Clark Hill

**MEMORANDUM**

***REDACTED VERSION FOR PUBLICATION***

TO: Erin LaBotz, Board President of Kenowa Hills Public Schools
Kenowa Hills Public Schools Board of Education

FROM: Marshall W. Grate, Esq.
Mary C. Bradley, Esq.

CC: Dr. Cherie Horner, Superintendent

DATE: July 27, 2026; Updated August 21, 2026

SUBJECT: Investigation of Complaints Relating to Non-discrimination, Equal Employment Opportunity, and Sexual Harassment, and Complaints of Ethics Relating to the District's Football Program

## INTRODUCTION

This report is submitted pursuant to your request as Board President of the Board of Education ("Board") of Kenowa Hills Public Schools ("District") that legal counsel investigate a number of complaints. Initially, as communicated by Superintendent Dr. Cherie Horner in an email of April 7, 2026, the complaints were very wide-ranging, covering many topics. On the same day, I submitted an email to you, copied to Dr. Horner, summarizing the scope of the investigation as follows:

> Board Policies 1422 and 3122 commit the Board and the District to non-discrimination, equal employment opportunity, and anti-harassment. These policies prohibit harassment based on any protected category, including sex, and also prohibit any bullying of a staff member, "which involves any unwanted written, verbal, or physical behavior, including threatening, insulting, or dehumanizing gesture, by an adult, that is sufficiently severe or pervasive to create an intimidating, hostile, or offensive work environment . . . ." These policies authorize Dr. Horner, who at the time was the Compliance Officer in charge of the District's Human Resources department, to initiate an investigation of a complaint.
>
> We also will be cognizant of Board Policy 3210, Staff Ethics, which promotes effective and appropriate relationships with colleagues and with the community. In addition, we will be mindful of Board Policies 3362.01 and 3362.02, which prohibit threats against staff members and protect against disruptive, threatening, and violent

behaviors against employees such as yelling, profanity, vulgarity, and verbal abuse, among other misbehaviors.

Board Policies 1422 (Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment), 3122 (Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment), 3210 (Staff Ethics), 3362.01 (Threatening Behavior Toward Staff Members), and 3362.02 (Work Place Safety) are attached as ***Exhibit 1***, respectively. We are also attaching Board Policies No. 2210 (Curriculum Development—Approved Courses), No. 2200 (Adoption of Courses) and No. 2260 (Nondiscrimination and Access to Equal Educational Opportunities). In addition, it was understood at the initial phase of this investigation that we were to investigate complaints involving the football program and head football coach, Don Fellows. As the investigation evolved, the topics addressed transformed into the following:

**A. Complaints of Sex Discrimination and Sexual Harassment.**

We investigated general complaints of sex discrimination and sexual harassment. In this regard, we did not find sufficient evidence to support sex discrimination or sexual harassment claims, except as discussed herein in connection with District's strength and conditioning PE classes and programs. The investigation did confirm poor leadership qualities in some of the high school administration.

We investigated a specific concern of a possible retaliation claim under MCL 37.2701 and federal law involving the Knight strength and conditioning coach, [redacted]. Specifically, one of the District's assistant football coaches made inquiries to Cedar Springs Public Schools to recruit and hire a physical education teacher who held the same strength and conditioning credentials as [redacted]. We thoroughly investigated this allegation and conclude that there is no basis for a Title IX or sex discrimination retaliation claim.

**B. Football Program.**

Our investigation focused on several issues concerning the football program and Coach Don Fellows. These included:

1. **Coach Fellows Initial Hiring**. The District's hiring of Coach Don Fellows three years ago is a *fait accompli*. Furthermore, former Superintendent Gerald Hopkins took full responsibility for the hiring decision of Coach Fellows; perhaps, tacitly acknowledging that normal hiring procedures were not followed. Nonetheless, the fact remains is that Coach Fellows was hired three years ago, and, for the purposes of this investigation, we saw no legal benefit in revisiting that decision.

2. **Coach Fellows and His Son's Residence**. As we understand, there was controversy surrounding Coach Fellows' residence in the District once he was hired. Apparently, he established a residency at a duplex within the District's boundaries. The investigation finds that at present it is clear that Coach Fellows does not keep his primary domicile within the District, but instead, commutes from the Muskegon area. As to the questions of eligibility under the Michigan High School Athletic Association ("MHSAA") rules, former Superintendent Hopkins shared with us that this issue was investigated by the MHSAA and provided

documentation which we verified that there was no violation of MHSAA rules in connection with the residency issue involving Coach Fellows and his son. The MHSAA issued a partial waiver, which meant that his son did sit out for part of the season. Documentation of the MHSAA determination is attached as ***Exhibit 2,*** and the relevant determination is located at the bottom of Page 6 of this Exhibit. Furthermore, under the Michigan Revised School Code, employees of a district are legally entitled to enroll their children in the district even though they live outside the district. MCL388.1606(6)(h).

3. **Other Potential Violations of MHSAA Rules**. We did not find any evidence substantiating other violations of the MHSAA rules in connection with the football program, except for what is discussed herein in regard to the Knight strength and conditioning class ("Knight Strength Class").

**C. Knight Strength & Conditioning classes.**

Our investigation disclosed that there are still significant issues surrounding the Knight Strength Class which will be discussed in detail below. The football program still dominates the high school's 1st hour of the Knight Strength PE Class. Football coaches attend this class, and in fact, Coach Fellows has used the 1st hour class to conduct football drills in the gym which we believe violates the MHSAA rules and Board policies. He has had as many as 11 to 12 players conducting drills during the 2nd semester off-season during the first hour of Knight Strength PE class and often the number is 7 or more student football athletes. MHSAA rules allow for drills involving four players but certainly **not** during school instructional hours. See ***Exhibit 3*** (MHSAA Coaches Guidebook 2025-2026). We believe this practice is inconsistent with Board Policy No. 2210 relating to the development of course curriculum and approved courses, Board Policy No. 2220 Adoption of Courses of Study, and Board Policy No. 2260 which guarantees District students nondiscrimination and access to equal educational opportunity.

The high school administration, especially the principal and athletic director, failed to exercise fidelity or alacrity in implementing the Board's policy and guidelines for the District's Knight Strength PE classes. As of the writing this report, the status of first hour PE Knight strength class is uncertain as to student enrollment. As of the end of June 2026, the introductory strength class had 83 requests, and the advanced strength class had 297 student requests. Generally, the master schedule for the high school is not completed until July or August. Thus, the classes are known but what hour each class is to be scheduled – and who is to be in those classes – is not final given that there are still scheduling changes being made.

There is also a similar problem with the strength and conditioning opportunities that were implemented at the middle school. [redacted] implemented a "zero hour" of strength and conditioning at the middle school that was intended to be open to all students. ("Zero hour" means before the beginning of school.) The assistant strength coach, [redacted], is now the point person for this program. However, the football program took over this initiative which resulted in a zero hour of only male football athletes to the *de facto* exclusion of any female students. This scenario risks violation of Title IX and Michigan Civil Rights Act regarding sex discrimination in education programs and is incongruent with the Board's policies that guarantee equal education opportunities for all of its students.

