

This is KPTZ 91.9FM in Port Townsend, Washington. I'm Nigel O'Shea bringing you news and commentary from the Jefferson County *Beacon* for Wednesday, November 13, 2024.

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The November 6 Quilcene School Board's Work Study meeting spanned a variety of voices. Words of LGBTQ+ children's authors were read to the combined online and in-person crowd of more than 60 people, over twenty of whom gave public comment, followed by legal advice from the school's lawyer.

The debate over a proposed resolution to remove a selection of LGBTQ+ books from the Quilcene School Library has been ongoing for months, but the most recent meeting brought a new depth with the legal expertise of Curtis Leonard, the school's attorney from Pacifica Law Group. He advises more than 30 school boards in the state. Leonard had been specifically asked by Ron Frantz, one of Quilcene's school board directors, to come and answer questions on issues of board policy. "As I look at Quilcene's School District's policies, I can see that they are based on [Washington State School Directors' Association]'s recommendations, which is a good place to be. I would say that puts you in a very safe place to follow your own policies...The biggest problem that I see in school districts and boards is that they don't follow their own policies"

He warned that if the board ever decides to deviate from state policy to "do so at your own risk, and make sure you have a sound basis for doing so." Board Director Jim Hodgson, who proposed the book removal resolution, spoke next. He noted that "the topic of banning books was discussed at the last meeting, and that word has never been in the resolution."

The policy resolution in question proposes the removal of a set of books from the school's library to then be donated to the Jefferson County Library, or, alternately, "the books shall be removed from the library and stored in a secure location." The resolution was proposed in response to a donation to the school library by Olympic Pride in 2022 to buy books that give students access to stories and information that reflect LGBTQ+ identities and help them feel seen and supported.

Hodgson's resolution claims these books contain "sensitive and controversial sexual topics." Hodgson said, "Nobody has banned a book, but we have asked that certain books, especially on the LGBT list that we were given, ought to have at least parental approval before we categorically say they're open to the public because it is a very controversial issue amongst the community, as you can see by the amount of support that has come here."

Hodgson then asked Leonard, "Is it appropriate to ask for parental permission slips for them to have access to certain books in our library?" Leonard replied, "You have an existing policy related to this. It talks about how library materials are adopted, how librarians select these materials, and within that policy there is even a complaint process in which if a complaint is lodged it goes to the principal." He added, "Be careful not to stray away from your policy. If you're all of a sudden dictating a new policy or a new process for only a certain type of book or a certain subset of books based on content, that's going to increase the liability of the district." He concluded, "Selecting a certain type of book or a topic of books and providing additional restrictions upon it could be problematic."

Leonard was also asked to speak regarding a resolution from a school board in Kennewick concerning transgender students' rights in athletics. Leonard said, "A lot has been said about the legal protections of transgender students within the State of Washington. That is codified in state law in Washington's Law Against Discrimination, in federal law under Title IX, and under your own board policies and procedures found in Board Policy 3211. Your own board policy, which is Gender Inclusive Schools Policy, allows students to

participate in athletics consistent with their own gender identity.” He added that if Quilcene were to adopt a similar policy to Kennewick’s, that “resolution likely exposes the district to some liability.”

Hodgson questioned the Title IX protections, bringing up the highest court in the land. Hodgson said, “The Supreme Court of the United States recently denied Title IX rule extensions protecting LGBTQ students, so it’s been put on hold as far as I know. How does that affect the position of the state and our policy?”

Leonard replied, “A lot of ink will be spread and a lot of litigation will happen under Title IX. There are arguments and there are cases all over in the court system related to, and to what extent does Title IX protect.” Leonard asked, “The question in front of the board should, and will be, to what extent do you want Quilcene to be involved in that litigation?” No resolution on either topic has been agreed upon. The Quilcene School Board’s next regular meeting will be held on Monday, November 18 at 6pm.

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KPTZ 91.9 FM brings you local news at noon and 5 Monday through Friday and at noon on Saturdays, partnering on Wednesday to bring you stories from the *Jefferson County Beacon*. This is Nigel O’Shea. Thanks for listening.