

## **Jury Verdicts and Settlements in K-12 Harassment & Bullying Cases** (February 2023 edition)

As part of Public Justice's [Students' Civil Rights Project](#), we track jury verdicts and settlements in harassment and bullying cases filed against school districts in federal and state courts throughout the country. Each case, organized by state, lists the relief achieved—both monetary and non-monetary—as well as the nature of the harassment or bullying, the number of plaintiffs, the basic facts, the causes of action, and the plaintiffs' attorneys. The list includes student-on-student and employee-on-student harassment cases. We hope this resource will be helpful to attorneys representing students in these cases.

If you are working on, or know of, a K-12 school harassment or bullying case that has resulted in a judgment or settlement, please let us know so that we can include the case on this list. Please send your information to Adele Kimmel, Director, Students' Civil Rights Project, at [akimmel@publicjustice.net](mailto:akimmel@publicjustice.net). In addition, if you are interested in obtaining co-counsel or other legal assistance from Public Justice on a harassment or bullying case, please contact us. School districts and officials need to comply with the law and respond appropriately to harassment and bullying. We want to make sure that they do. For more information, please read our primer, [Litigating Bullying Cases: Holding School Districts and Officials Accountable](#).

### **ALABAMA**

#### ***Doe v. Huntsville City Board of Education*, No. 5:21-cv-00110 (N.D. Ala. Filed Jan. 22, 2021)**

- Settlement: \$250,000.
- Harassment/Injuries: Severe assaults by other students resulting permanent physical injury.
- Single Plaintiff.
- Basic Facts: An eight-year-old student with multiple disabilities was severely physically assaulted by his classmates. Though he, his mother, and his grandfather reported the harassment to school employees, it continued. Ultimately, the plaintiff had to have one testicle removed as a result of the assaults. In lieu of addressing the harassment, school officials told the plaintiff to “become friends” with his harassers.
- Causes of Action: Violation of the Americans with Disabilities Act, 42 U.S.C. § 1983 Due Process and Equal Protection claims, post-report deliberate indifference in violation of Title IX, and various state law claims (including negligence, recklessness/wantonness, negligent/reckless/wanton hiring, training, and supervision, and tort of outrage).
- Plaintiff's Attorneys: Leila Watson, Joel T. Caldwell, and Hamilton Jordan of Cory Watson in Birmingham, Alabama.
- More Information: <https://www.campussafetymagazine.com/safety/huntsville-city-schools-settles-bullying-lawsuit/>

#### ***Hill v. Madison County School Board*, 957 F. Supp. 2d 1320 (N.D. Ala. 2013)**

- Settlement: Confidential.

- Harassment/Injuries: Sexual harassment and assault.
- Single Plaintiff.
- Basic Facts: An eighth grade student was propositioned by a classmate who had sexually harassed her in the past. She told a teacher, who told the principal. The principal advised that the boy had to be caught in the act to be punished, so the teacher told the girl to meet the boy in the bathroom as he had requested and that teachers would watch surveillance video and intervene before anything happened. At the last minute, the boy chose a different bathroom. The girl tried to stall him, but the teachers were watching a different bathroom and failed to intervene before the girl was raped.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claims for equal protection and substantive due process violations under 42 U.S.C. § 1983.
- Plaintiff's Attorneys: D. Anthony Mastando, Teri Ryder Mastando, Eric J. Artrip of Mastando & Artrip (Huntsville, AL); National Women's Law Center in Washington, DC.
- More Information: <https://www.cnn.com/2016/03/15/us/alabama-rape-bait-settlement/index.html>

***J.S. v. Houston County Board of Education (M.D. Ala. 2019)***

- Settlement: \$450,000
- Harassment/Injuries: Verbal and physical harassment; disability discrimination.
- Single Plaintiff.
- Basic Facts: A teacher and aide verbally and possibly physically abused 10-year-old Jose Salinas, a disabled student who suffers from cerebral palsy. After another student's parents told Jose's parents their daughter had witnessed the aide berating him, Jose's parents placed an audio device on his wheelchair and captured a recording of the teacher/aide verbally abusing the student for drooling. The recording also contained a sound that may have been a slap.
- Causes of Action: Violations of the Americans with Disabilities Act and the Rehabilitation Act
- Plaintiff's Attorney: William T. Johnson
- More Information: <https://www.wtv.com/content/news/450000-settlement-in-Houston-County-student-abuse-case-509410401.html>

## **ALASKA**

***T.F. v. Anchorage School District (Super. Ct. 3d Judicial Dist. 2004)***

- Settlement: \$4.5 million.
- Harassment/Injuries: Verbal and physical harassment; attempted suicide.
- Single Plaintiff.
- Basic Facts: Following repeated bullying by other students, T.F., a 14-year-old eighth grade student, attempted to hang himself and suffered irreversible brain damage. T.F.'s classmates regularly harassed him verbally and physically, pushing him in the hallways, knocking textbooks out of his hands, throwing his clarinet in the trash, and assaulting him in the bathroom.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Dennis Maloney of Anchorage, AK.
- More Information: <https://splc.org/2004/08/alaska-court-orders-school-to-release-settlement-terms/>; [http://www.akleg.gov/basis/get\\_documents.asp?session=30&docid=56476](http://www.akleg.gov/basis/get_documents.asp?session=30&docid=56476)

## **CALIFORNIA**

### ***A.H. v. Tamalpais High School District (Marin Cnty. Super. Ct. 2022)***

- Jury Verdict: \$10 million.
- Harassment/Injuries: Sexual abuse; severe emotional distress.
- Single Plaintiff.
- Basic Facts: Alexander Harrison was sexually abused by a tennis coach while he was a student at Tamalpais Union High School in the early 2000s. The abuser began grooming Harrison during his ninth-grade year, and ultimately conducted private “body fat tests” in which he touched Harrison inappropriately. Though the defendant school district knew about the body fat tests, school officials let the abuser off with a warning. The abuser is currently serving a prison sentence of 225 years to life for sexually abusing players at a private tennis program he ran.
- Causes of Action: Unknown.
- Plaintiff’s Attorney: Robert Allard of Corsiglia, McMahon & Allard.
- More Information: <https://www.businesswire.com/news/home/20220518005736/en/Marin-County-Jury-Awards-10-Million-to-Survivor-of-Tamalpais-High-School-Sexual-Abuse>; <https://www.nytimes.com/2022/05/11/sports/abuse-tennis-verdict-marin-county.html>; <https://www.marinij.com/2022/05/11/marin-verdict-school-district-owes-molested-athlete-10m/>.

### ***Antonia M. v. Pomona Unified School District, BC543558 (Los Angeles Super. Ct. 2016)***

- Jury Verdict: \$8,050,000 (\$7 million in past non-economic damages, \$1 million in future non-economic damages; \$50,000 in future medical expenses); 80% to be paid by school district, 20% to be paid by perpetrator.
- Harassment/Injuries: Sexual abuse; severe emotional distress.
- Single Plaintiff.
- Basic Facts: Steven Andrews taught at Lorbeer Middle School, where he identified and groomed a 12-year-old seventh grader in his history class. As early as 2001, other teachers had complained that too many girls were hanging out in Andrews’ classroom. One teacher had complained Andrews removed students too frequently from other classes for activities. Throughout the 2010-2011 school year, at which time this particular student was 14 years old, Andrews routinely gave her passes to leave other classes to be alone with him. He had physical contact with her inside his locked classroom and sexually abused her at his home when they were supposed to be on a school trip.
- Causes of Action: Negligent supervision
- Plaintiff’s Attorney: John Taylor and Natalie Weatherford of Taylor & Ring (Los Angeles, CA)
- More Information: <https://www.latimes.com/local/lanow/la-me-8-million-verdict-sex-abuse-teacher-20160511-story.html> ; <https://www.juryverdictalert.com/jury-verdicts/item/negligence-2/antonia-m-vs-pomona-unified-school-district>

### ***Brown v. Valley Christian Schools (Santa Clara Cnty. Sup. Ct. 2022)***

- Settlement: \$3.5 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: A coach sexually abused the plaintiff during her time as a high school athlete. After the coach’s abuse came to light, the school fired him from his coaching position but still allowed

him on campus (where he interacted with students) through his private business. The abuser has been charged with two dozen different criminal charges stemming from the abuse.

- Causes of Action: Unknown.
- Plaintiff's Attorneys: Robert Allard and Lauren Cerri of Corsiglia, McMahon, & Allard in San Jose, California.
- More Information: <https://www.mercurynews.com/2021/01/05/former-student-sues-valley-christian-high-school-alleging-coachs-unimpeded-sexual-abuse/>.

***Burke v. Brentwood Union School Dist., No. 3:15-cv-00286 (N.D. Cal. 2015)***

- Settlement: \$2 million.
- Harassment/Injuries: Sexual harassment; sexual assault; cyberbullying.
- Single Plaintiff.
- Basic Facts: Male student pressured middle school girl into sending nude pictures to him, then used the pictures to blackmail her into performing oral sex on him in school bathrooms on numerous occasions. Other students, part of a "sexting ring" discovered by police, posted pictures on Instagram of plaintiff performing oral sex.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection violation for failure to train; state law tort claims; California statutory claims for gender violence, deprivation of a civil right, freedom from violence, and sex discrimination.
- Plaintiff's Attorney: Peter W. Alfert, Hinton Alfert and Kahn LLP, Walnut Creek, CA; Todd A. Boley, Alameda, CA.
- More Information: <http://kron4.com/2017/11/07/video-victim-of-brentwood-middle-school-sexting-ring-wins-2-million-settlement-from-district/>.