As will be detailed herein, to correct the situation, this report will make the recommendations that include (1) total ban and exclusion of all athletic coaches and football coaches from their presence in the six high school PE hours of the Knight Strength Class; (2) ensuring that the 1st hour is open to female high school students and reconstituting the middle school program to ensure that that program is open to female students; (3) the Board and administration need to exercise a tighter rein on booster club activities and, in particular, the monies being spent on athletic programs especially related to football; (4) disciplinary action is recommended for the athletic director for ignoring potentially serious safety concerns of football coaches interfering and changing exercise routines by the experts within the Knight Strength Class and for retaliating against participants in this investigation, and we recommend disciplinary action against action Coach Fellows; and (5) it is recommended that the Principal be disciplined and placed on a plan of improvement regarding his leadership skills or lack thereof, and other actions are recommended in this report.

The investigation team included my colleague attorney Mary Bradley who conducted many of the interviews. Both Mary and I interviewed Coach Fellows and Athletic Director Ross Willick. The following individuals were interviewed as part of this investigation:

- [redacted]
- Ross Willick (Athletic Director)
- Nate Robrahn (Principal at Kenowa Hills High School)
- Don Fellows (Football Coach)

For the most part, the witnesses cooperated fully. All were advised that as a Board authorized investigation, they were expected to cooperate and be truthful in their responses. All were advised about the prohibition against retaliation.

We do want to make special note regarding three individuals. First, the former Superintendent Gerald Hopkins was very displeased with this investigation and attempted to shut it down. Secondly, Athletic Director Willick complained about the investigation and, although for

the most part cooperated during his interview, exhibited a defensive demeanor. Lastly, Coach Fellows did not appear for his scheduled in-person interview on June 24, 2026, despite written notice from Dr. Horner. We rescheduled him for a second time via Zoom, which was held on June 26, 2026. Coach Fellows was defensive and borderline hostile during his interview. At one point, due to his failure to answer questions, Marshall W. Grate had to threaten him with insubordination before the Board if he refused to cooperate in answering questions put to him. His responses can be characterized as dissembling and prevarication of the truth and, on occasion, his responses lacked veracity and challenged credulity.

## BACKGROUND AND TIMELINE

On **August 22, 2025**, a staff member (who has since left the District) raised concerns related to the exclusion of a female student-athlete from the first hour Knight's Strength and Conditioning program. The staff member alleged that the exclusion of the student presented issues related to the District's obligations pursuant to Title IX of the Education Amendments of 1972 and Michigan law. The staff member reported these concerns to the District's two Title IX coordinators, [redacted] and Dr. Cherie Horner. The staff member alleged that, in 2024, the student was not permitted to enroll in the first hour class because it was populated exclusively with male students, many of whom were participants in the football program. At the time of the fall 2025 investigation, 51 students were enrolled in the first hour Strength class. All were male and 48 of them were involved in the football program. The class size was not to exceed 50 students. In previous years, female students were enrolled in the first hour class. For example, in the fall of 2023, there were 20 male and 7 female students enrolled in the first hour class.

In light of the concerns raised, the District initiated an investigation into the first hour class to determine whether its practices were compliant with legal obligations pursuant to state and federal law. The District retained Clark Hill PLC to conduct the investigation. The investigation was completed in the fall of 2025, and legal counsel issue its findings and recommendations to the District's Board of Education. Those recommendations are summarized as follows:

1. All classes, including first hour, were open to all students regardless of gender or whether they were on a sports team;

2. Establishing an all-male class and an all-female class, as well as co-educational classes with both genders;

3. Allowing the football coach to submit a roster of players that he would like to see participate in first hour, but allow that other coaches be provided the same opportunity, including coaches for female teams.

After the findings and recommendations were issued regarding the changes for the first hour class, a committee was formed to determine the best path forward based on the legal recommendations and the needs and circumstances of the District and its high school. The committee was comprised of 14 different individuals and included the District's two Title IX Coordinators, one male student, one female student, staff, and administrators. The committee met on **December 16, 2025, and January 9, 2026**. The committee determined that the Knight's Strength class is to be made available to all students throughout the high school's six periods. The committee determined it was appropriate to provide introductory classes and advanced classes to

accommodate student needs and skill levels appropriately. No course selection was to be made based on rosters provided by a coach or personal preference but based on a student's educational needs. This determination was based on what is standard practice for other classes and student class selections. Further, coaches cannot require participation in Knight's Strength as a condition for eligibility or playing time. The committee's recommendation was provided to the Board of Education. The Board adopted the recommendation without any change, setting forth its expectations regarding the class and how it was to be implemented based on legal guidance and the determinations made by the 14-person committee.

However, beginning in **April 2026**, questions began to arise surrounding whether the recommendations of the committee and the expectations of the Board regarding the Knight's Strength class were being followed and implemented with fidelity. As such, a second investigation was initiated in late April. The investigation continued into the summer. Initially, the investigation was to determine whether staff were following the Board's policy as it aligned with Title IX and Michigan law. Additional information was discovered through the investigation that is of concern and is described herein. Such concerns include, but are not limited to, complaints of: sex discrimination, potential retaliation, failures in leadership, concerns about the football program and coach, safety issues presented by coaches in the weight room, violations of the Michigan High School Athletic Association (MHSAA) rules and Board policies, failure to follow financial protocols in the athletic department,[1] and additional concerns of retaliation occurring during the weekend of August 8, 2026. This investigation report follows.

## I. COMPLAINTS OF SEX DISCRIMINATION

### A. General Complaints of Sex Discrimination.

The general allegations of sex discrimination and/or harassment related to the high school. It is true that for the most part the high school administration, with one or two noted exceptions, is largely staffed by males, and the vast majority of the professional staff they supervise consist of females. This part of the investigation focused on teaching staff.

None of the teachers interviewed substantiated any legal grounds for finding sex discrimination or sexual harassment. One of the teachers interviewed stated that she did not personally experience any sex discrimination or sexual harassment. However, she heard of others who may have experience sex discrimination or sexual harassment, but they had retired or left the District.

There was a complaint about moving the Powder Puff fundraising game at the end of the 2024-2025 school year. The game was supposed to be in the second week in September. Athletic Director Willick and Principal Robrahn sent an email advising that they would not be able to conduct the fundraiser. One teacher commented that football is very big and the administration

[1] During this investigation, information was presented to the investigators that indicated that the football program and coaches do not follow financial protocols established by the athletic department. By way of example, information was obtained that, since his hiring three years ago, Coach Fellows has only submitted one purchase order. Coaches are expected to follow the department's financial protocols to maintain accurate budgetary records. No other coach is known to not follow these expectations. Mr. Willick was on notice of this concern, but it was not remedied.

caters to the football program which does become annoying. However, we do not find that this one particular incident constituted grounds for a sex discrimination complaint.

One witness commented on two teachers "being jerks." Actually, these two teachers are both involved in a Title IX investigation and a harassment/hostile working environment investigation based on complaints they have raised against each other, which is coming to a conclusion finding that these teachers were engaged in petty disputes arising more from personality conflicts. Both were misusing if not weaponizing Title IX and the District's grievance procedures and wholly failing to conduct themselves appropriately in the workplace to the detriment of their students and the wellbeing of the school community.

We found no facts or evidence that showed the administration was treating employees different because of sex. Neither did we find facts that showed female employees were exposed to a hostile work environment based on sex, in that they were victims of a severe or pervasive hostile work environment because of male employees' actions that involved sexual comments, innuendo, or sexual assaults.

**B. Potential Sex Discrimination Retaliation Claim.**

In [redacted] interview, she expressed concern over information she received that one of the football coaches, [redacted], had contacted Cedar Springs Public Schools to recruit a certified physical education teacher who is also certified in strength and conditioning to come to the District. She believed that this recruiting effort may have been in retaliation for her participation as a witness in the first investigation, and she communicated this belief to Athletic Director Willick when she found out about it.

