Dan Cerillo, assistant coach
- TC Lewis, former assistant coach
- Lauren McDaniels, Bellevue High athletic director
- Tim Olsen, Bellevue High interim athletic director
- Jeff Lowell, district athletic director
- Scott Powers, Bellevue High principal

I was unable to interview the following individuals regarding this complaint:

- Jennifer Vine, director of Academic Institute. She declined to be interviewed despite several requests from me and from Jeff Lowell, athletic director.
- Tracy Ford. He did not show for two scheduled interviews.
- Marc Avery-Airhart, Tracy Ford's employee. He did not show for a scheduled interview.

I reviewed the following records regarding this complaint:

- 2014-15 Bellevue High School football roster
- _____ emailed complaint, dated 1/14/2015
- _____ emailed complaint, dated 2/03/2015
- Sign-in sheets for annual coaches meeting, 8/18/2014
- Coaches Meeting Power Point Presentation, 8/18/2014
- Coach's Handbook 2014-15
- Email re: volunteer application status for coaching staff
- Volunteer application
- Letter to Tracy Ford prohibiting access to district property, dated 1/26/2015.
- District policies and procedures 5253, 5253P; 3207, 3207P; 4200, 4200P.

Set forth below is a summary of interviews and records reviewed.

1.) _____ and _____.

_____ complained in the January 14, 2015 email that a few weeks ago there was an incident at which Tracy Ford verbally abused _____ and postured as though to fight _____ and trying to provoke _____ into fighting him. _____ reached out to head football coach Butch Goncharoff immediately following the incident, but received no

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response. I interviewed [redacted] and [redacted] on January 31, 2015 and in several follow up telephone calls.

[redacted] explained that on Monday, December 8, 2014, following the last playoff game of the season, which Bellevue High lost, [redacted] went to the weight room to workout. Most of the football players were at the weight room. Everyone was told to sit. Butch Goncharoff told the players he was not going to be talking to the team and he left to go to his office. The coaches remaining in the room were Connor Mawhinney and Matt Coombs and Dan Cerillo. [redacted] explained that Connor Mawhinney, assistant coach, asked [redacted] to call Tracy Ford to see where he was. Everyone had been waiting about 10 minutes. [redacted] said he did not know why exactly Connor asked him to call Tracy, except that [redacted] was standing closest to Connor. [redacted] called Tracy, who replied he was at the school and then Tracy and his assistant Marc Airhart came into the weight room. [redacted] said Dan Cerillo left right away when Tracy arrived.

Tracy spoke to the team about how the players should be ashamed because they just lost a long winning streak. Tracy talked about his past and his tattoos and how he was a hustler and sold drugs. [redacted] said the inference was that Tracy is hard because of his past, whereas the players are soft. [redacted] said players were scared and intimidated. Tracy swore, using the "f" word and he called the players "bitches." Tracy said to the players something like, "We can go down the street with no one around and I can beat the f--- out of all of you."

Tracy called out [redacted] and said [redacted] was lazy, soft and a bitch and how Tracy had tried to get him to come to Tracy's gym and [redacted] did not go. [redacted] was not in the weight room because he was in the gym practicing basketball. Tracy said to [redacted] brother [redacted] something like, "You need to tell your brother to get his bitch ass in the weight room, he's lazy." [redacted] left the meeting before everyone else so he did not see [redacted] come to the weight room. Jeff Lowell was told that [redacted] came to the weight room after his brother texted or called to tell [redacted] what Tracy said about him and [redacted] confronted Tracy Ford. [redacted] said he heard that [redacted] came to the weight room from basketball practice and asked Tracy in front of the team, "Why did you call me a bitch?" [redacted] did not see [redacted] confronting Tracy.

[redacted] heard Tracy call another player [redacted] lazy and Tracy said [redacted] got hurt because he was lazy. Tracy called out [redacted] and said repeatedly that he was a selfish player and he was a bitch and a shitty teammate. [redacted] said he asked, "Explain to me how I'm a bad teammate?" Connor Mawhinney reminded [redacted] in front of the team about how [redacted] hit a player late during a game. Tracy said he could go on and on with examples about [redacted] and then said something like, "We can go one-on-one. I can beat the f--- out of you [redacted]." [redacted] replied, "I'm not scared" and he stood up. Tracy was about two feet away from [redacted] and Tracy stepped towards [redacted] and got in [redacted] face until their heads were touching and then other players intervened between them. Other coaches kicked [redacted] out of the weight room. No one called security. [redacted] was outside

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of the school alone in the rain and then his father arrived and _____ told him what happened.

_____ went into the weight room and said he saw about 50-60 kids and several coaches, including Tracy Ford, Marc Airhart and Matt Coombs. _____ asked Tracy to talk to him, but Tracy said, "I can't right now, I'm with my boys." _____ saw Butch Goncharoff's car outside before he went into the gym, so he went back outside and called Butch, who did not answer. _____ left a message and Butch never responded or got back to _____. _____ said after this meeting he stopped going to the weight room to work out and apparently there was talk that he would not be coming back to play football at Bellevue High.

_____ stated the date of this meeting was the first day freshmen football players worked out with the team and they were terrified of Tracy's statements.

After winter break, _____ was at school at Academic Institute. Assistant coach Jeff Razore came to his school and met one-on-one with Jennifer Vine, director of the school. Then she asked _____ into her office to talk to Jeff and she left. This was in the afternoon and _____ was in his T.A. period. The door was closed. _____ was angry with Jennifer for leaving him alone to talk to Jeff. Jeff talked about how the team played in its last game. Jeff told _____ things like, "If you leave Bellevue High football, you'll never get to come back" and "None of this will be here if you want to come back." Jeff showed him UW football coach Jim Peterson's contact information on his cell phone and said things like, "I can get you in any school [college.]" Jeff further said something to _____ to the effect that if he left Bellevue High football he would lose his scholarship at Academic Institute and he would not have the same college football opportunities. _____ said he told Jeff it was up to his parents.