***Callahan ex rel. Roe v. Gustine Unified School District, 678 F. Supp. 2d 1008 (E.D. Cal. 2009)***

- Settlement: Undisclosed amount.
- Harassment/Injuries: Sexual assault and hazing.
- Single Plaintiff.
- Basic Facts: Upper-class football players sexually assaulted a freshman teammate at a school-sponsored camp by blowing pressurized air through his rectum with a battery-powered air pump. The teammates also groped him in the shower and beat him on the head and face with a pillow case full of heavy objects. After the weekend, the freshman became the target of anti-gay taunts.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection violation; state tort law claims for sexual battery, assault and battery, intentional infliction of emotional distress, negligent supervision, negligent training and negligence per se; California state constitutional claim alleging an equal protection violation; and California statutory claims for gender violence, deprivation of a civil right, freedom from violence, sex discrimination, and vicarious liability of a parent for the willful acts of a minor.
- Plaintiff's Attorneys: Donald Proietti and Kimberly Flores of Allen, Proietti & Fagalde, LLP, Merced, CA.
- More Information: [http://www.gpo.gov/fdsys/pkg/USCOURTS-caed-1\\_07-cv-00796/pdf/USCOURTS-caed-1\\_07-cv-00796-8.pdf](http://www.gpo.gov/fdsys/pkg/USCOURTS-caed-1_07-cv-00796/pdf/USCOURTS-caed-1_07-cv-00796-8.pdf).

***Carlin v. Brentwood Union School District (2012)***

- Settlement: \$950,000.

- Injunctive relief: Teacher must leave classroom immediately and retire at the end of the year.
- Harassment/Injuries: Physical and emotional abuse; discrimination.
- Single Plaintiff.
- Basic facts: When Plaintiff's son, who has autism, was in pre-kindergarten, he was placed in the class of a teacher not credentialed to work with students with autism. When Plaintiff's son did not comply with the teacher's request that he join a circle, she pushed him to the ground and kicked him while yelling obscenities in front of at least a dozen students and aides. The school did not notify the parents, nor did it file a police report or contact CPS.
- Cause of action: Battery; negligence; failed mandated reporting duties; other claims unknown.
- Plaintiff's Attorney: Todd Boley; Peter Alfert.
- More Information: <https://www.mercurynews.com/2013/01/15/950000-settlement-after-teacher-abused-child-in-brentwood-classroom/>

***Charles Wong, et al. v. Santa Monica-Malibu Unified School District, Case No. 19STCV05418 (Cal. Super. Ct. Los Angeles Cty. 2020)***

- Jury Verdict: \$45,000,000.
- Multiple Plaintiffs (two parents o/b/o their two twins).
- Basic facts: A school behavioral aide physically abused twin students with disabilities. The lawsuit was filed against the elementary school, alleging that a behavioral aide forced the children—who had an extremely limited ability to communicate—to engage in behavior that would cause them pain. The abuse was reported to the district, and the lawsuit alleges that the District ignored the report and allow the abuse to continue.
- Cause of action: Unruh Civil Rights Act; Violations of Ca. Gov. Code Section 11135; Violations of Mandatory Duties under California Penal Code Sections 11164-111; Negligent Hiring, Retention, and Supervision; Intentional Inflection of Emotional Distress; Negligent Infliction of Emotional Distress.
- Plaintiffs' Attorneys: David W. German of Vanaman German LLP, Omar Qureshi of Qureshi Law PC.
- More Information: <https://smmirror.com/2022/10/jury-awards-family-of-special-needs-twins-45-million-in-abuse-lawsuit-against-smmusd/>

***Cleveland v. Taft Union High School District, No. S-1500-cv-279256 (Kern Cty. Super. Ct. 2019)***

- Jury Verdict: \$3,800,000 (\$1,400,000 in past non-economic losses; \$2,400,000 in future non-economic losses)
- Harassment/Injuries: Physical assault (gunshot wounds).
- Single Plaintiff.
- Basic facts: A student at Taft Union High School was seriously wounded by a fellow student who shot him in science class. Other students and school faculty had heard the shooter threaten to shoot people in the past and had reported that he had drawn a picture of people being shot. He was being bullied at school and abused at home.
- Cause of action: Negligence
- Plaintiff's Attorney: Daniel Rodriguez of Rodriguez & Associates (Bakersfield, CA)
- More Information: <https://blog.cvn.com/california-jury-hears-openings-in-nations-1st-school-shooting-negligence-trial/>; <https://cvn.com/proceedings/bowe-cleveland-v-taft-union-high-school-district-trial-2019-06-17>

***Doe v. Anaheim Union School District (Orange Cty. Super. Ct. 2019)***

- Settlement: \$7.9 million
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (five former students)
- Basic facts: Five former high school students were sexually abused by their water polo coach, Joshua Owens. At least seven school administrators were aware of allegations, but failed to report to CPS or interview alleged victims. Most recently, in 2015, after a former student emailed a teacher allegations against Owens, the school launched an investigation that it completed in less than 24 hours finding Owens not responsible. The coach went on to harass and abuse several other students in subsequent years because of the district's failure to take action.
- Cause of action: Unknown.
- Plaintiff's Attorney: Megan Stewart.
- More Information: <https://www.ocregister.com/2019/10/15/anaheim-uhsd-agrees-to-pay-kennedy-sex-abuse-victims-7-9-million/>; <https://www.ocregister.com/2019/10/16/kennedy-administrators-teachers-linked-to-sex-abuse-case-still-employed-by-anaheim-uhsd/>

***Doe, et al. v. Bassett Unified School Board (Los Angeles Cty. Super. Ct. 2018)***

- Settlement: \$1,750,000.
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (seven).
- Basic Facts: Janitor at a high school used snacks to lure students to the janitor's room where he would touch them inappropriately. Students at the time were aged between 10 to 12.
- Causes of Action: Negligent supervision, negligent hiring and/or retention, sexual harassment under local Civil Code § 51.9.
- Plaintiffs' Attorneys: Ralph Rios; Michael Carrillo, Luis Carrillo of Pasadena, CA.
- More Information: <https://www.sgvtribune.com/2018/12/13/families-sue-bassett-unified-for-negligence-in-case-involving-ex-janitor-who-inappropriately-touched-students/>; <https://edsources.org/updates/school-district-in-l-a-county-agrees-to-pay-victims-of-sex-abuse-by-janitor-1-75-million>

***Doe v. Berkeley Unified School District, No. RG20052743 (Alameda Cnty. Super. Ct. Filed Jan. 31, 2020)***

- Jury Verdict: \$365,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff Jane Doe, a high school student, was sexually assaulted by a classmate during school hours in an unlocked classroom. After Jane reported the assault, the school failed to take any steps to ensure her safety. Moreover, after reporting, the plaintiff learned that school officials knew her assailant had assaulted 6-10 other female students at the school and had failed to take any precautionary measures to protect female students like Jane.
- Cause of Action: Negligence.
- Plaintiff's Attorney: Jayne L. Walker of Gwilliam, Ivory, Chiosso, Cavalli & Brewer in Oakland, California.
- More Information: <https://www.legalreader.com/california-school-district-settles-sexual-assault-suit-filed-by-former-student-for-365k/>; <https://www.berkeleyside.org/2022/03/28/sexual-assault-lawsuit-sparked-berkeley-high-walkout-settles-365k#>.

***Doe v. Elk Grove Unified School District (Sacramento Cnty. Super. Ct. 2019)***

- Jury Verdict: \$1.135 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: A classroom volunteer reading aide, Eric Ernest Echols, sexually abused three elementary school students. The school did not sufficiently supervise the volunteer, missed numerous red flags, and failed to report the abuse.
- Cause of Action: Negligence
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.sacbee.com/community/elk-grove/article227681469.html>

***Doe v. Evergreen Elementary School District, et al., Case No.: 1-13-CV-254671 (Santa Clara Super. Ct. 2014)***

- Settlement: \$15 million
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic facts: A second grade teacher lured girls individually into his classroom when other children were gone, blindfolded them, and molested them, calling it a game of "Helen Keller." The school had suspicions about abuse but did not contact the police, CPS, or parents. The teacher was convicted in a criminal trial, and the school's former principal was convicted of failing to report suspected child abuse.
- Cause of action: Sexual abuse of a minor, negligence of employees/breach of mandatory duty, negligent hiring, intentional infliction of emotional distress, negligent infliction of emotional distress
- Plaintiff's Attorney: Robert Allard of Corsiglia, McMahon & Allard in San Jose, CA; others unknown.
- More Information: <https://www.mercurynews.com/2015/06/15/teacher-abuse-suit-san-joses-evergreen-district-to-pay-15-million/>

***Doe v. Hacienda La Puente School District (Los Angeles Cty. Super. Ct. 2017)***

- Jury Verdict: \$1.25 million
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic facts: A 37-year-old high school teacher, David Park, sexually abused a female student he met in his ninth-grade biology class. They started texting the following summer, and the abuse picked up in the fall of the next year. One school employee inadvertently saw Park was soliciting sex online from young women and reported to the administration, who recommended that Park solicit older sex partners. A teacher saw Park alone with a young female student in his car around the same time. Park was arrested, and another victim has since come forward. Park pleaded guilty to two felony counts and was sentenced to three years in state prison.
- Cause of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.latimes.com/local/lanow/la-me-edu-hacienda-school-sex-abuse-verdict-20171215-story.html>