As investigators and legal counsel, we were concerned about this allegation. Clearly, [redacted] engaged in protected activity when she participated in last year's investigation. It is also true that some of her comments were critical of the 1st hour Knight Strength Class as she believed, legally correctly, that the all-male football class violated sex discrimination laws.

We followed up on this allegation. When we interviewed Principal Robrahn and Athletic Director Willick, we asked them about this concern. Principal Robrahn responses exhibited indifference toward and detachment from this issue. Athletic Director Willick claimed he did not know anything about the initial contact and only found out about it later, but ascribed little significance to it. He was not alarmed even when asked whether the assistant football coach had Board authority to hire teachers in lieu of the administration's academic team. **He expressed ignorance of Booster club money and resources to hire additional coaches or to support athletic teams.**

We talked to the [redacted] at Cedar Springs Public Schools, [redacted]. Based on his knowledge, he confirmed that Kenowa Hills' assistant football coach [redacted] did contact physical education teacher [redacted] o see if he was interested in going to Kenowa Hills. According to [redacted], supposedly, [redacted] offered [redacted] a six-figure salary in excess of the teacher salary schedule in the Kenowa Hills Education Association collective bargaining agreement. The pretense for making this offer was physical education teacher [redacted] was retiring.

Mary Bradley interviewed [redacted] the assistant football coach. He stated that he knew [redacted] supposedly was going to retire, although apparently [redacted] changed his mind. But at the time, [redacted] believed that [redacted] may not be happy at Cedar Springs. He had known [redacted] for 20 years and had a personal relationship with him. [redacted] denied discussing salary. He was not seeking to replace [redacted] whom he presumed would continue to help the physical education teacher as she has done and is currently doing.

We contacted [redacted] who confirmed [redacted] statements. They had known each other for some time. Salary issues were not discussed. [redacted] did not form any impression that the contact was with the intent to displace [redacted]. For these reasons, we conclude that there is no evidence of retaliation against [redacted] because of her participation in the previous investigation.

It would seem that this contact was an innocent endeavor based on the circumstances and relationship. However, we believe it is unseemly that an assistant football coach would become a recruiting person for the District's administrative team without the administrative team's knowledge. We also believe there is a concern that once this contact was made known, that neither Athletic Director Willick nor Principal Robrahn sought to exercise the Board and administration's jurisdiction over hiring decisions by reminding the assistant football coaches that any recruiting interest should at the very least be pre-approved by and coordinated with the administration.

On a different matter, the investigation did disclose that Ross Willick and Don Fellows have been critical of [redacted] performance. They accuse her of attendance issues. Mr. Willick and Coach Fellows have pointed their fingers at [redacted] for not being in class or being on vacation, and because of that, they say she is the cause of concerns with student safety because she is not in the room.

These claims were not substantiated. [redacted] only takes a "prep" hour (which is less than an hour) once every two weeks on average. She is responsible for making sure prep work gets done, so she does need to do that work at some point. She runs six hours of class. Further, regardless of whether she is taking a prep (which she had discussed with Principal Robrahn) or if she is on vacation, [redacted] and [redacted] are designed as backups, and she makes sure they have everything they need to monitor the class, such as work out plans. She reports her time off through the District's systems but does not feel the need to tell Don Fellows (or any other coach) when she will be gone because it is not any of their concern.

In addition, based on our investigation, Ross Willick's evaluation of [redacted] was inadequate. It did not meet basic standards, especially regarding job observations. Ross Willick observed [redacted] when she was on break for prep work. Again, taking a "prep" was discussed with Principal Robrahn. Even though Mr. Willick and Principal Robrahn have allowed and even facilitated the football program taking over first hour of the Knight strength class and at the middle school, they have been critical of [redacted] alleged failure to increase female students' involvement in the strength and conditioning program.

**C. Nate Robrahn's Leadership as Principal of the High School.**

Although the investigation did not find substantive evidence of sex discrimination or sexual harassment complaints, the investigation did disclose a consistent and troubling theme regarding

the leadership of Principal Robrahn. Although teachers are not accountable for a principal's leadership abilities, the teaching staff was unanimous in their opinion that Principal Robrahn is a weak leader. Witnesses described him as follows:

- "Nate is non-confrontational."
- "Nate is good at personal relationships and a nice guy, but no leadership ability, no accountability for other people, cannot hold him accountable. Just not a good leader."
- "Nate is a nice guy but avoids conflict at any cost and cost to the team. Nate is not nefarious; just looks that way and people get away with murder. Interactions with Nate are not awesome. Nate does not yell, but he's bad holding people accountable."
- "Nate does not promote effective and appropriate relationships with colleagues."

As will be described in more detail under the category of the Knight Strength and Conditioning Program, Principal Robrahn has not taken forceful action to ensure the Board's policy or the decisions of the Strength Committee have been implemented for the Knight Strength Class nor has he conducted effective supervision of the athletic director or the football coaching program. It is apparent that there was little if any follow-through from the findings of the first investigation.

## II. COMPLAINTS AGAINST THE FOOTBALL PROGRAM AND COACH FELLOWS

### A. Hiring Decision.

In the first investigation that was conducted in the fall of 2025, there were concerns expressed over how the District hired Coach Fellows. Some witnesses stated that the normal hiring procedure and protocol were not followed. We did not pursue an investigation of this issue at the time because we viewed it outside the scope of our Title IX investigation.

This is still our view. The hiring decision occurred three years ago and has now become a *fait accompli*. Furthermore, it has been confirmed that the former Superintendent Gerald Hopkins expressed that he took full responsibility for the decision to hire Coach Fellows. Perhaps tacitly encompassed with this statement is the fact that the hiring decision did not follow normal protocols. However, even if Administration sidestepped its normal hiring procedures, this factor does not automatically make the decision illegal.

For what it is worth, the athletic director Ross Willick explained from his perspective some of the motivation behind the hiring of Coach Fellows. The District passed a large capital bond millage to finance among other projects, sports facilities. According to Athletic Director Willick, it was believed that a strong competitive football program would be extremely beneficial to the school, not only in terms of extracurricular opportunities for male students but also would perhaps improve enrollment by keeping students from leaving or attracting other students into the District. According to Athletic Director Willick, he believed that this was part of the motivation for hiring Coach Fellows who was known for having a winning record.

Whether Athletic Director Willick's comments represented the true public sentiment within the school community or not, the fact remains that three years ago the District hired Coach

Fellows for better or for worse. If the District did not follow its hiring protocol, then the blame does not rest with Coach Fellows, but it rests with the District. Ultimately, it rests with the former Superintendent who assumed full responsibility for the hiring decision. As far as I am concerned, this matter should be laid to rest. Coach Fellows cannot be blamed for the District's decision to hire him.

### B. Coach Fellows' Residency Issue.

As part of the investigation, we were asked to look into the issue of Coach Fellows' residency. Apparently, there was some controversy involving whether he actually established residency for his family or at least for himself and his son who plays as quarterback on the football team. We are convinced through this investigation that Coach Fellows does not maintain his domicile within the District but instead lives outside the District in the Muskegon community.

However, the controversy concerning residency again dates back three years when he was first hired as coach. Apparently, he did buy a duplex within the District and claimed residency at this duplex. Former Superintendent Hopkins advised that the MHSAA investigated the issue of whether Coach Fellows' son was eligible to play football during the first football season. Superintendent Hopkins shared with us a document from the MHSAA that found there was no violation of MHSAA rules. We verified this document. We do not believe it is worth pursuing an investigation of a matter that was looked into by the agency which is responsible for making that determination.