After this meeting at Academic Institute, _____ said that assistant coach Connor Mawhinney called _____ and asked what he was doing and asked him to come to the weight room and work out. Connor talked to him about _____ had been in the wrong at the December meeting and asked if _____ knew why he had been kicked out of the weight room and he hoped to see _____ at the weight room that day. Connor asked if _____ was leaving Bellevue High football and if he was that it was a dumb decision. _____ told Connor he was in the right and the coaches were in the wrong. _____ said Connor did not ask _____ if he was leaving Bellevue High football.

TC Lewis also called _____. _____ described TC as Butch Goncharoff's muscle and silently working for Butch and he said that TC is not allowed to be on school property. TC said things to _____ like, "You should tell Butch if you are leaving Bellevue football or Butch could potentially mess with your college scholarship offers" and "I know you didn't like what was said by Jeff at that meeting at Academic Institute." _____ complained that TC Lewis was calling _____ directly without his permission.

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_____ stated that he and his wife did not withdraw _____ from Academic Institute. When _____ and _____ would not confirm to Jeff Razore or to Jennifer Vine, director of Academic Institute, that _____ would or would not continue to play football for Bellevue High, Jennifer Vine did not provide a schedule for _____. Jennifer did not specifically say _____ scholarship was withdrawn. I was unable to confirm the circumstances of _____ enrollment status at Academic Institute because Jennifer Vine declined to be interviewed.

2.) Butch Goncharoff, Head Coach.

Butch explained that _____ enrolled in Bellevue High in his freshman year. There were some behavior issues with him, but nothing was documented. When _____ was a sophomore, _____ called Butch to ask how he could enroll _____ into Academic Institute. Butch said he told _____ to talk to the athletic director Lance Gatter about it. _____ had behavior issues in his sophomore year with the team. _____ the quarterback, came to Butch after a drill in tears because _____ made some kind of comment in the drill about rape and _____ was upset because his sister was a rape victim. Butch said he did not recall the exact words _____ used, but he had thrown out the word rape or something like, "I'm going to rape this" during the drill. Butch talked to _____ about it and _____ apologized and _____ never used this word in any team setting since that incident. The incident was resolved without formal discipline.

In _____ junior year, 2014-15, _____ had several personal fouls against opponents and referees warned the coaching staff about him. After one such game when he was benched after a personal foul, _____ left the field after the game on his own without joining his team in the locker room. The next day, Butch met one-on-one with _____ to tell him that was not acceptable. After the second game when _____ had personal fouls in a game, Butch and assistant coach Matt Coombs met with _____ to tell him he would play in the next game but not start. _____ was upset. _____ called Butch to ask about what the coaches were doing to _____, and Butch explained he was seeing a pattern of _____ being angry and fouling in games. After this, _____ started doing better at games. Then there was an incident with _____ when the team was watching film in the conference room. _____ punched another player in the face. _____ was suspended for one or two games. Butch notified the principal of Bellevue High and the director of Academic Institute, _____ school. Butch notified _____ and he told _____ that _____ had anger issues and this was serious. After the suspension, Butch met with various people to decide whether to let _____ re-join the team and he ended up deciding to allow _____ to re-join the team. _____ started playing again and things were fine for the remainder of the season.

Butch stated that he had planned to address his team about the season and the playoff loss at the team banquet scheduled for Tuesday, December 9, 2014. On Monday afternoon, December 8th, he watched film with Pat Jones. Then Butch met with UW Coach Chris Petersen upstairs from the weight room in the teacher's lounge at about 5:00

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or 5:30 p.m. for about 30 minutes. He walked downstairs with Chris Petersen after their meeting and looked in the weight room and saw players and coaches in there. It looked like Tracy Ford was directing a meeting and Matt Coombs and Connor Mawhinney were also there. Butch said to the group something like, "Are you guys working out? What are you doing here? Go home." Someone said they were having a meeting about having to work in the weight room and the team needed to do better. Butch walked Chris Petersen outside to say goodbye and came back in the building and talked to Pat Jones to ask what was going on because he was not aware players were scheduled to work out that day.

That same evening, _____ called Butch and left a message that Tracy Ford had verbally attacked _____ and tried to provoke a fight. Butch did not return the call and decided to look into what happened. Butch did not tell the Bellevue High interim athletic director about _____ complaint. Butch attended the banquet and told the team it was time to move on. He did not address _____ complaint at that time. At some point after the banquet, he met with Tracy Ford and asked what happened. Tracy said he told _____ at the meeting that he was a great player and a bad teammate. _____ cursed and wanted to fight Tracy, left the room and called his father. Tracy said _____ was out of line and inappropriate. Butch told Tracy he would not keep Tracy on as strength and conditioning coach because Tracy held a team meeting without telling Butch about it and because he had embarrassed a player in front of the team. Butch said he also talked to assistant coach Matt Coombs about the team meeting at some point. Matt told Butch he had gone to use the weight room and did not know in advance there was to be a team meeting and it was the most uncomfortable meeting he had been in. Butch said Matt described the meeting as people assessing blame and Butch assumed that was what Matt meant when he said it was uncomfortable and he did not ask Matt further questions about it.

Butch never talked to _____ about what happened in the meeting and he never called _____ to discuss it. After the banquet, another player, _____ reported he had received a text message from _____ about what had happened at the team meeting. Butch said the text message from _____ told _____ something like, "You don't mean shit to this program...learn your f---ing place as a sophomore...I'm not getting kicked off the team. I didn't do anything wrong." Butch showed the text message to the principal, Scott Powers, at Bellevue High, but he did not talk to _____ about the text message.