***Doe v. Lodi Unified School District (San Joaquin Cty. Super. Ct. 2013)***

- Settlement: \$4.75 million (mid-trial settlement)

- Harassment/Injuries: Sexual assault
- Single Plaintiff.
- Basic facts: A special needs child, who was eight years old at the time but had the mental capacity of a five-year-old, was sexually assaulted by a bus driver while alone on a school bus on her way to school. Before the driver was hired, he was convicted of having sex with a prostitute while driving a potato chip delivery truck, a criminal history that should have precluded his hiring.
- Cause of action: Unknown.
- Plaintiff's Attorney: Manly, Stewart & Finaldi (Irvine, CA).
- More Information: <https://www.mercurynews.com/2013/03/05/record-settlement-for-mentally-disabled-girl-sexually-abused-on-lodi-school-bus/>

***Doe v. Los Angeles Unified School District (2014)***

- Settlement: \$139,250,500
- Harassment/Injuries: Sexual and physical abuse.
- Multiple Plaintiffs (82).
- Basic facts: Teacher Mark Berndt worked as a teacher at Miramonte Elementary School from 1979 to 2011, during which time he abused upwards of eighty students. Decades of allegations went ignored by the school district, including a parent who saw him drop his pants and students who saw him masturbating in class. Berndt was ultimately caught when a CVS film processor alerted police after seeing a roll of film depicting Berndt's students bound and gagged, covered in cockroaches, being spoon fed Berndt's semen. Berndt is serving a 25-year prison sentence.
- Cause of action: Unknown.
- Plaintiff's Attorney: Luis Carillo, John Manly, and Brian Claypool.
- More Information: [https://laist.com/2014/11/21/lausd\\_will\\_pay\\_140\\_million\\_to\\_82\\_vi.php](https://laist.com/2014/11/21/lausd_will_pay_140_million_to_82_vi.php)

***Doe v. Los Angeles Unified School District (2016)***

- Settlement: \$88 million to settle 30 cases of sexual abuse
- Harassment/Injuries: Sexual abuse
- Multiple Plaintiffs (30 total: 12 involving Telfair Elementary School teacher Paul Chapel III; 18 involving De La Torre Elementary School teacher Robert Pimentel)
- Basic facts: Teacher Paul Chapel III was first accused of lewd acts against third grade students in 2012. An internal investigation substantiated the claim, and he was found to have abused a dozen students at the school, including touching and kissing students' genitals. He had previously been dismissed by a private school related to accusations that he had sexually abused a male student. Several teachers raised concerns about Chapel's keeping children on his lap over the years but the school did nothing until the 2012 complaint. Robert Pimentel was questioned about allegations that he slapped young girls' buttocks as far back as 2002. He confessed at the time, blaming the behavior on medication that increased his sex hormones. He continued teaching, even though the school principal received a search warrant for his personnel files regarding an investigation that Pimentel had abused a child related to him. Complaints about Pimentel continued throughout the years until he finally left the school in 2012, after a student told her mother Pimentel had inappropriately touched her.
- Cause of action: Unknown
- Plaintiff's Attorney: Manly, Stewart & Finaldi (Irvine, CA).
- More Information: [https://laist.com/2016/05/17/lausd\\_to\\_pay\\_88\\_million\\_in\\_sex\\_abus.php](https://laist.com/2016/05/17/lausd_to_pay_88_million_in_sex_abus.php)

***Doe v. Los Angeles Unified School District (Los Angeles Cty. Super. Ct. 2016)***

- Settlement: Confidential
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic facts: Former biology teacher Michelle Yeh sexually abused two male students who were minors under the age of sixteen. Yeh flirted with the boys, showed favoritism, bought gifts for them, took them on trips, and ultimately escalated her conduct to sexual molestation. She also provided the boys with marijuana, alcohol, and prescription drugs, such as Xanax. The school had failed to investigate earlier claims that Yeh was grooming teenage boys for inappropriate conduct. Her teaching contract was not renewed, and she pleaded no contest to felony counts including sexual intercourse and oral copulation of a minor under 16 and committing lewd act on a child, as well as misdemeanor counts of child molestation and violating a court order prohibiting contact with the boys.
- Cause of action: Negligence, breach of mandatory duty, failure to report suspected child abuse.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.dailybreeze.com/2017/07/05/settlement-reached-in-case-of-teacher-sex-with-san-pedro-students/> ; <https://www.dailybreeze.com/2016/02/19/teenage-boy-in-sexual-relationship-with-san-pedro-high-school-teacher-sues-laUSD/>

***Doe v. Los Angeles Unified School District, No. 19STCV10386 (Cal. Super. Ct. Los Angeles Cty. Jan. 14, 2020)***

- Settlement: \$2.1 million.
- Harassment/Injuries: Teacher-on-student sexual harassment
- Single Plaintiff.
- Basic Facts: Teacher Paul Chapel was tried on criminal charges of performing a lewd act on a child. After the case ended in a hung jury, the Los Angeles Unified School District ended Chapel's suspension and allowed him to return to the classroom. He was assigned to Telfair Elementary School as a third grade teacher and remained in this position for several years. During this time, Chapel allegedly sexually abused several children, including 9-year-old Doe, whom Chapel allegedly kissed numerous times and forced to touch him. As a result of her experience, Doe has difficulty interacting with others and suffers from emotional distress and anxiety.
- Causes of Action: Negligence; negligent supervision, hiring, and retention; and failure to warn.
- Plaintiff's Attorneys: Michael S. Carrillo and Luis A. Carrillo
- More information: <https://www.nbclosangeles.com/news/local/judge-approves-2-1-million-sexual-abuse-settlement-between-laUSD-former-student/2364909/>.

***Doe v. Los Angeles Unified School District, 2019 WL 13122597 (Cal Super. Ct. Los Angeles Cty. 2019)***

- Settlement: \$52 million.
- Harassment/Injuries: Teacher-on-student sexual abuse.
- Multiple Plaintiffs (fifteen).
- Basic Facts: Fifteen victims of a high school wrestling coach sued the LA Unified School District for damages. The suit alleges that administrators received reports that a wrestling coach was abusing students, but failed to conduct a proper investigation into those incidents until the coach was arrested years later. The complaint also alleges that the school failed to report allegations against the coach to law enforcement, as required by California law—a failure

consistent with a broader pattern of the school failing to fulfill its mandatory reporting responsibilities.

- Causes of Action: State negligence claim, negligent supervision, negligent hiring, negligent failure to warn/train/educate, fraud, breach of fiduciary duty, intentional infliction of emotional distress, Civil Code § 51.9, Education Code § 220.
- Plaintiffs' Attorneys: John Manly, Morgan Stewart, & Saul Wolf of Manly, Stewart & Finaldi in Irvine, CA.
- More Information: <https://www.latimes.com/california/story/2022-10-12/52-million-settlement-for-kids-sexually-abused-by-laUSD-coach>

***Doe v. Los Angeles Unified School District (2022)***

- Settlement: \$14.7 million
- Harassment/Injuries: Teacher-on-student sexual abuse
- Multiple Plaintiffs.
- Basic Facts: Seven 9- and 10-year-old female students were sexually abused by a male teacher between August 2016 through January 2017. The teacher was convicted in 2018 of lewd acts with children and was sentenced to five years in prison.
- Causes of Action: Unknown
- Plaintiffs' Attorneys: Luis Carrillo, Michael Carrillo, Laura Jimenez, and Michael Marzban.
- More Information: <https://www.latimes.com/california/story/2022-01-18/lausd-settlement-with-sex-abuse-victims>

***Doe v. Los Gatos-Saratoga Union High School, Case No. 21CV376542 (Santa Clara Cty. Sup. Ct. 2021)***

- Settlement: \$3.4 million
- Harassment/Injuries: Coach-on-student sexual abuse.
- Single Plaintiff.
- Basic Facts: Woman was sexually abused by her track coach for more than three years while she was in high school in 1999. She quit the track team as a result. She later sued the school district, arguing that her mother had put the school on notice that there was a suspicious relationship ongoing between her and the coach. She was allowed to sue despite the substantial time that had passed between her abuse and lawsuit because of California Assembly Bill 218, which permits older sexual abuse cases to be reviewed until December 2022.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Lauren Cerri of Corsiglia, McMahon & Allard in San Jose, CA.
- More Information: <https://www.nbcbayarea.com/news/local/south-bay/los-gatos-high-school-sex-abuse-lawsuit/3027776/>

***Doe et al. v. Los Gatos-Saratoga Union High School (Santa Clara Cty. Sup. Ct., 2022)***

- Settlement: \$5.1 million
- Harassment/Injuries: Teacher-on-student sexual abuse.
- Multiple Plaintiffs (two).
- Basic Facts: Two people were sexually assaulted by a teacher at Blossom Hill Elementary School. One John Doe was assaulted in early 2020, while the other was assaulted in 2008-2009. John Doe 1 received a \$900,000 payout, while John Doe 2 received a \$4.2 million settlement. John Doe 2's abuse was "horrific" and led to him trying to genitally mutilate himself as a boy. Plaintiffs alleged the school district failed to discipline the teacher despite receiving multiple

reports of verbal abuse and sexual harassment. This lawsuit was allowed to proceed because of California's Assembly Bill 218, which extended the statute of limitations for victims of sexual abuse at public institutions.