Furthermore, under the Michigan Revised School Code, and State School Aid Act, MCL 388.1606(6)(h), a school employee who lives outside the district is legally entitled to enroll their child in the district where they work. This rule applies to all school employees regardless of classification. Coach Fellows is directly employed by the District and is an employee, and therefore, he had the legal option under the to enroll his children in the District regardless of where he lived. We do not believe that there any grounds to question the issue surrounding Coach Fellows' residency and the eligibility of his son to play football.

### C. Other Violations of the MHSAA.

Even though we interviewed many individuals, none provided evidence that Coach Fellows has violated the MHSAA rules in connection with his football program, except for his activities involving second semester first hour of the Knight Strength PE class which will be discussed below.

## III. PROBLEMS WITH THE KNIGHT STRENGTH AND CONDITIONING PROGRAM

The investigation revealed ongoing problems with the Knight Strength Class, especially relating to the 1st hour of high school instruction and also with the Strength and Conditioning program that has been implemented at the middle school. There are four areas of concern:

1. The high school administration has not faithfully implemented the Board's policy regarding the Knight Strength Class as outlined in the Board's policy and guidelines statement. Similarly, the high school administration has not followed the

recommendations of the Knights Strength Committee, which was developed to implement the Board's policy.

2. Coach Fellows has continued to misuse the 1st hour of the Knight Strength Class to conduct football drills which violate the MHSAA coach's guidebook and Board policies.

3. The football coaches have interfered with the exercise routines developed by the strength and conditioning coaches which have created potential safety concerns. Even though [redacted] has addressed these safety concerns with Athletic Director Willick, they have been consciously and deliberately ignored, creating a potential safety issue for the students.

4. Depending on what happens this fall, the same concerns expressed in our 2025 investigation report regarding potential Title IX violations still exist. The Board's policy addressed these concerns, but unless the administration, particularly under the new Superintendent, takes a firm hand, the District may still be facing a strength and conditioning 1st hour class populated almost exclusively by males which violates Board policies, Title IX and the Michigan Revised School Code. There are concerns about the middle school program which has been taken over by the football coaches and now services exclusively male students (and male football players) which we believe presents fertile ground for another Title IX challenge.

**A. Factual Background.**

The Knight Strength Class curriculum description has not changed from the previous investigation report. The Knight program is offered as one semester (.5 credit) to all 9th through 12th grade students. The course description in the curriculum guide has not changed. The class is available for all six high school instructional periods. There is nothing in the curriculum guide indicating that any particular hours are restricted to male or female students or to student athletes. There is certainly nothing indicating that these PE classes can be reserved for football athletes or for the football program, which if they were would raise legal concerns**. Except for football coaches, no other athletic coach from any other sport—boys or girls—attend these PE classes.**

As we understand the Knight Strength program, it is offered as part of the academic curriculum for high school credit. The District receives taxpayer state school aid for offering this physical education class. There is nothing in the curriculum description that suggests the class is tailored to the needs of any particular extracurricular activity or sporting activity such as football or any other sport. At least in theory, the class should be available to all students – male and female – for the instructional six hours per day.

**B. Failure to Implement the Board's Guidelines.**

The Board set forth a list of guidelines for the Knight program for the 2026-2027 school year based on the recommendations of a 14-person committee. These guidelines are represented in ***Exhibit 4***. Among the key components of the guidelines were:

- All sessions open to all students, regardless of gender.
- Student access determined through standard course selection and scheduling process.
- Placement aligned to academic needs and student choice, consistent with all other courses.
- Scheduling will follow existing District policies, where students select courses and are placed in the student information system based on their overall academic profile.
- Any course change request must follow existing District procedures.
- When unique or unresolved circumstances arise, the building principal will make the final determination.

The Board did adopt the recommendation to introduce two levels of instruction for the Knight program – an introductory course and more advanced course. In fact, based on this investigation, if it is not too late, it is recommended that the two introductory courses be placed in the middle of the day sandwiched between two morning sessions of advanced classes and two afternoon sessions of advanced classes to accommodate athletes. Witnesses stated that there are benefits available to students who can transition from a morning workout to the strength class, or from a strength class to after school practice. As such, all of the District's athletes enrolled in the class can benefit from this suggested arrangement for classes to align with their morning or afternoon workouts.

The policy guidelines provided that coaches are recognized by the important role coaches play in supporting student athletes. The guidelines state:

- Coaches may provide student-athlete recommendations for the Knight Strength Class.
- The athletic director will ensure this opportunity is communicated to all coaches.
- The coaches may assist in providing relevant input including initial scheduling.

However, it is essential to be clear:

- Coaches may not require participation in the Knight Strength Class for eligibility or playing time in ANY sport.

Lastly, the guidelines provide: "Additionally, while coaches may access the class to support students, they may not supplant instruction during the school day. Coaches must work together with the teacher and strength and conditioning coach." The April policy statement was signed by Principal Robrahn, Athletic Director Willick, and the former Superintendent Gerald Hopkins.

It is important to note the timelines around the policy statement. As described by witnesses, the signed statement from Principal Robrahn, Athletic Director Willick, and former Superintendent Gerald Hopkins was hand-delivered to counselors in early April 2026.

Thereafter, Athletic Director Willick sent the following emails that contradicted the signed statement. Even though Athletic Director Willick signed the policy statement, on Monday, April 13, 2026, he communicated to coaches the following:

> We did not determine to specifically offer male and female classes separately, **but personally as the Athletic Director, I will push for 1st hour to incorporate as many male athletes as possible who are serious about S&C, as well as 6th hour for female athletes**. This does not mean girls would not be allowed in 1st, or males would not be allowed in 6th. **This would simply be a recommendation at this point to get like minded athletes from similar sports to work out together** and help push each other. (Emphasis added).

This email is attached as ***Exhibit 5***.

Ross Willick sent another email to the counseling staff the next day on April 14, 2026, that emphasized the same theme of establishing separate female and male classes. This email is also attached to ***Exhibit 5***. Mr. Willick specifically noted that "**no program will** (or currently is) value (*sic*) strength and conditioning like football." (Emphasis added). Further, Mr. Willick stated that:

> **I know an outcome from the committee wasn't specifically naming male and female classes, but I believe it would be advantageous to still group them together as much as you can**. Ideally for me, we'd have boys football, wrestling, soccer, basketball, baseball, track and lacrosse grouped into 1st and maybe 2nd hours, and girls volleyball, basketball, soccer, softball, and track grouped into 6th hour (knowing they won't all be able to). **If it's too challenging with the boys, you'd have enough football in 1st, and others in 2nd (or another hour)**. (Emphasis added).

This email created confusion among the counselors who are responsible for scheduling classes and within the athletic department. There is no reference in the Board's policy guidelines about "like-minded athletes" being concentrated in a particular class or developing a predominant male class and predominant female class. We have a clear conclusion that this communication regardless of the intent – and we likely believe that it was intentional – frustrated the implementation of the Board's policy by disregarding the Board and the committee's conclusions by advancing the interests of male athletes and football athletes in particular at the expense of female athletes and of the Board's policy statement.