When I followed up with _____ about this text message, he acknowledged he sent the text message and he explained it was in response to _____ text message to him which said that _____ was a stupid f---ing idiot, the coaches were right about what they said about _____ needed to keep his composure and _____ was going to get kicked off the team. _____ tried to retrieve the messages, but he changed cell phones in the interim period and was unable to provide it to me. _____ was upset that Butch only told me about

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the text message from [] and not the text message from [] to [] that started the conversation.

Butch said that after winter break, players were talking about how [] was going to transfer to a school in Florida. [] had not returned to working out in the weight room. Butch acknowledged he did not call [] to ask about what he was doing. Assistant coach Jeff Razore told Butch he went to talk to [] at Academic Institute and it went well.

TC Lewis called Butch a few days before our interview and told Butch he had talked to [] and [] and that [] was mad at Tracy Ford for confronting [] and TC asked Butch to talk to Tracy to make the problem go away. Butch told TC no and he could not get into what they talked about. Butch said he had not reached out to TC to tell him to contact the

3.) Pat Jones, Assistant Head Coach.

Pat is the assistant head coach and he said he has been in the position since about 2000-01. On the date of the team meeting in the weight room discussed above, Pat said he was in the locker room collecting gear. He watched film with Butch and then they walked to or by the weight room. They saw a lot of players in the room and Tracy Ford, Matt Coombs and he did not recall who else. The people in the weight room were talking. Pat said [] was not there and Tracy was upset. Pat was not able to explain why he knew [] was not in the room since he was unable to tell me which other players were in the room and/or all of the names of the adults. Butch tried to figure out what was going on because he did not call a meeting. Pat did not recall what Butch learned about what was going on or who said what. Pat only said he got a sense that people in the room were sad. Then Pat said that obviously something had happened with Tracy and Tracy was all fired up. Pat did not know when or how he learned it, but [] was upset about the meeting.

Pat said after the meeting, Butch talked to him and filled him in that he had let Tracy Ford go as weight room coach. Pat said as far as he is concerned, [] had three strikes against him now because [] used the "n" word in the meeting and because of an incident of texting another player. Pat said he and Butch had issues with Tracy and Tracy was being let go and they were going to let [] go too and as far as he is concerned [] is not allowed on the football team. Pat described other incidents he had no personal knowledge of, such as the different schools [] tried to get into. Pat also heard a rumor that the [] family was "playing the race card" in this current complaint and that was not okay.

Pat stated that Tracy was in the wrong in the meeting because he said things a coach should not say to a student when he was challenged by a student, but then Pat said he was told [] threatened Tracy and said he was going to kick Tracy's ass. Pat went on to say that [] had poor interactions with assistant coaches. Pat also said

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the [redacted] are lying about everything and that there was no such thing as a scholarship for [redacted] at Academic Institute and the [redacted] are lying about [redacted] scholarship being pulled because of something said by Jeff Razore or due to Jeff's influence.

4.) Jeff Razore, Assistant Coach.

Jeff Razore is on the football roster as an assistant coach. He said since [redacted] has been a student at Academic Institute Jeff has visited him there to talk about his grades and performance in school and to make sure he needed to be accountable. Jeff did not meet with other Bellevue High football athletes there. Jeff said he knew [redacted] was a student at Academic Institute because at some point [redacted] told him about it. Jeff was not at the meeting in the weight room following the playoff loss, but he knew there was a problem at the meeting, so he went to Academic Institute in January to check on [redacted] and ask how he was doing. He did not think [redacted] knew ahead of time that Jeff was coming. Jeff met with [redacted] one-on-one in director Jennifer Vine's office.

Jeff said when he met with [redacted] he asked how [redacted] was doing and [redacted] said fine and that he was transferring to a school in Florida and they were giving him a scholarship. Jeff asked why he was leaving Bellevue High football and [redacted] said he hated the coaching staff. Jeff asked [redacted] where he was going to college and [redacted] said he wanted to go to UW. Jeff said he did not know if UW was a good fit for him and schools like Montana State or Boise State were great for him. [redacted] told Jeff the coaching staff lost the game for the players and Jeff told him part of it had to be on the players too and he asked if [redacted] had been healthy for the game and taped his ankles. [redacted] agreed he did not tape his ankles and they discussed other players who were not ready for the game. Jeff said they ended the meeting with a hug and he told [redacted] whatever he chose to do he should know everything about the school he goes to.

5.) Matt Coombs, Assistant Coach.

Matt Coombs is on the roster as an assistant coach. He went to the weight room on the first Monday after the team lost its last game. He said it was typical for football athletes to go the weight room for workouts after the season is over. Tracy Ford was going to run the off-season program. Matt said he was unaware there was to be a meeting and when he arrived he saw Tracy Ford, Marc Airhart, Connor Mawhinney were there and Pat Jones was handling equipment return. Matt did not know where Butch was. Tracy talked and was all fired up, with raised voice, yelling, swearing, calling players "bitches" and he called out specific players because he felt the attitude of some players was for their own personal success and not success of the team and some players were not working hard enough. Tracy called out [redacted] and said he was not practicing hard enough.

Tracy called out [redacted] specifically and [redacted] asked, "What did I do?" [redacted] did not appreciate being called out in front of the team. Tracy told [redacted] he did not take care

of his teammates, and then Tracy also called another player and told him he was not practicing enough. Matt said in response to this, _____ got into Tracy's face and said "bullshit" and "I'm not scared of you." Matt was sitting in the back of the room and he started to come forward but players and coaches intervened. _____ was mad and players told him to get out. Tracy's assistant Marc Airhart told _____ to "get the 'F' out" and "You don't know what the 'F' you are talking about." Matt did not tell him to leave. _____ was upset and mad. Matt said, "I should have intervened." _____ came into the room shortly afterward and asked to talk to Tracy, who said he first had to finish talking to the players and then _____ left. _____ was upset. Matt did not intervene at all with Tracy or his comments to the team and Matt did not go out to talk to _____ and/or _____ to try to de-escalate things. Matt said Tracy's message was correct but not communicated properly.