- Causes of Action: Unknown.
- Plaintiffs' Attorneys: Mark Boskovich of Corsiglia, McMahon & Allard in San Jose, CA.
- More Information: <https://www.sanjoseinside.com/news/los-gatos-elementary-school-district-agrees-to-pay-5-1m-in-child-sex-abuse-case/>

***Doe v. Marlborough School, 2016 WL 10679504 (Los Angeles Cty. Super. Ct. 2016)***

- Settlement: Confidential
- Harassment/Injuries: Sexual abuse; pregnancy & miscarriage.
- Single Plaintiff.
- Basic Facts: A 16-year-old student at the Marlborough School was sexually abused by a teacher, Joseph Koettters, and became pregnant. He tried to convince her to have an abortion, and she became distressed and bulimic from the stress. She ultimately miscarried and did not disclose any of what she had endured until she was in her late twenties. Multiple other students have come forward about the same teacher in recent years.
- Cause of Action: Negligence and other state tort claims.
- Plaintiff's Attorney: David Ring of Taylor Ring in Los Angeles, CA.
- More Information: <https://www.latimes.com/local/education/la-me-marlborough-settlement-20171004-story.html>

***Doe v. Marlborough School (Los Angeles Cty. Super. Ct. 2017)***

- Settlement: Confidential
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic Facts: Another former student of the Marlborough School was sexual abused by teacher Joseph Koettters. The teacher began paying special attention to the girl in and out of class and chose an explicit book for her to read as an extra assignment. He met with her outside of class to discuss the book. Koettters also told the student they had a special connection and that his marriage was just one of convenience. He sexually abused her in the coming months. Plaintiff settled both with her former school and with the school that had previously employed Koettters and had failed disclose his inappropriate behavior when contacted for a reference.
- Cause of Action: Fraud; others unknown.
- Plaintiff's Attorney: Unknown
- More Information: <https://www.latimes.com/local/education/la-me-marlborough-settlement-november-20171113-story.html>

***Doe v. Moraga School District (Contra Costa Cty. Super. Ct. 2013)***

- Settlement: \$15.8 million (\$7 million each to Doe 1 and Doe 2; \$1.8 million to Doe 3)
- Harassment/Injuries: Sexual harassment
- Multiple Plaintiffs (3 former students; 2 separate lawsuits that settled the same month)
- Basic facts: Jane Does 1-3 were students in the Moraga School District between 1993 and 1997, during which time each of them was molested by middle school teacher Daniel Witters. School officials allegedly buried prior allegations against Witters, hiding information that may have prevented the abuse of Plaintiffs. When several girls made allegations against Witters to a new school administrator in 1996, Witters drove off a cliff and died, and the investigations ceased.

- Cause of action: Unknown
- Plaintiff's Attorney: David Ring of Taylor & Ring (Los Angeles, CA).
- More Information: <https://www.latimes.com/local/lanow/la-me-ln-moraga-school-district-settles-sex-abuse-claims-20140618-story.html>

***Doe v. Morgan Hill Unified School District, 2015-1-CV-285795 (Santa Clara Cty. Super. Ct. 2015)***

- Settlement: \$8.25 million
- Injunctive relief: Specifics unknown
- Harassment/Injuries: Sexual harassment
- Multiple Plaintiffs (3 former students)
- Basic facts: Jane Does 1-3 were students between the ages of nine and eleven at Paradise Valley Elementary School when then-teacher John Arthur Loyd began grooming them. He was overly touchy with the students, which school administrators and faculty failed to notice, and eventually escalated to sexual touching during private, closed-door sessions with students in his classroom. Parents complained about the alone time, but the district failed to act. When Jane Doe 3 reported the inappropriate conduct, the school finally notified authorities and put Loyd on leave.
- Cause of action: Unknown
- Plaintiff's Attorney: Robert Allard of Corsiglia, McMahon & Allard in San Jose, CA.
- More Information: <https://www.mercurynews.com/2017/03/13/morgan-hill-tentative-8-25-million-settlement-in-school-sex-abuse-case/>

***Doe v. Orcutt Union School District (CA 2019)***

- Settlement: \$75,000 (\$50,000 for plaintiff; \$25,000 for plaintiff's attorney)
- Harassment/Injuries: Harassment and physical assault.
- Single Plaintiff.
- Basic facts: Student with a 504 plan faced repeated bullying by a teacher, leading to a 2017 incident in which the teacher punched the plaintiff in the stomach, called him an idiot, and cursed at him in front of his peers. The student's father requested that the teacher be kept away from him, but the teacher pulled the student out of class to discuss the incident thereafter. The teacher is still teaching at Orcutt High School.
- Cause of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://calcoasttimes.com/2019/08/20/orcutt-district-settles-lawsuit-over-teacher-punching-student/>

***Doe v. Palo Alto High School (CA 2019)***

- Settlement: Pre-suit settlement of \$190,000. School also agreed to meet with student to discuss the district's conduct and steps to improve Title IX investigation process going forward.
- Harassment/Injuries: Sexual assault; inadequate Title IX process post-assault.
- Single Plaintiff.
- Basic Facts: Female student was sexually assaulted on a bench in the quad and school mishandled her Title IX complaint.
- Cause of Action: N/A
- Plaintiff's Attorney: Unknown.

***Doe v. Palo Alto Unified School District, Santa Clara County Superior Court (July 2017)***

- Settlement: \$50,000.

- Harassment/Injuries: Bullying.
- Single Plaintiff.
- Basic Facts: Sixth grade boy from a Spanish-speaking family had a learning disability and was repeatedly bullied. Two students in particular repeatedly harassed him—asking him for money or taking his money, stealing his lunch and saying negative things about his parents. The bullying culminated when one of them threatened the boy with a knife.
- Causes of Action: Unknown.
- Plaintiff's Attorneys: Seth Rosenberg.
- More info: <https://www.paloaltoonline.com/news/2020/09/23/school-district-to-pay-50k-to-family-of-bullying-victim>.

***Doe v. Palo Alto Unified School District (Santa Clara Cty. Super. Ct. 2019)***

- Settlement: \$150,000
- Harassment/Injuries: Sexual assault, harassment
- Single Plaintiff.
- Basic Facts: A female student reported that she had been sexually assaulted and later sexually harassed via text by a male member of her school robotics team whom she had previously dated. The school initially barred him from the team, enforcing a no-contact policy after deciding by preponderance of the evidence that the male student had sent harassing texts to and about the female student. Under pressure from the male student's family, the school reversed their decision and allowed the male student to continue participating in the robotics team with his victim on an alternating schedule as long as he had an escort present. The male student's family alleged his inappropriate behavior was a manifestation of his significant speech disability for which he was enrolled in special education classes.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Crystal Riggins of Hoge Fenton Jones & Appel.
- More Information: <https://www.stanforddaily.com/2019/09/27/palo-alto-unified-school-district-agrees-to-150k-gunn-sexual-harassment-settlement/>; [settlement agreement](#)

***Gray v. Pasadena Unified School District, 2022 WL 17403523 (Cal. Super. Ct. Los Angeles Cty. 2022)***

- Jury Verdict: \$26,000,000 (\$12.5 million for past pain and suffering, \$13.5 million for future pain and suffering)
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic facts: Female student with special needs was sexually assaulted by three classmates (also with special needs) at her school. The school had been required to constantly monitor all of the children involved because of their disabilities, but left the children unsupervised. Attorneys for the plaintiff also said the school's employees were inadequately trained and too understaffed to handle the number of children with behavior-related disabilities.
- Cause of Action: Failure to train; negligent hiring, training and supervision; dangerous condition of public property, government code section 835.
- Plaintiff's Attorney: David Rudorfer of Panish Shea Boyle Ravipudi in Los Angeles, CA.
- More Information: <https://www.latimes.com/california/story/2022-08-25/pasadena-unified-ordered-to-pay-26-million-to-special-needs-girl-who-was-sexually-assaulted>

***Doe v. Petaluma City Schools*, 949 F. Supp. 1415 (N.D. Cal. 1996)**

- Settlement: \$250,000
- Harassment/Injuries: Sexual harassment
- Single Plaintiff.
- Basic facts: After facing harassment from several peers in the schoolyard, Jane Doe went to her school counselor for support. The counselor brushed off her complaints and told her that boys will be boys and girls cannot sexually harass other girls. Doe eventually transferred schools.
- Cause of action: Title IX; claim under 42 U.S.C. § 1983 alleging equal protection violation.
- Plaintiff's Attorney: Equal Rights Advocates; Fenwick & West LLP; NOW Legal Defense and Education Fund.
- More Information: <https://www.nytimes.com/1996/12/27/us/school-district-in-california-settles-sex-harassment-suit.html>; <https://law.justia.com/cases/federal/district-courts/FSupp/949/1415/1453285/>