During his interview, Athletic Director Willick explained that there was a lot of conversation within the committee about girls having their own class. He claimed he was not trying to create a gender-based class and that all six classes were open and available. Apparently, family members had experience in other school districts which had all male and all female classes. He claimed he is aware that other school districts have all male and all female classes. We do not find these explanations satisfactory. He signed the guidelines, and then actively sought to undermine their implementation.

Further, Athletic Director Willick explained that the email was simply a "recommendation" from him as athletic director. He said that he considered "like-minded" athletes to mean "serious athletes" who wanted to "put the work in." Athletic Director Willick's explanation does not align with his emails from April 2026. In his email to the coaches, Athletic Director Willick states that

male athletes should be in first hour and he recommended like-minded athletes from similar sports to work together. However, in his email to the counselors, he states that male and female athletes should still be grouped together and further states that football players should be in first, with other male athletes being in second hour. Students in similar sports would include, for example, athletes from baseball and softball working out together. However, it is clear based on Athletic Director Willick's emails that his intent was to not only still group male students together, but to still group football players together in first hour and place other athletes in other hours.

In his interview, Principal Robrahn admitted that Athletic Director Willick's plan was against what the Board wanted to do. Principal Robrahn supposedly had some discussion with Athletic Director Willick in which he told him he could have an opinion but that is not what the District was going to do. However, we did not see any repudiation in writing from the Principal, nor was Principal Robrahn's attempt at intervention or redirection of Mr. Willick successful. We find this to add to additional concerns that Principal Robrahn does not demonstrate strong leadership in his position as building principal and failed to ensure the Board's policy was followed by his staff.

[redacted] who is primarily responsible for creating the high school class schedule, clearly viewed Athletic Director Willick's email as unraveling the Board's guidelines. He stated that after Athletic Director Willick's email, counselors were frustrated about wasting time meeting over the guidelines. Athletic Director Willick was supposed to send a retraction but was instructed by former Superintendent Hopkins to not send a retraction; rather, he was instructed to rely on and use the letter signed and included with this report as ***Exhibit 4***. [redacted] said it was impossible to create a schedule and then re-do it with the 1st and 6th hour concepts. Former Superintendent Hopkins sent the letter regarding the Board policies out again on April 22, 2026, but still Athletic Director Willick provided no clarification or pulling back from his position. As of our interview with [redacted] on May 15, 2026, this whole issue was still unresolved. In fact, on June 2, 2026, a counselor reported to administration via email that a parent stated "she was told by the football coach that her son needs 1st hour Knights Strength next year," and that another individual reported she had "a current parent asking about the same thing yesterday."

Based on our interviews of those involved with this issue, one can only conclude that Athletic Director Willick's email communications about creating like-minded or separate classes for male and females was done with the intent to preserve the status quo as much as possible, frustrating the Board's policy guidelines. Regardless of whether that was his deliberate intent, which we suspect that it was, it had that effect. Athletic Director Willick's actions we believe are insubordinate to the former Superintendent and to the Board's direction on staffing these academic physical education classes of the Knight program.

It is our recommendation that the Board should follow through and insist that all six classes are open to everyone. It is important that they be open to ALL male and female students who are eligible to take the Knight program. This arrangement helps to ensure that students are placed in classes that work best for them and their scheduling needs, rather than being based on personal preference of a coach, athletic director, or other individual. To underscore this point, witnesses stated that they had concerns that scheduling based on personal preferences could pose an educational risk for students. For example, [redacted] [redacted] and [redacted] stated that placing students in first hour or sixth hour based on gender or preference is not equitable

because there are specific opportunities offered in the afternoon classes that students could benefit from. [redacted] stated that some students may be gone during fourth, fifth, or sixth hour because of dual enrollment at KCTC. Moreover, seniors have the opportunity to do an internship during their sixth hour class. Thus, if only female students are to be placed in sixth hour class based on personal preference, then it runs the risk of forcing female students to pick between the internship/ dual enrollment, and strength and conditioning, whereas male students do not have to make such a decision. Additionally, [redacted] stated that athletes that are Division I bound must meet certain academic requirements, and the strength and conditioning class does not count for those requirements. Thus, although strength and conditioning are undoubtedly beneficial to athletes, academic opportunities and requirements should not be sacrificed to the football program, which is an extra-curricular activity.

**C. Conducting Football Drills During 1st hour Knight Strength Class.**

In our previous investigation, we noted that Coach Fellows was using the 1st hour Knight Strength Class to conduct film review on Fridays with his football players. Former Superintendent Hopkins directed Coach Fellows to stop this practice.

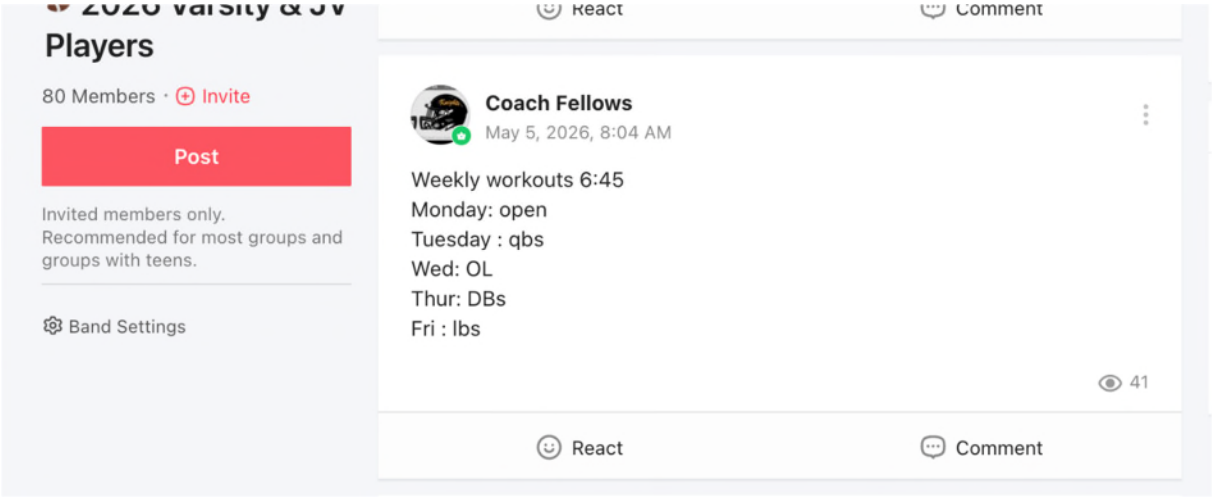
However, the investigation established that Coach Fellows is still misusing the 1st hour Knight Strength Class. Again, this is a physical education class offered for academic credit and paid for by taxpayer dollars through state school aid. During the second semester, [redacted] reported that Coach Fellows would take 15 to 20 minutes of the Knight Strength Class to orchestrate football drills with up to 12 football players in the gym. They would run routes and snaps. Coach Fellows was present as well as other coaches. It happens 2 or 3 times per week. [redacted] [redacted] did not care about this, and in fact, stated that Coach Fellows has total control over the weight training. [redacted] and [redacted] stated that several football students participated in these workouts during the first hour class and provided the names of several students who participated.

Coach Fellows was confronted with this practice during his interview. At first, he attempted to evade and dissemble in his responses, but when finally pressed, he admitted that football drills were being conducted this past second semester during the 1st hour Knight Strength Class using 12 or more members. Coach Fellows then asserted that he never made that admission and never directed the students to engage in practices at his direction.