After _____ left, everyone went around the room to talk about their experiences and what could have been done differently. Matt and Connor Mawhinney talked, as well as Pat Jones. Matt saw Butch come in to the meeting and ask what was going on and then ask if everyone was good. People responded yes.

Matt said he talked to Butch after the meeting at some point and they were discussing _____ plans. Matt had heard that _____ was not going to return to Bellevue High football because of what happened in the meeting in the weight room. Matt also knew that Jeff Razore was going to Academic Institute to talk to _____ and find out what was going on since _____ had not been at workouts.

6.) Connor Mawhinney, Assistant Coach.

Connor is an assistant coach. He said his last contact with _____ and _____ was at the meeting with the players in December after the last game. He did not see Butch at the meeting. Connor said the meeting was called to express expectations for the players and why it's important to be consistent and treat each other with respect. Departing senior players led it off and talked. Then Tracy told _____ he was a great player and a lousy teammate. _____ asked how he was a lousy teammate. Connor said, "I butted in and told him that he punched a teammate in the face during a meeting and he needed to treat players with respect." _____ got angry and stood up and got in Tracy's face and said something like, "I'll beat your f---ing ass right here." Players took _____ out. Then _____ came to the weight room and was loud and aggressive. Connor said he understood why _____ reacted that way because _____ tells lies and _____ probably got a different story about what happened. Connor recalled that _____ was not the only student called out by Tracy, but the other players who got called out did not react the same way as _____. Connor said he agreed that Tracy was swearing but it is football and he did not recall what was said. Connor said he did not see anything inappropriate in what Tracy had to say or the setting, but he was afraid _____ was going to attack Tracy. Connor said he had no contact with _____ after that meeting.

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7.) Dan Cerillo, Assistant Coach.

Dan is a volunteer assistant coach. He was told by someone either through a group text or on Facebook that there was a mandatory meeting called at the last minute to be held at the weight room following the last playoff game of the season. When Dan arrived most of the players were present and several coaches. Everyone was sitting and not working out. Butch walked in and asked the group, "What are you doing here?" Dan asked Butch if he had called the meeting and Butch said no, so Dan got up and left. Butch left and went to his office. As Dan drove away, Tracy Ford pulled up at the school in his car. Back at work awhile later, Dan started getting text messages from players. One of the players who called him said to Dan that Tracy Ford just went off on everyone and this was "bulls—t" and he was quitting the team. Dan said players texted him after the meeting that the meeting ended up with [redacted] got face to face with Tracy Ford and then Tracy told [redacted] to get out of the meeting and that [redacted] also got into Tracy's face about something Tracy said about [redacted] Dan said he later talked to [redacted] about it and [redacted] complained that Tracy called him out in the meeting and [redacted] said, "What kind of man talks to kids that way?" Dan called Matt Coombs, who had been at the meeting. Dan said Matt told him he was speechless about what happened at the meeting. Dan said Matt described Tracy arriving and initiating the meeting and making inappropriate comments to the players.

8.) TC Lewis, Former Assistant Coach.

TC is not currently a coach or volunteer for Bellevue High football. He used to be an assistant coach until he had a run-in with the athletic director Lance Gatter. TC said he is still disgruntled about not being a coach for the team, but he has moved on. TC did not attend the December meeting with the team. TC attended the football banquet the next evening and sat with [redacted] parents. TC heard from players at the banquet how the team meeting and that [redacted] got into it with Tracy Ford at the meeting. TC heard from players and from Matt Coombs that Tracy was telling the players about how Tracy used to be involved with drugs and gangs and Tracy said something to the players like, "If you want to go down the street I'll fight all of you" and Tracy told the players they did not work hard enough. TC was concerned because a lot of freshmen players were at the meeting and these comments would have been intimidating.

After that meeting, TC heard from another player, [redacted] and his father that [redacted] was not in class. TC called [redacted] on his cell phone to remind him about his scholarship offer at Montana State and talk about college football and to tell him to stay in school. TC said [redacted] send TC a text message asking why TC was talking to [redacted] without talking to [redacted] first. TC called [redacted] said he was not mad at TC but he thought TC should not be contacting his son without talking to [redacted] first. TC explained to [redacted] he was only calling [redacted] to remind him to stay in school and that missing school could hurt his recruiting chances. TC said everything was worked out between him and [redacted].

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After I interviewed TC Lewis, I followed up with _____ to confirm whether TC's statement to me that _____ did not have a problem with TC was correct. _____ confirmed that he had talked to TC and told TC it was not appropriate for TC to call or text his son without _____ permission and since the date of that conversation, TC has not contacted his son.

9.) Tracy Ford, Former Strength and Conditioning Coach, and his Employee/Assistant Marc Airhart.

Jeff Lowell arranged for me to interview Tracy Ford twice and he did not show up for either interview and he did not provide an explanation or try to re-schedule. Marc Airhart, his assistant, also agreed to be interviewed but he did not show up for his scheduled interview. Both Tracy and Marc were present at the December meeting in the weight room, according to other witnesses I interviewed.

Jeff Lowell interviewed Tracy regarding his actions in the December meeting and on January 26, 2015, Jeff issued a letter prohibiting Tracy from access to any district property for one year for disregard of district policy and procedure. Tracy's conduct at the December meeting in the weight room was one of the reasons for this letter. Jeff stated in the letter that at the meeting, Tracy used language considered to be harassing, intimidating and threatening when addressing the players.