***Doe v. Redlands Unified School District* (Riverside Cty. Super. Ct. 2016)**

- Settlement: \$6 million
- Injunctive Relief: Letter of apology from teacher/abuser.
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic facts: Teacher Laura Whitehurst was convicted of sexually abusing plaintiff, a male high school student, which led to the conception of a child. She groomed and manipulated him, using religious reasoning to convince him to keep quiet. The district had been informed of a possible issue and interviewed both Whitehurst and the student before determining there was nothing occurring. The school informed neither the student's parents nor law enforcement of the suspected abuse and may have concealed past allegations of abuse against Whitehurst.
- Cause of action: Negligent training and supervision; otherwise unknown.
- Plaintiff's Attorney: Manly, Stewart & Finaldi (Irvine, CA).
- More Information: <https://www.redlandsdailyfacts.com/2016/08/19/high-school-student-who-fathered-a-baby-with-a-teacher-gets-6-million-settlement-from-redlands-unified/>

***Doe v. Riverside Unified School District* (Riverside Cty. Super. Ct. 2019)**

- Settlement: \$6.2 million for sexual harassment of three students; \$13.7 million for sexual harassment of multiple additional students (number unknown).
- Harassment/Injuries: Sexual abuse, harassment
- Multiple Plaintiffs (three).
- Basic facts: Fernando Figueroa, a Liberty Elementary School technology aide, had previously faced allegations of sexual misconduct. The district failed to conduct a background check uncovering that information, failed to ensure Figueroa was supervised when working with students, and failed to investigate several complaints from parents and students about his inappropriate behavior. He molested at least three girls, ages nine and ten. The school destroyed evidence and falsified and withheld records regarding Figueroa. He faced criminal charges and pleaded guilty to committing lewd and lascivious acts upon 11 different victims. He was sentenced to two years to life in prison.
- Cause of action: Unknown.
- Plaintiff's Attorney: Saul Wolf and Morgan Stewart of Manly, Stewart & Finaldi (Irvine, CA).

- More Information: <https://www.pe.com/2018/12/03/riverside-unified-settles-sex-abuse-lawsuit-against-former-tech-aide-for-6-2-million/>; <https://www.pe.com/2022/04/19/riverside-unified-settles-sex-abuse-lawsuit-with-10-children-for-13-7-million/>.

***Doe v. Roe School District, Confidential Dkt. No. (Los Angeles Cty. Super. Ct. 2012)***

- Settlement: \$1.35 million
- Harassment/Injuries: Anti-Semitic and anti-gay taunts; attempted suicide.
- Single Plaintiff.
- Basic Facts: Students used anti-Semitic and anti-gay taunts to harass a 14-year old classmate. While the administrators conducted an investigation, the student attempted suicide in the school bathroom. The victim suffered emotional distress and sued the school for failing to suspend the bullies under its zero-tolerance bullying policy.
- Cause of Action: State tort claims.
- Plaintiff's Attorney: David M. Ring, Los Angeles, CA.
- More Information: *Verdicts & Settlements*, TRIAL, Dec. 2012, at 12.

***Doe v. Roe School District, Confidential Dkt. No. (Riverside Cty. Super. Ct. 2012)***

- Settlement: \$3 million.
- Harassment/Injuries: Sexual assault of special needs student.
- Single Plaintiff.
- Basic Facts: Students raped a 14-year-old special needs child over the course of several months near a bathroom located outside an enclosed area designed to keep the child safe at lunch. The child suffered severe emotional distress.
- Cause of Action: State tort law for negligent security.
- Plaintiff's Attorneys: David M. Ring, Los Angeles, CA; Chris Morey, Costa Mesa, CA.
- More Information: *Verdicts & Settlements*, TRIAL, March 2013, at 10.

***Doe J.C. v. Rowland Unified School District et al., Case No. BC718047 (Cal. Super. Ct. Los Angeles Cty. 2018)***

- Settlement: \$2.8 million.
- Harassment/Injuries: Sexual assault by teacher.
- Single Plaintiff.
- Basic Facts: Seven-year-old girl was molested by her second-grade teacher on school grounds. The lawsuit alleged the school district had been negligent because they knew the teacher had engaged in similar sexual misconduct with other students and had disciplined him for doing so in the past, but had not taken any affirmative steps to supervise or train him, or warn parents about his past behavior.
- Cause of Action: Negligent supervision, negligent hiring and training, sexual harassment, negligent infliction of emotional distress.
- Plaintiff's Attorneys: Thomas A. Cifarelli and Laura G. Lopez of The Cifarelli Law Firm, Irvine, CA.
- More Information: <https://www.sgvtribune.com/2022/12/21/2-8-million-settlement-against-rowland-unified-in-abuse-case-approved/>

***Doe v. Sacramento City Unified School District (2019)***

- Jury Verdict: \$400,000

- Harassment/Injuries: Sexual assault; deprivation of educational access; emotional distress; depression; PTSD; suicidal ideation; suicide attempt
- Single Plaintiff.
- Basic Facts: After sixteen-year-old Virginia was raped by two male students at an off-campus party in 2016, a classmate reported the assault to school officials. School officials, including a school resource officer, effectively suspended Virginia, escorting her off campus and asking her to stay home for the rest of the spring semester while the rumors died down; her rapists faced no consequences, and there was no investigation into the incident. As a result, Virginia experienced depression and PTSD and attempted suicide. She was involuntarily hospitalized.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; claim under § 220 of the California Education Code (an anti-discrimination statute).
- Plaintiffs' Attorneys: Equal Rights Advocates and Levy Vinick Burrell Hyams LLP.
- More Information: <https://www.equalrights.org/news/era-client-wins-in-settlement-with-sacramento-school-district-spurs-new-policies-for-49000-students/>

***Doe v. Sacramento City Unified School District (2019)***

- Settlement: \$12.5 million (\$5 million from school district; \$7.5 million from city).
- Injunctive Relief: School and city will change their sexual abuse prevention and education programs to be fully implemented by September of 2020.
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic facts: Former school district employee Joshua Vasquez sexually abused multiple young girls while serving as a schoolyard supervisor for an elementary school and working at an after-school program run by the city. While on school grounds, he blindfolded and sexually abused several children under the guise of playing "games." Police found nearly two dozen videos Vasquez shot of himself sexually abusing the girls. This particular victim was abused starting when she was seven years old, and it continued into the following school year.
- Cause of action: Unknown.
- Plaintiff's Attorney: Roger Dreyer; others unknown.
- More Information: <https://www.abc10.com/article/news/local/sacramento/sacramento-city-school-district-to-pay-125-million-to-sexual-abuse-victim-in-settlement/103-055faf03-18e2-4535-b041-a7f810241ec2>

***Doe v. San Diego Unified School District (2015)***

- Settlement: \$105,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic facts: A kindergarten student was forced to receive and perform oral sex on another student in the school bathroom. The student told his parents, who reported to the school, but the school took no action. The school's principal faces allegations of drinking on the job and failing to respond to similar incidents of student-on-student sexual assault and harassment.
- Cause of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.nbcsandiego.com/news/local/San-Diego-Unified-Settles-School-Bathroom-Assault-Case-306345721.html>

***Doe v. San Diego Unified School District (San Diego Cty. Super. Ct. 2017)***

- Jury Verdict: \$1.25 million.
- Harassment/Injuries: Bullying; depression; attempted suicide.
- Single Plaintiff.
- Basic facts: A teacher made a ninth grade student urinate in a bucket in a classroom utility closet and empty it into the sink, which led to severe bullying. The teacher says she did so because there was a no-bathroom-break policy for students during the 25-minute advisory class period. The student's humiliation led to lewd texts, depression, and a suicide attempt and caused her to transfer schools twice.
- Cause of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.bbc.com/news/world-us-canada-38760559>

***Doe v. San Diego Unified School District (2018)***

- Settlement: \$2.1 million
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic Facts: A high school Spanish teacher sexually abused a male student over the course of eight months during the 2015-2016 school year. She groomed him by buying him food and treats and spending money on him. The abuse took place in her classroom with the door locked, at her home, and in her car. As a result of spending so much time with the teacher, the student missed a substantial amount of class. Other teachers knew the student was with that teacher, but the school failed to investigate whether abuse might be taking place. School employees had also previously warned the teacher that she should not share such explicit personal information with students and not to spend so much time alone with them in the classroom.
- Cause of Action: Negligence.
- Plaintiff's Attorneys: Michael Kirby; others unknown.
- More Information: <https://www.sandiegouniontribune.com/news/education/sd-me-sex-abuse-20180808-story.html>

***Doe v. Torrance Unified School District (Cal. Super. Ct. 2018)***

- Settlement: \$31 million
- Harassment/Injuries: Sexual abuse; harassment
- Multiple Plaintiffs (22 boys and their parents).
- Basic facts: A former wrestling coach at Torrance High School is serving 69 years to life in prison for molesting 25 boys over a two-year period under the guise of performing "skin checks" for ringworm. He molested boys in a storage closet, watched them shower, and massaged them. At least one former student tipped off the district of the coach's behavior, and the district failed to act until later allegations surfaced.
- Cause of action: Negligence.
- Plaintiff's Attorney: The Senators Firm; Manly, Stewart & Finaldi (Irvine, CA)
- More Information: <https://www.dailybreeze.com/2018/05/09/torrance-unified-reaches-31-million-settlement-with-families-of-teens-molested-by-former-wrestling-coach/>

***Doe ex rel. Denari v. Kern High School District (Kern Cty. Super. Ct. 2009)***

- Settlement: \$260,000 (\$42,500 from school district; remainder from bullies and parents)
- Harassment/Injuries: Physical assault; hazing.