The MHSAA guidelines limit out-of-season coaching to four students at a time. Regardless of how many coaches are present, the limit is four. The MHSAA rules never contemplate that practices, even of 4 or fewer students, are allowed to occur during instructional time. These drills have to be voluntarily structured and scheduled practice rotations throughout a facility of four groups moving from conditioning programs or weight training or open gyms to skill development sessions are permitted at the same time on the same campus, but no more than four player groups. These activities are to be considered part of an open gym and are student conducted, there is to be recreational emphasis and not an organized program and instruction or competition. There must not be any organized drills, practice structure, or no instruction by a person including team captains or parents.

Additional information was gathered during this investigation which brings into question whether workouts are being coordinated with players in violation of the MHSAA rules. [redacted]

reported that she would come to school and witness instances in which several students – above the 4-person limit – would be with a coach. She estimated that 8 or 9 students would be with a coach and be working on specific position footwork or skills. She said this occurred in the morning before class. Although this particular example does not involve the first hour class, it nonetheless speaks to additional concerns involving team workouts that are not permitted pursuant to the MHSAA rules. Regarding this issue and position-specific workouts, [redacted] provided the following screenshot, which was posted in May 2026 by Coach Fellows in a team application:




It is the conclusion of this investigation that Coach Fellows' use of the 1st hour Knight Strength Class violates MHSAA guidelines and Board policies. He is using more than four students to conduct football drills in the gymnasium during instructional time. There is nothing indicated in the MHSAA out-of-season coaching regulations that allows a coach to use instructional time for the purpose of football drills, especially ones involving more than four students at a time during instructional time. This use of an instructional class has never been approved by the Board, and we believe it violates the Board's commitment, as expressed in Policy No. 2260, to ensure nondiscrimination and access to equal educational opportunity, especially based on the student's sex.

**When questioned about knowledge of these activities, Athletic Director Willick claimed he had no knowledge.**

In light of this finding, we recommend that Coach Fellows be disciplined for his misuse of the 1st hour Knight Strength Class (as well as other reasons discussed herein). Furthermore, for this reason as well as others mentioned below, we recommend that no football coaches be allowed in ANY of the six-hour physical education classes, and for that matter, we recommend that ALL athletic coaches be barred from such classes.

We have no problem with athletic coaches consulting with the physical education teacher and the strength and conditioning coaches about developing routines or requesting consideration to help develop special strength and skillsets related to their sports, but for the reasons described below, at all times, the final determination of what is appropriate in the Knight Strength Class must rest with the instructor and the strength and conditioning coaches. Our two investigations have found that nothing but mischief has been created by allowing the football coaches to be part of this

instructional hour. We know of no other circumstance in any class where third-party outsiders are allowed to participate, control, govern, or even monitor academic courses. We see no reason why the same principle should apply to a Knight Strength Class.

We understand the importance of strength and conditioning, especially for contact sports such as football. The possibility of a zero hour for strength and conditioning remains subject to recommendations of the strength and conditioning coaches. But the academic school instruction is different. In fact, the MHSAA rules contemplate that any four person drills will be conducted outside instructional time. Specifically, for out-of-season conditioning and weightlifting, the following MHSAA rule applies: "Provided they are not mandatory or a part of team selection; conditioning and weightlifting are permitted year-round except during the summer dead period. Conditioning must be non-sport specific and not use any equipment such as balls, nets, dummies, sleds, or helmets. Jumps, cones, and fitness apparatus are permitted."

The investigation disclosed that the actions of the head football coach and his assistants violated the MHSSA off-season practice guidelines and Board policies. They should be removed from all six periods of strength and conditioning classes.

**D. Safety Issues and Inappropriate Statements to Students.**

There is a second reason that the football coaches should be removed from strength and conditioning classes. Both [redacted] and [redacted] acquired a Bachelor four-year education at Grand Valley State University in their field of expertise relating to physical exercise and strength and conditioning. They both have been certified in that area of expertise. None of the football coaches has received this type of education or certification.

[redacted] and [redacted] shared text messages from Coach Fellows in which he interfered with the strength and conditioning class insisting on changing it to "run his football program" among others. It was not just head Coach Fellows, but his assistant coaches interfered with their exercise routines. The football coaches would overrule [redacted] and [redacted] and add weights and repetitions to the exercise regimes. One assistant coach, [redacted], with no credentials in weight training and conditioning, added too much weight to one student lifting exercise, resulting in the student athlete falling, dropping the weights, and rolling his ankle in December 2025.

[redacted] met with Athletic Director Willick to discuss her concerns and complain about the potential safety hazards with the football coaches interfering with the weight and conditioning routines. She had a meeting with Athletic Director Willick, Principal Robrahn, and [redacted] in January 2026. The Athletic Director and Principal were dismissive of her concerns. In fact, after [redacted] raised concerns about student safety, Athletic Director Willick told her in May 2026 that she should let the student athletes keep doing what they were doing and, if they get hurt, it's on the coaches. More specifically, Athletic Director Willick emailed [redacted] on May 29, 2026, and wrote, in relevant part:

> As we discussed already with some of the football aspects... these kids are coming because of the push and expectations the program sets and makes. You are a compliment to the program, who does think this is the best interest of the kids and their program at this

> time. A FR is still lifting different weight than a SR would be. Some 8th won't be much different than 9th. If he is okay with some 8th graders possibly taking some rack time from upper classmen, that's on the program. **If an injury happens from too much weight, it's on their desire, not yours.** This is an advanced group of athletes, so I get it on his end. If it's too many, I'm confident together an adjustment can be made. (Emphasis added).

This email is attached as ***Exhibit 6***. Notably, a parent interviewed for this investigation stated that she did have questions surrounding the appropriateness of her 8th grade child working out with older high school students.

[redacted] disagreed with Athletic Director Willick's position. She stated in response that, "No matter whose decision it may be, the safety of the kids in the weight room falls on me as the professional in charge. I am liable for them, and if they were to get hurt, it would be on my liability insurance as a professional strength and conditioning coach.

Assistant coach [redacted] is a particular problem. He yells, uses profanities and makes inappropriate comments. For example, [redacted] reported that, during a workout with medicine balls, [redacted] stated to athletes that they were "trying to fuck the medicine ball because they got no girlfriends." A student reported this to [redacted]. She became so worried about the involvement of the coaches in the program that she began to document her concerns starting in January 2026. She reported her concerns to Principal Robrahn, especially coach [redacted] actions.

[redacted] is not the only coach to be reported to be engaged in inappropriate profanity with, toward, and in front of students. A student interviewed for this investigation reported that Coach Fellows uses the term "retard" frequently. She stated that she has heard Coach Fellows state to a student, "I love you, kid, but you're a fucking pussy." When other individuals were asked about Coach Fellows' language, they reported that Coach Fellows often uses profanity toward or in front of students, including calling students "fat ass." [redacted] stated, however, that the term "fat ass" in football can be seen as a term of endearment or meant to be positive. However, in our legal experience as educational law attorneys, any teacher or staff member who referred to students by these "terms of endearment" in a classroom setting would face serious disciplinary consequences.