Jeff Lowell noted that in his January 26, 2015 interview with Tracy Ford regarding the December 2014 team meeting in the weight room at the school, Tracy stated the following:

- He attended a player meeting at the school as a visitor without registering at the school's main office as a visitor.
- He called the meeting as an "alumni" of the football team.
- He told _____ in the meeting that he was a bad teammate.
- When _____ asked how he was a bad teammate, another coach told him it was because he had punched someone in the face earlier in the season.
- _____ should not have challenged an adult (Tracy) like that in front of others and adults told _____ to leave the room.
- While leaving, _____ said to Tracy "I'll beat your f---ing ass."
- Tracy denied cursing athletes, but he could have stated things better.
- His tone likely sounded aggressive.

Jeff noted that in meetings with Tracy Ford August 19, 2014, October 22, 2014 and December 2, 2014, he made Tracy aware of the need for all visitors to Bellevue School District to adhere to board policy to implement district programs in a safe and equitable manner and the welfare of students. In those meetings, Jeff established with Tracy that Tracy was not acting in a volunteer capacity or in a district paid coach capacity for the football program. Jeff explained that Tracy Ford told him he was being paid by

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the football booster club to do strength and conditioning for athletes in the off season, therefore, Jeff advised Tracy he was unable to act as a volunteer at the same time because it posed potential WIAA rule violation problems. Jeff Lowell provided me with a roster of the football team for 2014-15 and Tracy Ford is not listed as a coach. Tracy completed a volunteer application for the season, but the athletic director did not include him as a volunteer coach for the season after consulting with the head coaching staff about their list of approved coaches. However, Butch and other assistant coaches described Tracy Ford as the strength and conditioning coach who worked with players in the off season on campus in the weight room. Butch told me Tracy had completed volunteer paperwork, with the inference that Tracy was acting as a volunteer.

10. Lauren McDaniel, Bellevue High Athletic Director; Tim Olsen, Bellevue High Interim Athletic Director; Jeff Lowell, District Athletic Director; Scott Powers, Bellevue High Principal.

Lauren McDaniel was out on maternity leave from October 31, 2014 until February 2, 2015. After she returned from maternity leave, Butch Goncharoff met with her to explain that he had never responded to _____ and asked her if he should call him. She told him no. The district had initiated an investigation into the matter by that date. When Lauren returned from leave, she met with interim athletic director Tim Olsen and he filled her in on various issues that occurred in her absence and a complaint by a parent of a football athlete regarding a coach or adult at a player/team meeting in football was not something he told her about.

Tim Olsen, interim athletic director in Lauren's absence, stated that Butch Goncharoff did not notify him of a parent complaint by _____ regarding a coach or adult at a team meeting.

Scott Powers did not recall Butch Goncharoff telling him that Butch had decided to let Tracy Ford go as the strength coach. Scott would not have expected Butch to tell him that information because Tracy was not a volunteer coach and was not a district-paid coach. Scott did not receive a report from Butch that there was a parent complaint by _____ regarding Tracy Ford at a team meeting.

Jeff Lowell first heard about _____ complaint about what happened at the December team meeting from _____. Jeff then met with Butch Goncharoff to ask what had happened. This meeting with Butch was the first time Butch shared information about the incident with Jeff.

C. Conclusions.

1.) Tracy Ford.

District policy 3207 prohibits harassment, intimidation and bullying of students. Paraphrased in relevant part, it defines harassment, intimidation and bullying as any verbal or physical act when that act physically harms a student; has the effect of substantially interfering a student's education; is so severe, persistent or pervasive that it creates an intimidating or threatening educational environment; or has the effect of substantially disrupting the orderly operation of the school. Harassment, intimidation and bullying behaviors and expressions can include slurs, demeaning comments, gestures, physical attacks, threats, etc.

District policy 4200 and procedure 4200P regulate the conditions for visitors to schools. Visits are to have a purpose related to educational program or personal welfare of a student. Visitors must register at the office on their arrival at school. Visitors may not enter the school for purposes of conducting activities prohibited by board policy.

Volunteers for athletics for the district must complete an application and by signing the application, they agree to rules and requirements which include following district and school policies and procedures.

The Bellevue School District 2014-15 Coach's Handbook states in section I.2. Cautions for All Coaches, subsection 4, that coaches must be aware of what they say and check their conduct carefully to ensure they are not the cause of verbal or physical abuse and to refrain from negative, suggestive or profane idiom and do not discuss players with other players. The Handbook states that every coach is expected to be a role model of sportsmanship and conduct and (in all caps): understand that profanity and obscene language have no place in high school athletics. The Handbook further states that volunteer coaches are under the direct supervision of the head coach who is responsible for their directions. The Handbook states that the head coach has responsibility and leadership for overall supervision of the program at all levels and is responsible for the health and welfare and safety of athletes to the extent able to do so within his area of responsibility and control and influence. The Handbook also states that the head coach must respond timely to parent complaints, consulting with athletic director as needed.

I find that Tracy Ford's status at Bellevue High School when he attended the meeting in the weight room on Monday, December 8, 2014 is unclear. He was either a visitor or volunteer coach for off-season strength and conditioning paid by the football booster club. He did not register at the main office as a visitor. The District volunteer coach application process states that volunteer athletic coaching needs are determined by the needs of the school administration. He was not listed as a paid or volunteer coach on the 2014-15 team roster, which is the list the school's athletic director received from the coaching staff. He was told by the Jeff Lowell, the district athletic director, in fall 2014

that he was not acting in a volunteer capacity. The head coach and assistant coaches described him, however, as the off-season strength and conditioning coach and the players were in the weight room on December 8, 2014 to start off-season work.

In any case, whether his status was as a visitor or volunteer coach, he was required to adhere to district policies and procedures, which include the district policy prohibiting harassment, intimidation and bullying. If he was acting as a volunteer coach, he may also be bound by the provisions in the Coach's Handbook prohibiting verbal abuse, profanity and obscene language.

