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## Charges detail alleged discrimination at WAPS

by CHRIS ROGERS

Following students home, threatening to oust an LGBTQ student, calling a black student a "b\*\*\*\*" in front of a class — these were the alleged actions not of a schoolyard bully but of Winona Area Public Schools (WAPS) staff and contracted employees, according to a Minnesota Department of

“I realized that these kids couldn't even walk into my classroom to learn because they were so beleaguered in the hall, they were harassed at lunch, they were bullied by administrators and teachers.”

- WAPS staff member and whistleblower

Human Rights (DHR) charge of discrimination filed against the school district in 2017 and a WAPS staff member who documented the alleged incidents and others.

The DHR report outlines 15 incidents of alleged discrimination spanning from

see **DISCRIMINATION** page 5a

## Former students protest alleged racism at WAPS



Photo by Chris Rogers

Tova Strange comforted Rosena Duronvil-Bolduan after Duronvil-Bolduan spoke emotionally at a large protest last Saturday about how racism affected her growing up in Winona.

by CHRIS ROGERS

“Believe black students.” That was the rallying cry last Saturday, when over 200 people attended a demonstration at the Winona Senior High School (WSHS) titled “Recognizing Racism at WAPS [Winona Area Public Schools].” It was part of an ongoing series of protests and political action in Winona organized in response to the killing of George Floyd and other black Americans by police and systemic racism across the U.S.

Over a dozen former students of color, current students of color, parents, and cur-

rent and former staff members spoke out. Many described a lifetime of racist insults and slights, from the subtle to the egregious, and school officials dismissing their complaints or allegedly singling them out for punishment.

“For too long, the response to, ‘I was discriminated against,’ was, ‘Are you sure they meant it like that? Are you sure it wasn't a joke? Or maybe you just misheard them.’” event organizer Tova Strange said. “Well, we are here to tell you today, black and brown students don't lie about the daily pain and struggles they face every day because of their skin. We are here to tell

you that black and brown students matter and their ability to feel safe in schools matter and we demand you believe them.”

The event came as charges from the Minnesota Department of Human Rights that detailed alleged instances of discrimination against students of color by WAPS officials from 2014-2017 were contained in a Winona Post investigative report (see story page 1a; that story appeared online on Friday). Asked if the schools have changed since then, LaShara Morgan, the parent-organizer of Our Voices, a group for students

see **RACISM** page 5a

## WAPS ponders request to sever ties with WPD

### Orchestra reinstatement nixed

by ALEXANDRA RETTER

In a split vote, Winona Area Public Schools (WAPS) Board members rejected reinstating fourth-grade orchestra on Monday night. In another split vote, they agreed to discuss the possibility of eliminating the school resource officer (SRO) contract.

They also voted to establish two study groups under the direction of WAPS Superintendent Annette Freiheit that would include district leadership, staff members and relevant outside resources. One group will analyze student support services from social work to counseling, and the other group will evaluate the district's music program. The groups will provide incremental reports to the board as the analyses are completed, and final reports will arrive at the board table by December 2020.

### Considering the SRO contract

Like the rest of the country, Winona is grappling with questions of equity and inclusivity following George Floyd's death. The SRO contract is being examined after a rally at the high school last

see **PONDERS** page 8a

## Winona OKs annexation deal; pool will not open

by CHRIS ROGERS

On Monday night, the Winona City Council approved a new deal governing the city's southward expansion for years to come and agreed to not open the city pool this year.

### City, township strike new annexation deal

After over a year of negotiation, the City Council approved a new deal between Winona and its southern neighbor, Wilson Township, governing the city's expansion into township land.

In Pleasant Valley, the lines dividing city and township territory are currently a hodgepodge, with subdivisions like Cobblestone Creek/Phillips standing as islands of city territory surrounded by township land. The new Orderly Annexation Agreement (OAA), will streamline the process for the city to annex rural land in between Cobblestone Creek and the Treetops neighborhood. The OAA marks specific properties in this zone — areas where

see **ANNEXATION** page 4a

## YMCA enters first phase of reopening



Submitted photo

Community members participate in yoga at the YMCA.

by ALEXANDRA RETTER

The Winona Family YMCA began its first phase of reopening on Monday, June 15. Now, people may reserve a time slot at the Wellness Center, schedule in-person and virtual personal training, as well as access the outdoor group fitness and use the bathrooms in the family locker rooms.