This safety issue is an on-going problem despite the Strength and Conditioning staff reporting their concerns, including the concerns shared with them by students. As recently as July, we confirmed that the football coaches, particularly [redacted], continue to place the safety of students at risk. Coach Fellows asserted that he spoke to [redacted]. However, interventions, if any, were not effective. Moreover, [redacted] was made a building substitute and is frequently around, including in the weight room. Recently, a non-football student approached the strength coaches and reported concerns about a morning workout. More specifically, that student has had three knee surgeries but was told to do a back squat until he reached failure even though he initially told the coach he did not want to do a squat to failure. [redacted] is convinced that this interference was not in the student's best interest. Again, [redacted] has reported her concerns to Ross Willick, but safety concerns continue to this very day because they were not stopped, and

coaches continued to override the decisions and plans of the professionals in the room. To summarize, the reports of safety concerns gathered during the investigation include the following (many of which occurred after January 2026):

- A student using too much weight on the bar and twisting his ankle;
- A student being instructed to perform a back squat to failure despite his resistance to it due to repeated knee injuries;
- Students not exercising in accordance with their max weight percentages;
- Students being told not to engage in plyometrics because they were "pointless";
- Students being instructed to increase their lift weights "aggressively" and in a manner that is outside the standards of the National Strength and Conditioning Association (NSCA);
- When a student was seen struggling with too much weight, the student stated that a coach told him he could not do less weight than what that coach told him to do;
- Students being told they cannot "deload" even when it is in their best interest and physical wellbeing;
- A student being "reamed" for adjusting his workout to accommodate a concern with his hip;
- A student struggling to do a step-up because he had too much weight on his back.

When we confronted Coach Fellows with [redacted] evidence, he denied that he or his football coaches were changing the routines or going beyond the recommendations of the professionals in the class. Text messages contradict his assertion of ignorance. ***Exhibit 6***. We believe that this statement is not credible. Further, a current student reported that she witnessed Coach Fellows dismiss [redacted] recommendations during the 2025-2026 year. The student described an instance in which Coach Fellows came into [redacted] office and asked for a workout plan. When [redacted] handed Coach Fellows a plan, he informed her he was not doing it and would make his own plan. The student said she then asked [redacted], "does he always talk to you like that?" She said [redacted] did not respond to her and seemed to try to ignore the interaction with Coach Fellows.

Athletic Director Willick was asked in his interview about the public safety issues and meeting with [redacted]. He claimed he didn't remember about the student twisting his ankle. He claimed that there should be a partnership between [redacted] and the teacher of record. He agreed that she is the expert on strength and conditioning. [redacted] the teacher of record, stated that he did not have concerns about the safety of students. He stated that plans are not always followed, but that is normal because things can change for students. He stated that he has not seen [redacted] place the safety of students at risk and that he would not hurt students. He stated that he has seen some unsafe practices, but staff always address and correct those concerns. He said that he is aware that [redacted] has been frustrated with some things and sometimes they disagree. He stated she is a "very good" strength coach.

Athletic Director Willick admitted that as Athletic Director he is ultimately responsible for the physical safety of student athletes participating in the student sports programs. [redacted] presented documented evidence of interference with her expertise by the football coaches, which she reasonably believed placed student athletes' physical safety at risk. When she tried to address

this issue with the Athletic Director, he provided no satisfactory response and, in fact, failed to address this issue.

We believe his failure to follow up to ensure the safety of student athletes was irresponsible. We believe if there was a serious injury to a student athlete who was following his football coach's direction over the advice and recommendation of the strength and conditioning coach, it is likely that this incident would be regarded as gross negligence which would compromise the Board and District's defense of governmental immunity in any liability action. We believe so strongly in this conclusion that disciplinary action is warranted against Athletic Director Willick. All final decisions on exercise routines should default to and rest with the strength and conditioning coaches, who are the experts.

**E. Sex Discrimination Issues under State and Federal Law.**

When we conducted our investigation in the fall of 2025 regarding the Title IX or sex discrimination complaint involving the 1st hour Knight Strength Class, we found that there was an all-male class populated with football players with possibly one or two exceptions. We advised at that time that this class violated not only Title IX but also the Michigan Revised School Code, MCL 380l.1146. We made recommendations accordingly which apparently Board had adopted and in good faith attempted to implement.

We understood that probably nothing could be done for the second semester to correct this 1st hour situation because the high school class schedule had been set. Nevertheless, it should be noted that the 1st hour Knight Strength Class is all male populated by football players. The District was still out of compliance with Title IX, Michigan's Civil Rights Act, MCL 37.2401and the Michigan Revised School Code by allowing an all-male class.

We have concerns that the high school administration, especially as reflected in the actions to more or less undermine the Board's guidelines with respect to next year's 1st hour Knight Strength Class, might result in again an all-male 1st hour class dominated by football players. There is little evidence demonstrating that Principal Robrahn, Athletic Director Willick, and Coach Don Fellows have attempted to implement the Board's policy. Rather, their conduct demonstrates indifference for the Board's position, if not intentional disregard.

We believe there are some clear repercussions that occur with tolerating an all-male football class, or to use Athletic Director Willick's words, classes of "like-minded athletes." The reality is that probably female students do not feel comfortable in a class dominated by male student football players especially with their football coaches present.[2] This is especially true when coaches use profanity and, for one coach, make sexual comments. We believe that the tolerance of all male dominated football classes has impeded the participation by female athletes and certainly by female students in the Knight Strength Class. Further, populating the classes based on personal preferences of coaches or the athletic director poses educational risks for students, as such decisions are not made based on the student's individual needs, but rather on another person's

[2] A female student interviewed for this investigation stated that some football coaches would stay in the Strength class past first hour. She reported that she saw one or more coaches in her third hour class, and her friend reported the same for her fifth hour class. She stated that she felt the coaches were "staring at the girls" and it made her feel "weird."

unrelated desire to have students in the classes they want. As legal counsel, we want to emphasize the importance of opening all six physical education academic classes to both male and female students. It appears that the Board has chosen not to select the alternative course of an all-male class and an all-female class and then coed classes. In his interview, [redacted] confirmed the difficulties of implementing a schedule that incorporates separate all-male and female classes. Having chosen the course of opening all six periods to male and female students, the Board must ensure that the administration follows through on its policy guidelines.

The strength and conditioning coaches introduced a zero hour strength and conditioning course at the middle school. As we understand, the purpose behind the zero hour strength and conditioning course was to introduce strength and conditioning to middle school students to get them ready to participate in the physical education classes in high school. Unfortunately, the football program took over the zero hour strength and conditioning course at the middle school. During the second semester, this zero hour course was populated exclusively by male football students. There were no female students participating. Furthermore, there were no equal program of strength and conditioning for either female middle school students or for non-athletic middle school students in general.

If there is going to be a strength and conditioning course at the middle school, then to ensure Title IX compliance, it is our view, that it be open to ALL male and female students. Minimally, if there is going to be a strength and conditioning program at zero hour or after school devoted to football, then there needs to be at least another zero hour before or after school program available to other students and athletes not involved with football.

## VI. RETALIATION DURING THE WEEKEND OF AUGUST 8, 2026

During the weekend of August 8, 2026, concerns regarding retaliation against [redacted] and [redacted] were raised following two emails sent to them by Athletic Director Willick. Specifically, [redacted] and [redacted] were informed they were not to attend the fall coaches meeting to be held August 9, 2026, and, further, were prohibited from working with the football program effective immediately. They have attended the coaches meetings previously as Strength and Conditioning coaches. Additionally, [redacted] is a fall coach herself.

On Saturday, August 8, 2026, at 10:50 a.m., Mr. Willick stated via email:

> With the ongoing investigation please do not come to the coaches meeting tomorrow. You are welcome to share pertinent information to coaches via email at

> this time. [redacted] Nate and I are waiting to talk once this investigation is finalized (per [redacted] request), and that will be a very important next step.

That same day, in response to the email, [redacted] responded: "Thank you for your email. Can you please let me know why as a fall sports coach myself, I am unable to attend the meeting?"