- Single Plaintiff.
- Basic Facts: Ninth grade student on debate team physically assaulted by teammates. Five upperclassmen on the team encased him from ankles to shoulders in plastic wrap and then bound him tightly with duct tape. Teammates then mocked and threatened him until a trickle of blood began to run from his mouth. On several occasions, the upperclassmen tried to tape him to a wall. After each attempt, he fell to the ground, knocking the wind out of him. Another student urinated on his shirt.
- Cause of Action: State tort law.
- Plaintiff's Attorney: Unknown.
- More Information: <http://www.bakersfieldcalifornian.com/archive/x820007988/Exclusive-Bullying-case-costs-families-thousands>

***Doe 1 & Doe 2 v. Union School District (Santa Clara Cnty. Sup. Ct. 2022)***

- Verdicts: \$65 million for Jane Doe 1 (\$52 million from the School District and \$13 million from the abuser); \$37.5 million for Jane Doe 2 (\$20.6 million from the school district and \$16.9 from the abuser).
- Harassment/Injuries: Sexual abuse; threats of non-consensual pornography.
- Two Plaintiffs.
- Basic Facts: A middle school teacher groomed and sexually abused two students through their years in middle and high school. The abuser also threatened to share explicit images of at least one of the victims. Though parents had complained that the abuser was a predator, the school district did not take any steps to prevent abuse. Instead, the district named the teacher “Teacher of the Year,” even after it learned of inappropriate text messages he had sent to a student. In 2019, the abuser pleaded no contest to a dozen criminal charges relating to sexual abuse. He is currently serving a 56-year prison sentence.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Lauren Cerri of Cosiglia, McMahon, and Allard in San Jose, California.
- More Information: <https://www.mercurynews.com/2022/03/30/san-jose-jury-issues-102-5-million-award-blames-school-district-for-not-stopping-teachers-sex-abuse/>

***Donovan v. Poway Unified School District, 167 Cal. App. 4th 567 (Cal. Ct. App. 2008)***

- Jury Verdict: \$300,000 total to two students; judge awarded \$421,357 for attorneys' fees
- Harassment/Injuries: Anti-gay harassment and physical assault.
- Multiple Plaintiffs (two).
- Basic Facts: A male and female student suffered severe and pervasive anti-gay peer harassment that included death threats; being spit on; physical violence and threats of physical violence; vandalism to personal property; and being subject to anti-gay epithets such as “fag,” “faggot,” “fudge packer,” “dyke” and “fucking dyke.” School officials took little or no action in response. Both students dropped out of school and completed their senior years through independent study.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; claim under § 220 of the California Education Code (an anti-discrimination statute).
- Plaintiffs' Attorneys: Brian Chase and Hayley Gorenberg of Lambda Legal in Los Angeles, CA; Paula Rosenstein and Bridget Wilson of Rosenstein, Wilson & Dean, P.L.C. in San Diego, CA.
- More Information: [http://www.lambdalegal.org/news/ca\\_20081010\\_ca-court-upholds-award-to-bullied-high-school-students](http://www.lambdalegal.org/news/ca_20081010_ca-court-upholds-award-to-bullied-high-school-students).

***Irons v. El Segundo Unified School District*, 2022 WL 14315783 (Cal. Super. Ct. Los Angeles Cty. 2022)**

- Jury Verdict: \$700,000 for past pain and suffering and \$300,000 for any future emotional trauma. Also “costs and post-interest to the extent permitted by law.”
- Harassment/Injuries: Bullying.
- Single Plaintiff.
- Basic Facts: Students at a middle school bullied a girl for nearly a year. Bullying involved passing around a petition titled “Let’s kill Eleri Irons.” Despite repeated requests for intervention from the school, the school trivialized the issues as teen drama and ignored plaintiff. She suffered from PTSD and engaged in self-harm.
- Causes of Action: Negligence under California Education Code and California Government Code, Negligent Hiring under California Education Code and California Government Code.
- Plaintiff’s Attorneys: Christa H. Ramsey at Ramey Law in Los Angeles, CA; Siannah Collado at S.C. Law in Los Angeles, CA.
- More Information: <https://www.latimes.com/california/story/2022-08-30/el-segundo-school-district-ordered-to-pay-bullied-teen-1-million>

***Flores v. Morgan Hill Unified School District*, 324 F.3d 1130 (9th Cir. 2003)**

- Settlement: \$1 million and injunctive relief.
- Injunctive Relief: Comprehensive training program for administrators, staff, and students to combat anti-gay harassment. See [http://www.aclu.org/lgbt-rights\\_hiv-aids/settlement-fact-sheet-flores-v-morgan-hill-unified-school-district](http://www.aclu.org/lgbt-rights_hiv-aids/settlement-fact-sheet-flores-v-morgan-hill-unified-school-district).
- Harassment/Injuries: Anti-gay harassment, including physical assaults.
- Multiple Plaintiffs (six).
- Basic Facts: Six LGBT students experienced anti-gay harassment over the course of seven years, including physical assaults, anti-gay name-calling, anti-gay vandalism, and anti-gay rumors. School district employees repeatedly ignored or minimized many reports by students that they were being abused because they were gay or perceived to be gay. Some school employees participated in the abuse.
- Cause of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation.
- Plaintiffs’ Attorneys: ACLU of Northern California, the National Center for Lesbian Rights, the ACLU’s national Lesbian and Gay Rights Project, and cooperating attorneys Stacey Wexler, Christine Sun, and Jay Kuo of Kecker & Van Nest, LLP in San Francisco, James Emery of San Francisco, Diane Ritchie of San Jose, and Leslie Levy of Boxer and Gerson in Oakland, CA.
- More Information: [http://www.aclu.org/lgbt-rights\\_hiv-aids/case-background-flores-v-morgan-hill-unified-school-district](http://www.aclu.org/lgbt-rights_hiv-aids/case-background-flores-v-morgan-hill-unified-school-district).

***Jane BM Doe v. El Monte Union High School District* (Los Angeles Cty. Super. Ct. 2016)**

- Verdict: \$5 million (\$3 million from perpetrator; \$2 million from school district)
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic Facts: Science teacher Richard Paul Daniels sexually abused a female student over the course of two years, beginning when she was fifteen. Daniels had been transferred by El Monte Union School District to a new school after pleading guilty to a battery charge for fondling students at his former school. At his new school, Daniels began inappropriately touching the girl and his abuse escalated. Defendant school district failed to restrict Daniels’ access to minors despite his history.

- Cause of Action: Negligence; negligent supervision; negligent hiring and/or retention; negligent infliction of emotional distress; sexual harassment
- Plaintiffs' Attorneys: Michael S. Carillo of Law Offices of Luis A. Carillo in South Pasadena, CA.
- More Information: [https://laist.com/2019/03/08/5m\\_to\\_former\\_arroyo\\_hs\\_student\\_who\\_was\\_sexually\\_abused\\_by\\_a\\_convicted\\_pedophile\\_teacher.php](https://laist.com/2019/03/08/5m_to_former_arroyo_hs_student_who_was_sexually_abused_by_a_convicted_pedophile_teacher.php)

***Jane CJD Doe v. Los Angeles Unified School District; John FRR Doe v. Los Angeles Unified School District (Los Angeles Cty. Super. Ct. 2018)***

- Settlement: \$22,000,000 (\$14,000,000 to nine girls abused by Ronnie Lee Roman and \$8,000,000 to seven boys abused by Jaime Jimenez)
- Harassment/Injuries: Sexual abuse; one victim later died by suicide
- Multiple Plaintiffs (16 students: nine girls abused by Roman; seven boys abused by Jimenez)
- Basic Facts: Jimenez was a volunteer football coach who gave students rides from practice, bought them gifts and regularly invited them to his house, where he sometimes plied them with alcohol. District administrators ignored several red flags about the coach's behavior, including secluding students in equipment and locker rooms, giving the students rides in his car, and taking photos with the students. Specific facts regarding Roman's abuse unknown.
- Causes of Action: Negligent supervision; others unknown.
- Plaintiff's Attorney: Morgan Stewart of Manly, Stewart, and Finaldi in Irvine, CA.
- More Information: <https://www.latimes.com/local/lanow/la-me-ln-lausd-settlement-20180829-story.html>

***Jane RR Doe v. Torrance Unified School District, No. BC678860 (Cal. Super. 2019).***

- Settlement: Confidential.
- Harassment/Injuries: Sexual harassment and abuse
- Three plaintiffs (student and each of her parents).
- Basic facts: A high school wrestling coach who advised Jane RR Doe on academic and general issues sexually abused the 16-year-old high school student. The school was already aware that the coach had a history of allegations of unlawful sexual conduct with minors, but still placed him in a position where he had regular contact with minors and did not disclose his past conduct to the school community. He sexually harassed and abused the student both at school and at his home on multiple occasions.
- Causes of action: Intentional infliction of emotional distress; sexual battery; gender violence; constructive fraud, negligent infliction of emotional distress; sexual harassment; breach of fiduciary duty; public entity liability for failure to perform mandatory duty; battery; negligence; personal injury; false imprisonment.
- Plaintiff's Attorney: Alex E. Cunny of Manly, Stewart, and Finaldi in Irvine, CA.
- More Information: <https://patch.com/california/redondobeach/former-student-settles-sexual-abuse-suit-south-bay-school>

***John KZ Doe v. Hesperia Unified School District, No. CIVDS1616281 (Cal. Super. Ct. 2016)***

- Settlement: \$125,000. (This is the second of two settlements reached with the school district in 2017 involving hazing of student-athletes.)
- Harassment/Injuries: Hazing; Sexual Assault.
- Single Plaintiff.