“We've been getting asked a lot, ‘Why aren't more services available?’” Win-

ona Family YMCA Chief Executive Officer Janneke Sobeck said. “The bottom line is, we want to stay open. That means we have to open each space with great intentionality ... we're anticipating the first phase will be two weeks as we get members into the space and get comfortable with the flow.”

Sobeck said she was excited to welcome members back. “It's hard not having people in the building, because the Y is about community,” Sobeck shared.

“And we made our best effort to have that community virtually, but we are so excited to have people back in the space and support healthy lifestyles and choices.”

Individuals may reserve a time slot that is a maximum of 60-minutes long at the Wellness Center.

“We have a great Wellness Center, which includes cardio machines and

see **YMCA** page 7a

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# Discrimination

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2014-2017. WAPS denies the allegations, but agreed to a settlement.

The charges go on to accuse WAPS representatives of suspending a student for 2.5 days for swearing at a staff member while suspending a similarly situated white student for one day; allegedly blocking a black alumnus from visiting a classroom at a teacher's invitation while allowing white alumni to visit; taking down posters that promoted tolerance while allowing other posters to stand; and jerking a hood off a black student and suspending the student for wearing it, but not suspending white students also wearing hoodies. Unable to get a ride home, that suspended student returned to school at the end of the day to try to ride the bus home, and he was allegedly handcuffed, charged with trespassing, and "threatened with physical injury," according to the DHR report. When a teacher raised concerns about the treatment of that student, an individual working for WAPS allegedly "sent an all-faculty email message maligning the teacher's character," according to the DHR charge.

These allegations are coming out for the first time now because WAPS reached a settlement with the DHR this February, and, in response to a Winona Post data request this spring, WAPS released details about the DHR charges. It is WAPS' second settlement with the DHR over alleged discrimination in two years.

The DHR investigates allegations of discrimination as defined by state law, interviews complainants and respondents alike, and gathers evidence. A WAPS staff member whose complaints led to the DHR charges said that multiple witnesses to the incidents testified over a more than year-long investigation by the state. DHR Communications Director Taylor Putz explained the allegations were filed by former DHR Commissioner Kevin Lindsey — who served during the Dayton administration — and such charges are filed "whenever a commissioner has reason to believe that an entity is engaging in a discriminatory conduct." The settlement agreement states that "...the Department [of Human Rights] has not made any determination as to whether the probable cause exists to determine whether the [school] district has engaged in any allegedly discriminatory actions." Rather than take the case to court, WAPS and the DHR signed a settlement that requires the district, among other things, to conduct all-staff and all-student trainings on bias and to set policies limiting the role of the WAPS-Winona Police Department (WPD) school resource officer.

Current WAPS Superintendent Annette Freiheit joined the district last summer, years after the alleged incidents, and said she could not comment specifically on them. She struck a different tone from some of her predecessors. "It saddens me that something would occur, and I am now committed to just ensuring that we do not have experiences like that again and make sure we are completing what we need to do as far as the agreement," Freiheit said. Freiheit

stated that it is unacceptable for WAPS staff or contractors to follow students home. She added, "I don't believe in suspending a kid for a dress code violation unless there are extenuating circumstances — and there's always more to the story or more to an incident — but if we can fix that violation without sending a kid home — absolutely."

Asked if any staff members were disciplined as a result of the alleged incidents in 2014-2017, Freiheit reported that, "There were allegations and no disciplinary data exists." Under state law, personnel allegations against public employees only become public information if disciplinary action is taken. Freiheit's response that no data exists indicates that no staff members were disciplined.

A WAPS staff member who witnessed these alleged incidents and eventually reported them to the DHR spoke on condition of anonymity because of concerns about retaliation. "I did not want to file this report. I went to administration many, many times. I did not want to embarrass our district," the staff member said. Asked how these incidents affected students, the staff member stated, "They didn't feel safe."

That sentiment echoes concerns some students and staff have raised over the years. In 2016, a student group including many students of color held a public forum to speak out against the display of the Confederate flag in WAPS schools and to say that they don't feel safe at school. A 2015 incident in which the driver of a truck flying the Confederate flag struck and injured a four-year-old African-American child in Winona fueled tensions and public debates over the display of the flag at local schools. In a school-climate survey WAPS conducted last year, one student wrote, "It's full of racists and bullies. Nobody likes this place, and nobody feels safe." In the same survey, a staff member wrote, "I see that certain teachers make comments about students because of how the child is raised and family priorities." Forty-eight percent of parents surveyed said their children didn't feel comfortable reporting harassment or racial abuse to school officials.