I conclude [redacted] complaint that Tracy Ford harassed him at the team meeting in December 2014 in the weight room at Bellevue High is substantiated. I find that Tracy yelled and swore at the players and called them "bitches" and by his own admission, his tone was aggressive. Assistant coach Matt Coombs said Tracy's tone was aggressive and Tracy was swearing. I find [redacted] statement that Tracy talked about his hustling and drug-using past to infer that he was tough and hard, while the players were soft, is likely true. He called out [redacted] and told him in front of the team and coaches that he was a bad teammate. Tracy led the meeting was standing, while [redacted] and most of the players were sitting on the floor. When Tracy and Connor Mawhinney told everyone the examples of why [redacted] was a bad teammate, [redacted] challenged Tracy and asked him to explain why he was a bad teammate. Tracy told [redacted] "We can go one-on-one and I can beat the f--- out of you." [redacted] said Tracy's challenge to fight was directed at [redacted] [redacted] said he told Tracy he was not scared and he stood up and Tracy stepped towards [redacted] and stood head to head with [redacted]. Connor Mawhinney and Matt Coombs said that [redacted] stood and got face to face with Tracy. According to [redacted] Tracy also made a general threat to all the players that he could "beat the f--- out of all of you." I find that [redacted] description of what was said and what occurred during the meeting is credible.

Regardless of whether Tracy or [redacted] stepped first towards each other, they ended up head to head in an aggressive posture likely to lead to fighting, with the immediate result of players and/or coaches having to intervene and pull them apart. The consequence for [redacted] was that he was told to leave the room and he ended up alone outside the school in the rain. [redacted] immediately reported to his father what had happened, which lead [redacted] to go to the weight room to try to talk to Tracy Ford, who told him to wait. Due to the heated exchange between [redacted] and Tracy, the confrontation between [redacted] and Tracy could likely have resulted in more escalation and aggression, except that [redacted] chose to walk away and leave the school. Tracy did not make himself available for an interview with me, which lends credibility to [redacted] statements about what occurred in the meeting. I conclude Tracy's actions were severe and threatening to [redacted] and his actions disrupted a team meeting. Tracy's actions resulted in [redacted] being excluded from the meeting. Tracy's actions were a major reason for [redacted] to stop attending conditioning workouts. I conclude Tracy Ford violated district policy and procedure prohibiting harassment, intimidation and bullying.

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2.) Butch Goncharoff.

It is unclear whether Tracy Ford led the December team meeting or attended the meeting at or under the direction of the head coach, Butch Goncharoff. I was unable to interview Tracy, but he stated to Jeff Lowell that alumni called the meeting. Tracy is an alumni. Everyone interviewed stated Tracy led the meeting. _____ said the meeting did not start until Tracy arrived. Butch stated he did not call the meeting and he did not know about the meeting beforehand. Accounts differ, however, as to whether Butch was aware of the meeting and allowed it to proceed. _____ said Butch told the team at the start of the meeting that he was not going to be addressing the team and he left to go to the office. Assistant coach Dan Cerillo said that Butch came to the weight room at the start of the meeting to ask what was going on and when Dan asked Butch if he was leading the meeting and Butch said no, Dan left the school. Pat Jones was unclear about when exactly he and Butch went to the weight room, except that Tracy was all fired up and _____ was not in the room. Matt Coombs did not know where Butch was during the meeting and he said Butch only came at the end when it was over. Butch denied that he was aware of the meeting ahead of time and only saw the team meeting when it was ending and he told people to leave. There is no evidence that Butch Goncharoff was present when Tracy made his harassing statements to _____ - I find there is insufficient evidence to conclude Tracy led the meeting at or under the direction of Butch Goncharoff.

District procedure 3207P regarding Prohibition of Harassment, Intimidation and Bullying states, "Any school staff to whom harassment, intimidation or bullying have been reported must take prompt and appropriate action to stop the harassment and to prevent its reoccurrence." Athletic coaches are included in the definition of school staff. The procedure also states that reports of minor incidents may be resolved immediately, but unresolved or severe incidents must be reported to the principal and an investigation will follow.

The 2014-15 Coaches Handbook states in the section regarding Responsibilities for Head Coaches, subsection 13, that head coaches must respond timely to parent complaints and consult with athletic director or school administrator for assistance as needed.

I find Butch Goncharoff received _____ complaint about Tracy Ford on the same date as the team meeting. Butch never responded to _____ or talked to _____ about the incident, therefore, an immediate resolution of this matter by the head coach was not possible.

Butch acknowledged he did not report the complaint to the school's interim athletic director, Tim Olsen. District athletic director, Jeff Lowell, confirmed Butch did not report the incident to him. Scott Powers, principal at Bellevue High, did not receive a

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report from Butch about the incident or a report that there was a parent complaint by [redacted] about a verbal or physical altercation at a player meeting.

Butch did some limited investigation on his own into the incident by talking to Tracy Ford and Matt Coombs, but he did not talk to [redacted] or [redacted]. After talking to Tracy, Butch was aware that according to Tracy there had been cursing and [redacted] had wanted to fight. Butch did not talk to [redacted] to hear his side of the what happened. Butch took action by telling Tracy Ford he was no longer a strength and conditioning coach with the team. Butch said he advised Scott Powers, principal, about letting Tracy Ford go, but Scott did not recall this conversation.

I conclude Butch did not comply with the Coaches Handbook requiring the head coach to timely respond to a parent complaint and/or obtain assistance from the athletic director or administrator. Butch's failure to communicate with [redacted] and [redacted] implied that Butch approved of Tracy Ford's actions in the team meeting and contributed to [redacted] anger at the coaching staff and his lack of attendance at off-season conditioning workouts in the weight room.

I conclude Butch violated district procedure 5352P requiring school staff, including athletic coaches, to whom harassment, intimidation or bullying have been reported to report unresolved and severe incidents to the principal. Butch did not resolve [redacted] complaint. Butch told Tracy he was no longer the off-season strength coach, but he never talked to [redacted] or [redacted] to investigate the facts or determine their needs or concerns in trying to resolve their complaint, nor did he communicate what steps he had taken regarding Tracy Ford to the [redacted]. I find Butch did not report the parent complaint to the interim athletic director, the district athletic director, or the building principal.