- Basic Facts: School district was complicit in pattern of sexualized hazing by senior members of Oak Hills High School football team. The male victim, a freshman on the football team, was forced to the floor by older players and held down while they inserted fingers in his rectum.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Vince Finaldi of Manly, Stewart, and Finaldi in Irvine, CA.
- More Information: <http://www.vvdailypress.com/news/20171120/hesperia-school-district-settles-second-hazing-case-for-125k-bumping-payouts-this-year-to-half-million-dollars>; <http://www.vvdailypress.com/news/20160930/second-alleged-hazing-victim-sues-oak-hills-high-school-district>.

***John VZ Doe v. Hesperia Unified School District*, No. CIVDS1410904 (Cal. Super. Ct. 2014).**

- Settlement: \$375,000 (This is the first of two settlements reached with the school district in 2017 involving hazing of student-athletes.)
- Harassment/Injuries: Hazing; sexual assault.
- Single Plaintiff.
- Basic Facts: School district was complicit in pattern of sexualized hazing by senior members of Oak Hills High School football team. The male victim, a freshman on the football team, was forced to the floor by older players and held down while they inserted fingers in his rectum.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Vince Finaldi of Manly, Stewart, and Finaldi
- More Information: <http://www.vvdailypress.com/article/20150806/NEWS/150809850>; <http://www.vvdailypress.com/news/20170508/hesperia-unified-settles-oak-hills-high-hazing-case-for-375k>.

***Ketchum v. Newport-Mesa Unified School District*, No. 30-2009-00120182-CU-CR-CJC (Orange Cty. Super. Ct. 2009)**

- Settlement: Injunctive relief and attorneys' fees.
- Injunctive Relief: The school district agreed to provide plaintiff a written apology and institute mandatory training on sexism and homophobia to administrators, teachers, and students.
- Harassment/Injuries: Anti-gay and anti-female cyberbullying; verbal threats and harassment on school grounds.
- Single Plaintiff.
- Basic Facts: Varsity athletes threatened via Facebook to kill and rape the lead actress of a school production of "Rent." The athletes continued to harass the actress at school and administrators took little action to address the school's hostile environment for female, gay, and lesbian students.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; claim under Title IX for deliberate indifference to sexual harassment.
- Plaintiff's Attorney: ACLU of Southern California attorneys Hector Villagra, Belinda Escobosa Helzer, Mark D. Rosenbaum and Lori Rifkin; M. Katherine Darmer, Orange, CA.
- More Information: [http://www.aclu.org/lgbt-rights\\_womens-rights/aclusc-settles-lawsuit-over-orange-county-high-school-tolerated-homophobia](http://www.aclu.org/lgbt-rights_womens-rights/aclusc-settles-lawsuit-over-orange-county-high-school-tolerated-homophobia); <http://artsbeat.blogs.nytimes.com/2009/09/10/settlement-reached-in-california-high-school-rent-case/>; <http://www.visuality.org/coronadelmarhigh/>.

***Lilah R. ex rel. Elena A. v. Smith*, No. C 11-01860 MEJ, 2011 WL 2976805 (N.D. Cal. July 22, 2011)**

- Settlement: Undisclosed.

- Harassment/ Injuries: Sexual harassment and assault
- Single Plaintiff.
- Basic Facts: Berkeley High counselor Anthony Smith sexually harassed Plaintiff for much of her junior year. He subjected her to lewd remarks, tried to embrace and caress her, and pulled her out of class to make unwelcome sexual advances. The allegations went public in 2010, and after an investigation, the superintendent said he would take appropriate personnel action, but never specified what that was. The district refused to move the counselor from the high school campus; he still works there as a counselor, and the school does not appear to have taken any steps to limit his contact with Plaintiff.
- Causes of Action: Violations of Title IX and 42 U.S.C. § 1983; state law claims for violation of California’s Unruh Civil Rights Act; Government Code § 11135; and negligence.
- Plaintiffs’ Attorneys: Joyce Kawahata and Michael Steven Sorgen of Michael Sorgen Law Offices (San Francisco, CA).
- More Information: <https://www.berkeleyside.com/2012/07/25/costs-unknown-for-berkeley-high-school-harassment-case>

***Loomis v. Visalia Unified School District*, 262 F. Supp. 2d 1088 (E.D. Cal. 2001)**

- Settlement: \$130,000 and injunctive relief
- Injunctive Relief: School district was required to revise its anti-harassment policy, train staff and students, place compliance officers at each school, and submit annual incident reports.
- Harassment/ Injuries: Anti-gay verbal and physical assaults.
- Multiple Plaintiffs (one student and statewide Gay-Straight Alliance Network).
- Basic Facts: Loomis experienced anti-gay harassment at school for about five years. His classmates called him “faggot” and “queer,” and there were rumors that he was having sex with a teacher perceived to be gay. When he pierced his ear, a teacher commented tauntingly, “There are only two types of guys who wear earrings—pirates and faggots—and there isn’t any water around here.” His dream was to study at UC Berkeley, but when he complained to the school administration about the harassment, they forced him into an independent study program which was not geared for college-bound students.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violations and procedural and substantive due process violations; state law claims under California Education Code and Unruh Civil Rights Act.
- Plaintiffs’ Attorneys: ACLU of Northern California; Kevin Lewis of Howard, Rice, Nemerovski, Canady, Falk & Rabkin in San Francisco, CA.
- More Information: [http://www.aclu.org/lgbt-rights\\_hiv-aids/groundbreaking-federal-lawsuit-settlement-school-agrees-strongest-anti-gay-hara](http://www.aclu.org/lgbt-rights_hiv-aids/groundbreaking-federal-lawsuit-settlement-school-agrees-strongest-anti-gay-hara).

***Roe v. Sweetwater Union High School District*, No. 37-2017-00008091-CU-PO-CTL (San Diego Cty. Super. Ct. 2017)**

- Settlement: \$2.2 million (\$1.9 million upon settlement; periodic payments of the remaining \$200,000 beginning when plaintiff turns 25)
- Harassment/Injuries: Sexual abuse and harassment
- Single Plaintiff.
- Basic Facts: Plaintiff was a 17-year-old high school student at Mar Vista High School when she met Martin Gallegos, who worked for the ROTC program at the school. Gallegos had served a similar role at a neighboring high school but was required to leave his position due to improper behavior with female students. His previous employer gave him a positive recommendation and

did not warn the new school of his behavior. Gallegos groomed Plaintiff over a period of months, buying her meals, giving her rides, and sending her text messages. Gallegos eventually expressed that he had feelings for Plaintiff and asked Plaintiff not to tell anyone. He became increasingly sexually aggressive. Plaintiff disclosed to a friend, who reported to the school. Plaintiff stopped attending the school and Gallegos was eventually convicted of statutory rape.

- Causes of Action: Negligence; negligent supervision/failure to warn; negligent hiring/retention; negligent failure to warn, train, or educate; negligent misrepresentation; state law claim for sexual harassment.
- Plaintiffs' Attorneys: Irwin M. Zalkin, Devin M. Storey, Alexander S. Zalkin, Ryan M. Cohen, and Jacqueline J. McQuarrie of the Zalkin Law Firm (San Diego, CA).
- More Information: <https://www.voiceofsandiego.org/topics/education/sweetwater-agreed-to-pay-2-million-to-former-student-abused-by-jrotc-teacher/>

***Shaposhnikov v. Pacifica School District, No. 04-cv-01288-SI, 2006 WL 931731 (N.D. Cal. Apr. 11, 2006)***

- Settlement: School district settled on unknown terms; parents of students who harassed the plaintiff settled for \$100,000.
- Harassment/Injuries: Anti-gay physical and verbal harassment due to perceived sexual orientation.
- Single Plaintiff.
- Basic Facts: Plaintiff, a competitive dancer, endured repeated anti-gay slurs and physical harassment for two years in middle school. School took little action in response to plaintiff's complaints. Plaintiff sued school district and parents of alleged bullies. On summary judgment, the court dismissed plaintiff's Title IX and equal protection claims, but allowed the parties to brief the remaining state law claims. Before the briefs were filed, the school district settled for an undisclosed amount.
- Causes of Action: Title IX claims for deliberate indifference to sexual harassment and for retaliation; claim under 42 U.S.C. § 1983 for equal protection violations; state tort law claims, including negligence, fraud, intentional infliction of emotional distress; breach of contract claims; California statutory claims, including a claim under the Unruh Civil Rights Act and a claim under § 48900 of the California Education Code (grounds for suspension or expulsion).
- Plaintiff's Attorneys: Paul Joseph Smoot and Robert M. Desky of Anderlini, Finkelstein, Emerick & Smoot, San Mateo, CA.
- More Information: <http://www.chron.com/news/nation-world/article/Parents-settle-suit-for-alleged-bullying-by-their-1580253.php>.