The whistle-blowing staff member referenced Maslow's hierarchy of needs, a tenet of human psychology that states that if a person's basic needs for food, shelter, and safety aren't met, they can't focus on higher-level functions such as learning math. "I realized that these kids couldn't even walk into my classroom to learn because they were so beleaguered in the hall, they were harassed at lunch, they were bullied by administrators and teachers," the WAPS staff member claimed.

The staff member also described a shift in school culture around 2014, a time period when suspensions of black students were rising and their graduation rates were falling. "Once the hoodies are ripped off kids' heads, once you have an us-against-them sort of mentality, then what you see are the kinds of data that you see for our district: low graduation rates for students of color," the staff member stated.

At WAPS, like many Minnesota school districts, black students are more likely to be suspended and less likely to graduate than their white peers. WAPS suspended African-American students 8.5 times more

often than Caucasian students in the 2017-2018 school year. Along with many other districts, WAPS signed a settlement agreement with the DHR in 2018 over the racial disparities in student discipline. Since then, the racial gap in suspensions improved slightly — black students were suspended 6.9 times more often than white students in the 2018-2019 school year. In 2015, just a third of African-American students graduated from WAPS. The grad rate for black students rose to 67 percent in 2018, but was still more than 10 points behind the district's overall graduation rate. Test scores for students of varying ages show a persistent racial achievement gap at WAPS that widened from 2011 to 2017, with slight improvements since then.

WAPS' latest settlement with the DHR requires the district to conduct all-staff trainings once a year for the next two years on student discipline, implicit bias, and the appropriate role of the WPD school resource officer. It also requires training for all staff and the school resource officer on non-discrimination laws, and it mandates that the district give all students lessons on equity, inclusion, bias, harassment and bullying.

"I think the settlement agreement really speaks for itself," Putz, the DHR spokesperson, said. "In this case, the Winona Area Public Schools district agreed to come to the table to change its policies, practices, and procedures — really intended to create a more equitable, inclusive environment."

Those trainings will happen starting this fall, Freiheit reported. "I think it's important, given the climate in our country right now, that we really look and examine what our own thoughts are, and that's myself included," she stated. "It's not going to happen overnight, and we're going to have to plug away at it, and that's why our Diversity and Equity Committee is looking at a three-year professional development plan."

Implicit bias refers to subconscious prejudice. "[Students] started doing these social experiments where a black male would have a phone and white male would have a phone, and they would be in a classroom and note how a teacher responded very differently to that student of color than they did to the other student ... There were white kids who were like, 'I didn't believe you. Now I do,'" the WAPS staff member who reported the alleged incidents stated. "White teachers didn't even realize they were doing it. That's the issue," the staffer added. "I don't think there were evil people or bad people in our district, we are just so steeped in white supremacy."

The school resource officer (SRO) is a big part of the new settlement agreement. For years, WAPS has paid the WPD to provide an officer stationed nearly full-time at WAPS schools, primarily the high school. The DHR settlement required WAPS to rewrite its policies for what that officer's job is — specifically that the officer should be focused solely on criminal matters and immediate safety concerns and not be involved in student discipline. Among other duties, a 2011 contract between the WPD and WAPS asks the SRO to "confer with school district parents, students, neighbors, school personnel and other members of the community regarding pre-delinquent behavior." The district has revised its policy multiple times

since then, including changes made since the February settlement. The current policy draws a line between actual criminal behavior and immediate dangers the SRO should respond to and student discipline issues WAPS staff should handle.

The WAPS staff member who reported these issues to the DHR argued the school district should get rid of the SRO position entirely and "sever" its relationship with the WPD. The staff member claimed there had been a shift from a more community policing approach to a more aggressive one, with the SRO's squad car parked in a prominent spot just outside the school and local officers arresting students at school on numerous occasions. "It changes the climate of the school," the staff member stated. "We should not be arresting students. School should be sanctuaries." The staffer continued, "I shouldn't be forced to teach students their rights ... Students shouldn't be paraded through the school in handcuffs." Pointing to other schools districts eliminating officers in schools, the staff member added, "If Minneapolis can do it, if Portland can do it, Winona Area Public Schools can do it."