3.) Matt Coombs and Connor Mawhinney; December Team Meeting.

Matt Coombs and Connor Mawhinney are paid assistant coaches for the last four and five years, respectively. They both attended the August 18, 2014 Coaches Meeting. Connor stated he is not familiar with the Coach's Handbook and has not read it.

The August 18, 2014 Coaches Meeting presentation covered the district's policy prohibiting harassment, intimidation and bullying and provided a link to the policy on the district's website. Procedure 3207P states that any school staff who observes, overhears, or otherwise witnesses harassment, intimidation or bullying must take prompt and appropriate action to stop the harassment and prevent its reoccurrence. Staff includes athletic coaches. Section F of the procedure states: "All staff members will intervene when witnessing or receiving reports of harassment, intimidation or bullying."

The Coach's Handbook states on page 2 in the Cautions for All Coaches section that coaches are to ensure they are not the cause of verbal or physical abuse and to refrain

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from negative idioms and coaches are not to discuss players with other players. Page 3 of the Handbook states that every coach is to be a good role model and profanity and obscene language have no place in high school athletics. On August 1, 2014, Jeff Lowell notified all coaches that district email accounts were being provided for them and support was available to help access their email and district portals. He placed a computer in the coaches rooms at schools; including Bellevue High, for coaches to use to access email. Coaches were advised of the new handbook at the coaches meeting on August 18, 2014 and Jeff Lowell distributed the handbook electronically via email to all paid coaches on August 20, 2014. The power point presentation at the coaches meeting also covered negligence and coaches were warned about risks of failure to supervise and protect students from harm. The Coach's Handbook also states that only players and coaches are to be using weight rooms when the team has the facilities scheduled for team use and individuals not enrolled in the school may not work out with a team or observe or be present unless the event is open to the public at large.

I find that neither coach intervened or took any action during the December meeting when Tracy was yelling, swearing and calling out players, including Omar. Neither intervened when [redacted] and Tracy got head to head in a fighting posture or when [redacted] was told to leave the room or tried to de-escalate the situation with [redacted] or his father, [redacted] when [redacted] tried to talk to Tracy Ford about what happened. Matt Coombs stated he started forward from the back of the room when [redacted] and Tracy were head to head and it looked like they were going to fight, but someone else intervened first and pulled them apart. Matt said the meeting was uncomfortable and the manner of Tracy's delivery was wrong and maybe he should have intervened. Matt was aware that [redacted] was volatile. Matt stated he was surprised that Butch was not present at the meeting because Matt had never attended a team meeting when Butch was not present.

Connor Mawhinney stated that he did not see anything inappropriate in what Tracy said in the team meeting. There was swearing but he excused it as football and said he did not recall exactly what was said. Connor blamed [redacted] for being aggressive and admitted that when [redacted] asked how he was a bad teammate, Connor said he butted in and said, "You punched a teammate in the face during a meeting. You need to treat players with respect." Then [redacted] got angry and got in Tracy's face. Connor said it was time for [redacted] to leave because Connor was afraid [redacted] was going to attack Tracy. Connor was aware of [redacted] history of behavior issues on the team.

I find that Matt Coombs and Connor Mawhinney failed to intervene when Marc Airhart, Tracy's assistant in his business, Ford Sports Performance, was present at the meeting and Marc contributed to harassing [redacted] by telling [redacted] to "Get the f--- out" and "You don't know what the f--- you are talking about." Marc is not a coach and under provisions in the Coach's Handbook, he should not have been allowed to observe or be present at the team meeting, much less address a student player or direct a player to get out of the room. Neither Matt nor Connor took any action to intervene with Marc Airhart's actions in the meeting.

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I find that Connor Mawhinney engaged in part of the harassing conduct when he reminded [redacted], and the rest of the team about how [redacted] had punched a teammate during the season. Butch Goncharoff, the head coach, had dealt with that incident and [redacted] served the consequence of a suspension. Butch reported that [redacted] behavior was fine for the remainder of the season after that suspension. Connor's statement about [redacted] in front of the team, along with Tracy's remarks, led to [redacted] becoming upset and angry and confronting Tracy Ford in a head to head stance. Butch Goncharoff told Tracy Ford it was inappropriate for Tracy to have embarrassed [redacted] in front of the team and I find that Connor Mawhinney contributed to [redacted] embarrassment and escalation of the interaction between Tracy and [redacted].

I conclude that Matt Coombs and Connor Mawhinney violated district procedure 3207P, which requires school staff to intervene when witnessing harassment, intimidation or bullying. I conclude Matt Coombs and Connor Mawhinney did not comply with rules set forth in the Coaches Handbook regarding their responsibility to be good role models, ensure players are treated with respect, refrain from obscenities and profane language and refrain from negative comments and verbal abuse and discussing players with other players. Their passivity towards Tracy Ford and Marc Airhart, as well as Connor's participation in making negative comments about [redacted] in a team meeting following a significant playoff loss contributed to [redacted] feeling harassed and intimidated by the coaching staff and his lack of attendance in conditioning workouts in the off-season.

4.) Jeff Razore and Connor Mawhinney; Contacts with [redacted] after December Team Meeting.

[redacted] stated in his complaint that after he reported to Butch Goncharoff that Tracy Ford verbally attacked and postured like he was going to fight [redacted], and after [redacted] then expressed to some people that he might not play football for Bellevue High, Jeff Razore cornered [redacted] at his school and harassed him.