Mr. Willick replied that evening, also informing [redacted] and [redacted] that were no longer permitted to work with the football program:

> In general I'll respond the same way, I can share more after the investigation is complete. As a coach there isn't much new anyways.
>
> Also, because of the concerns we haven't been able to discuss yet, with the season starting Monday you and [redacted] are not needed in working with the football program until further notice/discussion. This is my decision, not football's, but Don is aware.

The report of retaliation necessitated further investigation. In an interview about her concerns, [redacted] stated that, previously, she attended the coaches meetings as a strength and conditioning coach. The fall meeting on August 9, however, would have been her first coaches meeting that she would attend as a team coach. She recently filled a fall coaching position as the dance team's coach. [redacted] was informed on July 20, 2026, that a coaches meeting was to be held on August 9, 2026. She stated that attendance at the meeting is an expectation of the athletic department. [redacted] stated that she was informed the day before the meeting that she was not to attend due to the "ongoing investigation." She is not aware of any other reason she would have been told not to attend the meeting other than because of her participation in the investigation. She is not aware of any other individual who was told not to attend the meeting other than herself and [redacted]. [redacted] said that she received a nondescript agenda but otherwise was not updated on information discussed during the meeting. She said she has an assistant coach, but that individual could not attend due to her schedule as a nurse. Additionally, [redacted] said that she was told to no longer work with the football program anymore. She expressed concern because the dance team has performances during halftime or on the sidelines, so she will have involvement with football to a certain extent. She said being excluded from the meeting and from the football program has frustrated her ability to do her job. She is not aware of any other coach being excluded in a similar manner in previous years.

When asked about his emails to [redacted] and [redacted], Mr. Willick stated that he did not want to have [redacted] at the meeting because of he wanted to sit down and work through issues; that [redacted] did not want to meet until the investigation was over; and that he could not focus and do his work with her around, so he asked her to not go to the meeting. He said he did not have ill will or malicious intent when he made that decision. He said he assumed discomfort was mutual, so he asked her not to come to the meeting. He described it as a "distance issue."

Mr. Willick's retaliated against [redacted] and [redacted]. He barred them from a key job function because of the "ongoing investigation." He barred no one else. Mr. Willick provided no explanation that indicated that their exclusion from work-related activities was due to any reason other than their participation in the investigation and for raising concerns. His actions are

repugnant to state and federal civil rights laws that protect participants in investigations from retaliation.

Further, an individual interviewed for this investigation stated that students discussed fabricating stories to get [redacted] fired. For example, the witness reported that a rumor was to be developed that [redacted] bought alcohol for minors. A current student reported that students were going to fabricate stories to get [redacted] fired or force her to resign. Such reports evidence an intent to place [redacted] job in jeopardy due to her participation in an investigation. [redacted] was not the individual who brought forward concerns but was asked as the strength and conditioning coach to participate in her employer's investigation. [redacted] participation is understood to be in good faith, and she is acting in the best interest of the students with whom she works.

## VII. CONCLUSION AND RECOMMENDATIONS

In conclusion, this report has mixed findings. We do not find any evidence of a tangible sex discrimination or sexual harassment case involving staff members. We do not believe that further inquiry into the hiring and residential issues involving Coach Fellows are factually or legally warranted. He was hired by the District three years ago. The residency issue was reviewed by the MHSAA which found there was no violation. As a school employee, he is entitled to enroll his student in the District regardless of residency. We did not find evidence of any other MHSAA concerns outside of the Knight Strength Class. Although it may have been clumsy recruiting endeavor, we do not find that there was an effort to retaliate against [redacted] through the inquiries made about hiring the physical education strength and conditioning coach at Cedar Springs Public Schools.

However, with respect to the Knight Strength Class, there are ongoing problems that invoke significant legal concerns. The Board's guidelines were not faithfully implemented by the high school administration. We believe the fault largely lies with Athletic Director Willick and to a lesser extent with Principal Robrahn. Second, the football coaching staff, including Coach Fellows, has continued to misuse the 1st hour Knight Strength Class by conducting drills that violate the MHSAA guidelines. Furthermore, they override the strength and conditioning routines developed by the experts hired to conduct these academic courses. This interference has created safety issues for student athletes which have been brought to the attention of the Athletic Director, but he took no action to correct this situation. Lastly, unless the Board with the new Superintendent takes a firm hand, we are fearful that the high school administration will not reverse course on creating a 1st hour Knight Strength Class that is exclusively male and dedicated to football players.

For these reasons, we have the following recommendations:

1. The presence of football coaches and all other coaches should be excluded from the six periods of the Knight Strength Class.

2. Coaching staff can consult with [redacted] and the strength and conditioning coaches about strength and conditioning routines for their athletes and can ask about progress, but the final decision of what is appropriate and safe rests with the strength and conditioning coaches.

3. Coach Fellows should be disciplined over misusing the 1st hour Knight Strength Class, inadequate supervision of his coaches; operating a program that is incompatible with the Board policies, state and federal law regarding equal opportunities for girl athletes, and for providing misleading responses and ones that lacked veracity during his interview. He should be warned that any future actions of this nature will result in further disciplinary action up to and including termination of his contract. We suggest a two-game suspension. If he continues to exhibit defiance to the Superintendent's and Board's directives, then he should be found insubordinate and issued discipline up to and including discharge.

4. Athletic Director Willick should be disciplined for: (a) retaliation against participants who cooperated with the investigation; (b) failing to faithfully and with all fidelity and alacrity implementing the policy guidelines issued by the Board in which he, the former Superintendent Hopkins, and Principal Robrahn signed; (c) not ensuring the safety of his student athletes when concerns were addressed to him about the football coaches modifying the exercise routines developed by the certified strength and conditioning coaches. These actions justify his termination from employment.

5. Principal Nate Robrahn should be disciplined for inadequate supervision of the Athletic Director, the Knight Strength and Conditioning program and of the football program. As leader of the high school, he failed in his responsibility to ensure that these programs comply with Board policies, state and federal laws that require equal access to equal education opportunity for all students, including female students. We recommend a five (5) day unpaid suspension.

6. It appears that the primary function of the strength and conditioning coaches is to support the academic six period physical education program during the school instructional day. Consequently, we believe that the hiring, supervision, and evaluation of the strength and conditioning coaches should be removed from the Athletic Department and assumed by the academic team. Technically, the two strength and conditioning coaches work for the [redacted], [redacted], who should be involved in their supervision and evaluation. In addition, [redacted] complicit attitude and indifference needs to be addressed.

7. One concern that came to light during this investigation is that no one seems to know how much money is spent on the District's athletic program and, in particular, the football program by the booster clubs. The District should gain control over outside money spent by third parties on the athletic program. Failure to do so can create Title IX issues if the money is being inequitably distributed between male and female sports.

8. The District should be mindful of Title IX and the Michigan Revised School Code requirements with respect to tolerating, facilitating, or allowing all male classes. Under the Michigan Revised School Code, if there is an all-male class, then there has to be an all-female class and a coed class. This has not happened with the Knight Strength Class. In addition, allowing the football program to overtake the

strength and conditioning initiative at the middle school, has resulted in an all-male student athlete zero hour class. Female students and female athletes have not been provided similar opportunities which again exposes the District to a potential sex discrimination and Title IX challenge.

9. Lastly, we recommend that District self-report any potential violations to the MHSAA.

This concludes our investigation. As always, it has been a privilege to be of service to the Board of Education.