Freiheit said she is committed to moving WAPS forward. In a message to families and students following the killing of George Floyd, Freiheit wrote, "As an institution in Winona for more than 150 years, we acknowledge that we are culpable in the systemic racism that has plagued our community for generations, resulting in unforgivable inequities." Freiheit continued, writing, "We are committed to finding ways to consistently elevate all voices in our school district. We are dedicated to addressing our own implicit bias to improve as educators and advocates for all of our students, and that starts at the top with the district administrative team. We seek to develop relationships with those in our school community who have for too long been treated with indifference. We know these are just words, and they will ring hollow until you see results. We are asking that you hold us accountable."

Freiheit has delivered a different message on issues of race than some of her predecessors. Pressed on whether the racial disparities in student discipline were a problem, former superintendent Rich Dahman responded, "We would like to reduce suspensions for all students."

Asked about her response to Floyd's killing, Freiheit said, "I had to dig really deep for myself, to face my own issues. But I know that I was in a position where I can make a lot of impact for a lot of kids and for this community. I don't have the answers nor do I claim to, but I will do my best to find the answers. And I think the most important thing that I'm hearing from many is that we have to listen."

Action, not just statements, are needed, the WAPS staffer who raised concerns argued. The staffer said that the district needs to make it safe for students and families to talk about race, LGBTQ issues, and bullying. The staff member added, "I think an apology would be real nice. And to know that what they did caused long-term negative consequences for their students and their families and their siblings coming right up through the school district."

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# Racism

continued from page 1a

of color, said, "I can honestly tell you, I haven't seen a difference." Morgan said the experience of students of color today echoes her own as a WAPS student in the '90s. "We have people calling us n\*\*\*\*\*s on a daily basis. We keep telling the teachers, and they keep doing nothing," she stated.

WAPS Superintendent Annette Freiheit attended the demonstration, and in an interview, promised change and outlined steps WAPS was taking to achieve it. She stressed the importance of listening to the stories of students of color, saying, "We cannot judge them. We need to listen."

WAPS alumnus Teyanna Ross gave a sample of experiences at school: "Going to the bathroom and seeing my name along with a list of others under 'n\*\*\*\*\*s go to hell.' Reading 'Tom Sawyer' in English and having every kid in class turn to me when the word n\*\*\*\*\* appeared ... Nearly having the cop called on me for not removing a beanie hat, even though other students wear baseball caps all the time ... Always being mistaken for another black student or asked if we were related."

"From growing up in Winona, people have never made me forget that I was a black person in Winona," WAPS alumnus Rosena Duronvil-Bolduan said. "It's the little things that slowly led up to the big," she explained, describing how a teacher never learned how to pronounce her name in a full year of every day classes, "being told no one wants to play with a brown girl," having the slur n\*\*\*\*\* "casually thrown" at her in the halls, and how a once-trusted friend flung a racist insult at her. "It was at that point that I realized, it doesn't matter what someone knows about me, it doesn't matter how kind I can be to someone, at the end of the day, my skin color was what characterized me as a person," she stated.

Strange shared a story written by an anonymous current WAPS student, who is a black girl, describing a situation where a white girl called her a "n\*\*\*\*\*" in class. In the anonymous girl's telling, administrators doubted her claim and focused instead of how distraught the white girl was about the situation. "[They] had the two girls sit together, and pretty much demanded she accepted the white girl's tears and apology," Strange read, claiming that the white girl

was allowed to go home after that and the black girl was not.

Another black former student had a similar tale: "There's been a number of times I went to administration, which some administrators understand, some administrators did their jobs, but most didn't. They just really didn't care. They would just say, 'Oh, is that really a derogatory term,' when being called a monkey. When being told your hair is too nappy. 'That's not a derogatory term; that's just a statement,' is what I was told. But when it was anybody else or anything said to a white student, we were suspended or sent home for the rest of the day."

One WAPS alumnus said she stayed silent about the discrimination she saw in order to protect herself. "I didn't speak up because I watched my peers speak up and be plucked out, one by one, and stuck in the Alternative Learning Center, detention, and other segregated areas," she stated.

Why are black students seven times more likely to be suspended at WAPS than their white peers? another black, former student asked. "Why? Most would say it's because we're bad, a nuisance, we are whatever you may say, but it's just because you all don't know how to handle us. You all don't know the background of us and you're not trying to learn. You stick us in the ALC [Area Learning Center] because that where most of us go anyway and that's where we fit in, but in actuality, we should fit in here [at WSHS], too."