The Coach's Handbook states in section 2, Cautions for All Coaches, subsection 1, "Do not put yourself in a compromising situation. No one-on-one contact between an adult and athlete is appropriate. Always meet in a totally public place." Subsection 2 states, "Do not rely on your good reputation or put yourself in a position where it's your word against another individual's." Subsection 4 states "do not discuss players with other players." The Coaches Meeting presentation explained policy 5253 regarding maintaining professional staff/student boundaries. Procedure 5253P states that being alone with a student out of the view of others creates an appearance of impropriety and should be avoided.

Jeff Razore is a volunteer assistant coach. He did not attend the coaches meeting on August 18, 2014 and he does not recall if he ever completed a volunteer application with the district. The volunteer coordinator stated there is no volunteer application on file for him. He said he has been to coaches trainings in the past, but he did not recall

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when. He has never read a coaches handbook for the school and he does not know any of the policies and procedures for contacts with students. He said he has been a volunteer coach for several years. Butch Goncharoff was aware that Jeff Razore had been meeting with _____ at Academic Institute for years as well as in January 2015 and he did not have any problems with the meetings.

I find that Jeff Razore met one-on-one with _____ at Academic Institute in January 2015. Since their meeting was behind closed doors, no one can corroborate what was said by Jeff to _____ Jennifer Vine, director of Academic Institute, declined to be interviewed despite several requests. She met with Jeff Razore just prior to Jeff talking to _____, but I was unable to determine what they discussed. The immediate result of Jeff's meeting with _____ however, was _____ complaint to the district's athletic director about the December team meeting and Jeff's meeting with _____ complained that Jeff Razore told _____ if he did not continue to play football at Bellevue High he would not be able to continue to attend Academic Institute. I was unable to interview Jennifer Vine regarding the financial arrangements for _____ tuition and fees at Academic Institute. _____ no longer is enrolled at Academic Institute as of the date of this report, but I was unable to determine if his scholarship for tuition and fees was withdrawn or if he withdrew from the school and if so, under what circumstances. I find there is insufficient evidence to make a finding about whether Jeff threatened _____ that if he did not play for Bellevue High football that he would not be able to attend Academic Institute, but his one-one meeting behind closed doors with _____ as well as Academic Institute's lack of cooperation create the appearance of impropriety. I find that Jeff Razore's failure to complete application paperwork to be a volunteer for the district, to make himself familiar with district policies and procedures or the rules applicable to coaches in the coaches handbook despite having attended training for coaches at some point in his coaching career for the district violates generally recognized professional standards of conduct applicable to coaching staff.

I find that _____ statement about Connor Mawhinney contacting him by phone after the December team meeting in the weight room to talk to him about his actions in that meeting and to talk about teammate _____ leaving the football team is more than likely true. Connor denied he had any contact with _____ after the December meeting, but he admitted he had _____ cell phone number. Connor said _____ probably lied to his father about what happened in the meeting, but _____ statements about what occurred at the December meeting were corroborated by other adult witnesses and I find his statement about Connor calling him is credible. Connor's phone call was in the off-season, not during a period of time when Connor was actively coaching. _____ Connor told _____ in the phone call that _____ had been in the wrong in the team meeting and he talked about another player making a dumb decision in leaving the team.

Connor was trained in the August 18, 2014 Coaches Meeting that potentially unacceptable conduct under district policy 5253 regarding staff/student boundaries

included contact with students outside of school by phone or text message. District procedure 5253P states in section J that maintaining personal contact with a student outside of school by phone beyond legitimate school business without the awareness of the parent is inappropriate boundary invasion. The Coach's Handbook states that coaches should not discuss players with other players. Connor's remarks to _____ could reasonably have been interpreted by _____ as further demeaning comments about his behavior at the meeting and additional harassment. Connor was aware that _____ had not been attending conditioning workouts since the December meeting and there was talk that _____ might be leaving the team, so his remark about _____ teammate making a dumb decision in leaving the team raised the inference that _____ would be dumb if he left the team. _____ also took Connor's comment as an insult to his teammate. I conclude that Connor Mawhinney's telephone contact with _____ after the December team meeting constituted further harassment of _____ under district policy 3207. While Connor's phone contact was ostensibly about football related business, its content and that fact that it was done in the off-season create an appearance of impropriety under district policy 5253.

5.) Marc Airhart.

Marc Airhart is Tracy Ford's employee/assistant in his business Ford Sports Performance. Marc was provided an opportunity to be interviewed, but he did not show up for his scheduled interview with me and he did not provide a reason or ask to reschedule. Witnesses stated he attended the December team meeting on with Tracy Ford. Marc is not a volunteer coach or district paid coach for the team. Matt Coombs reported that after Tracy and _____ were head to head in a confrontation, Marc told _____ "Get the f---out" and "You don't know what the f--- you're talking about." I find that it is more likely than not true that Marc said these remarks to _____ at the meeting. Matt Coombs was credible in his statement to me about the meeting and Marc did not take advantage of his opportunity to provide a statement about the meeting. As a visitor to the school, Marc should have signed in with the main office, but if he accompanied Tracy Ford to the meeting it is likely he failed to do so since Tracy did not sign in. I find that Marc's presence at the meeting as Tracy's assistant added to the potential for intimidation at the meeting. He was not a coach. His directive to a student player to get out of the room and telling a player he did not know what he was talking about and using the "f" word violates the rules and policies of the Coach's Handbook and the policies and procedures applicable to visitors to the school.

6.) TC Lewis.

I find that: _____ / complaint that TC Lewis acted on behalf of head coach Butch Goncharoff when TC Lewis called _____, to talk to him about staying with or leaving Bellevue High football and his college football opportunities was not substantiated. Butch acknowledged TC Lewis called to talk to him about _____ but he denied directing TC to act on his behalf and call _____. TC stated he called _____ on his

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own initiative. _____ stated he made it clear with TC Lewis that he should not telephone his son without parental consent and TC Lewis has complied with that request.

Unless otherwise directed, this concludes my investigation.

Sincerely,



Shawn Ann Flood

/saf

enclosures: Records listed on page 2.