Several speakers spoke to cultural differences between black students and the predominately white school staff. "Staff and faculty made it very hard, sometimes, for children of color to even want to be in school because you're constantly being singled out because of just what they think, or their stereotypes, or [students] being loud — not understanding that, being black, loud is a love language," one alumnus said. "Understand that we might say, 'Yeah!' We might say, 'Yo!' We might say, 'What's good?' But understand this — it's all the same thing," Lavonte Thompson said, addressing white crowd members. "It's just a different language that you need to understand. We adopted your language. Understand a little bit of ours."

Maurella Cunningham, whose contract the School Board recently voted not to renew as WAPS director of learning and teacher, and who is WAPS' only administrator of color, spoke at the rally. "Several of the speakers earlier mentioned feeling that they

were silenced. I won't say much about that at this point in time, but that is true of students and staff. That's all I can say at this point in time." Cunningham called for an ombudsperson or an independent office at WAPS to hear and respond to allegations of discrimination and encouraged citizens to speak at School Board meetings and contact district officials. Currently, she said, "There are many voices not being heard, and if they are being heard, that's where it ends."

Patrick Boozhoo, the co-chair of WAPS' American Indian Parent Advisory Council, praised the alumni for their courage in speaking out. Highlighting racial disparities in student success, he said, "It's not just something that's going to go away." Turning to the audience, he added, "It's good to see a lot of you out here now, but it would be good to see you in another five to 10 years."

## WAPS' response

"I was very disheartened to hear that they were not being heard or listened to or taken seriously," Freiheit said of the speakers at Saturday's event. "And that is one of the things as we move forward with our implicit bias and cultural competency trainings." Partly because of DHR settlements and partly of its own volition, WAPS plans to have all teachers go through around 12 hours of implicit bias and cultural competency training this coming school year, according to Freiheit. Even more in-depth trainings are planned for future years. "It's a start," Freiheit said. "It is not the end ... this will always be continuous work." She continued, "As you heard all across the board, all cross the nation. It is systemic. It is generational. It is going to take great efforts on everybody's part and it's going to take self-reflection."

Freiheit also said WAPS is working on strategies to recruit more staff and teachers of color. "That is a big question, and it's going to require multiple strategies to change that," she stated.

Asked if she had a message for the alumni and others who spoke on Saturday, Freiheit said, "I heard what they said, and I know there are many more other stories out there, and I want them to know that hearing their stories makes it even more imperative to me to continue moving forward and no matter how uncomfortable the conversations with our staff are, we are going to move forward. And I want to put in place things that ensure these things don't happen for other students. As a professional educator and an administrator, it saddened me that things like that

have happened." She continued, "They do have a voice, and I want to build and nurture a system where they do have that voice, where that voice is taken seriously, and we honor their voices."

## Freiheit: WAPS will 'look at' student resource officer

At the demonstration, several speakers raised concerns about the role of police officers in WAPS schools and described students being arrested in school or having staff threaten to call the police on them. "It's the officer here. He isn't here to protect us, but target us," organizers read from an anonymous student's comments at a forum in 2015.

The school resource officer (SRO), a Winona Police Department officer the district pays to be stationed in schools, was a major part of the district's recent settlement with the DHR — including requirements that the SRO not get involved in non-criminal student discipline matters.

On Saturday, Strange declared, "I, with the support of the Winona Racial Injustice Coalition, demand that you, Winona Area Public Schools, dissolve the police partnership in Winona Area Public Schools immediately." She continued, "Instead, WAPS needs to hire counselors and liaisons of color to adequately understand and provide support to black, Indigenous, and other students of color in this school when they face discrimination and hatred every single day." She called for a restorative-justice approach to student discipline instead of zero-tolerance policies.

Asked if she felt WAPS should keep the SRO position or if she would support demands to eliminate it, Freiheit told the Post, "I think first of all, when you read our last agreement with the DHR with regard to this situation, we really have to make sure we are using [SROs] in the appropriate way and that means not in discipline investigations and that sort of thing." She continued, "I want to look at that position and the alternatives to that. If we don't have that in there, how do we support our students? Because that's the important thing."

Freiheit noted that the funding used for the SRO position could be repurposed for other staff positions.

Strange ended the rally on Saturday by asking attendees to contact School Board members, register to vote, and donate to support Our Voices.

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