***Shimizu v. Folsom Cordova Unified School District (Sacramento, CA 2015)***

- Settlement: \$1,000,000 (pre-suit).
- Harassment/Injuries: Homophobic verbal and physical harassment/assaults. Forced into homeschooling and eventually committed suicide.
- Single plaintiff.
- Basic Facts: Boy subjected to constant and pervasive verbal bullying and physical harassment and assaults, due to perceived homosexuality for five years.
- Cause of Action: Unknown.
- Plaintiff's Attorney(s): Mark Merin, Law Office of Mark E. Merin, Sacramento, CA.
- More information: <http://www.sacbee.com/news/local/education/article33811815.html>.

***Smith v. Menifee Union School District*, No. RIC1103951 (Riverside Cty. Super. Ct. 2011)**

- Settlement: \$25,000.
- Harassment/Injuries: Physical and verbal harassment.
- Multiple Plaintiffs (two).
- Basic Facts: A nine-year-old boy experienced physical assaults and verbal harassment that included a death threat in front of his eight-year-old brother. Witnessing the harassment triggered symptoms of a chronic condition the younger brother had. The boys' parents sued the school district for its alleged failure to protect their children.
- Causes of Action: State tort law claims for negligence and negligence per se alleging failure to protect children and failure to train and instruct staff members on how to respond to bullying.
- Plaintiffs' Attorney: Morton J. Grabel, Hemet, CA.
- More Information: <http://www.utsandiego.com/news/2013/jan/25/menifee-education-settlement-bullying-lawsuit/>.

***S.M. v. Los Angeles Unified School District* (2018)**

- Settlement: \$5 million
- Harassment/Injuries: Sexual assault and harassment.
- Single Plaintiff.
- Basic facts: A 13-year-old student, S.M., was groomed, manipulated, and sexually abused by her middle school math teacher for six months both inside and outside of school. Another student reported to the school, and the teacher was arrested, charged, and ultimately pled no contest to one count of committing lewd acts upon a child. S.M. sued the district, but the jury rejected claims that the district was guilty of negligent supervision, indulging the district's argument that the child had consented to the relationship. The state legislature responded by clarifying that consent is not a defense in situations of this kind, and on appeal, the court threw out the verdict below. This settlement comes in response to S.M.'s refile under the clarified law. At the time, this settlement was allegedly the largest payout the district had ever made to a single victim.
- Cause of action: Negligence.
- Plaintiff's Attorney: Frank J. Perez and Miguel G. Caballero of Perez & Caballero, Shea S. Murphy, and Stuart B. Esner and Holly N. Boyer of Esner, Chang & Boyer.
- More Information: <https://blogs.findlaw.com/injured/2018/11/student-wins-5m-settlement-in-math-teach-sexual-abuse-case.html>

***Stephen W. v. The Westerly School* (Los Angeles Cty. Super. Ct. 2016)**

- Settlement: \$25.3 million (\$16.4 million from perpetrator; \$8.9 million from school)
- Harassment/Injuries: Sexual abuse
- Single Plaintiff.
- Basic facts: Plaintiff was a minor student who worked as an assistant in Scott Durzo's after-school sports program. Durzo began grooming plaintiff by showering him with gifts and personal favors. Durzo began with inappropriate touching and escalated to consistent sexual abuse. Several teachers and administrators at the school commented on the inappropriate amount of time the two spent together, but no investigation was launched. There were rumors Durzo had inappropriately touched other minors as well, which may have contributed to his not being rehired by the school the following year. Durzo has since been charged criminally for abusing this plaintiff.
- Causes of action: Negligence; sexual abuse of a minor; intentional infliction of emotional distress.

- Plaintiff's Attorney: John Taylor of Taylor & Ring (Los Angeles, CA).
- More Information: <https://www.presstelegram.com/2018/06/07/jury-awards-25-3-million-verdict-in-sex-abuse-lawsuit-against-westerly-school-in-long-beach-seal-beach-sports-camp-founder/>; <https://www.presstelegram.com/2016/04/05/westerly-school-founder-of-seal-beach-sports-camp-sued-by-man-who-claims-sexual-abuse/>

### ***Virginia M. v. Sacramento Unified School District (2018)***

- Settlement: \$400,000.
- Injunctive relief: The district will make significant district-wide changes to its policies on responding to and investigating reports of sexual assault and harassment. The district will overhaul its Sacramento Police [school resource officer \("SRO"\) program](#), which places a uniformed officer in each school at all times.
- Harassment/Injuries: Rape.
- Single Plaintiff.
- Basic Facts: A 16-year-old student was raped at a party, and when school officials found out they functionally suspended the victim: they escorted her off campus and asked her to stay home from school for the rest of the semester while rumors died down. The two students who raped her were not disciplined, nor was there any investigation into the incident.
- Causes of Action: Title IX, state law causes of action.
- Plaintiff's Attorneys: Maha Ibrahim of Equal Rights Advocates and lawyers from Levy Vinick Burrell Hyams LLP.
- More information: <https://www.equalrights.org/news/era-client-wins-in-settlement-with-sacramento-school-district-spurs-new-policies-for-49000-students/> and <https://levyvinick.com/2020/08/rape-survivors-lawsuit-leads-to-new-rules-for-preventing-sexual-assault-for-major-school-district/>.

### ***Walsh v. Tehachapi Unified School District, No. 11-cv-1489 (E.D. Cal. 2014)***

- Settlement: \$750,000 and injunctive relief.
- Injunctive relief: School implemented anti-harassment curriculum and updated procedures for reporting and investigating bullying. Lawsuit also caused the state legislature to pass the Safe Place to Learn Act, which requires school districts to address harassment based on sexual orientation, gender identity, and gender expression in school anti-discrimination policies.
- Harassment/Injuries: Severe verbal and physical anti-gay harassment leading to suicide.
- Single Plaintiff.
- Basic Facts: Seth Walsh was a thirteen-year-old gay middle school student who experienced daily taunts and physical harassment because of his sexual orientation. The names included "fag," "faggot," "homo," and "it," among others; and the physical harassment included pushes and shoves, and inappropriate sexual touching. It was a common expression at school to say, "That's gay, but not as gay as Seth." The harassment allegedly caused Seth to commit suicide.
- Causes of Action: Claim under Title IX claim for deliberate indifference to sex-based harassment; claim under 42 U.S.C. § 1983 alleging equal protection violation; claims under state civil rights statutes; and claim alleging violation of mother's right to family relationship and companionship.
- Plaintiff's Attorney: Daniel Rodriguez, Bakersfield, CA.
- More Information: <http://www.bakersfield.com/news/2014/06/04/seth-walsh-case-settled-for-750-000.html>.

***Wieder v. San Diego Unified School District, 2011 WL 6372878 (San Diego Cty. Super. Ct. 2011)***

- Jury Verdict: \$1.25 million (60% from the abuser and 40% from the District)
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff Wieder, now an adult, faced sexual abuse by her ninth grade physics teacher John Lee. Lee had also been her martial arts club's instructor. Lee sexually abused Wieder throughout her junior and senior years, often in the camper attached to the back of his car. Others at the school noticed excessive displays of affection between the two at school. Eventually, a teacher reported that a substitute teacher disclosed that Wieder had explained the situation to him. The principal did not report to CPS or police despite a legal obligation to do so. Several other teachers and students reported concerns to the principal, who denies she was ever told of the behavior. The district appealed and an appellate court affirmed.
- Causes of Action: Negligence; breach of statutory duty to report suspected child abuse; sexual abuse; sexual battery; battery; negligent infliction of emotional distress; intentional infliction of emotional distress.
- Plaintiff's Attorney: The Gomez Law Firm (San Diego, CA).
- More Information: <https://www.sandiegoreader.com/weblogs/news-ticker/2011/dec/21/failure-to-report-student-teacher-sexual-relations/#>

## **COLORADO**

***Doe v. Adams County School District 14 (2017)***

- Settlement: \$5 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Student, who was 18 at the time of the settlement, sued the school district based on sexual abuse by a teacher when she was nine years old. The school knew the teacher had a history of inappropriate conduct with students. The civil suit settled shortly after the teacher was convicted of molesting two young female students.
- Causes of Action: Title IX.
- Plaintiff's Attorney: Daniel Sloane and Michael Kane.
- More Information: <https://www.denverpost.com/2019/11/13/adams-county-school-district-14-student-sex-abuse-settlement/>.

***Doe et al. v. Boulder Valley School District et al., 1:21-CV-02133 (D. Colo. 2021)***

- Settlement: \$1.2 million.
- Harassment/Injuries: Sexual assault, bullying.
- Multiple Plaintiffs (two).
- Basic Facts: Doe was raped by a classmate, and then experienced harassment related to the assault. Roe, another student, was also raped by the same classmate. Doe and Roe's suit alleged that their district had fostered a sexually hostile environment within the school because they had failed to respond to earlier reports of sexual assault by the same classmate, and failed to train administrators and teachers on sexual assault and Title IX.
- Causes of Action: Title IX, Section 1983 Equal Protection, Section 1983 Failure to Train.
- Plaintiffs' Attorneys: John Clune of Hutchinson Black and Cook in San Diego, CA; Lauren Groth.
- More Information: <https://www.cpr.org/2022/11/01/boulder-valley-school-district-settlement/>

***Doe v. Cherry Creek School District (2018)***

- Settlement: \$11.5 million (\$2.3 million per plaintiff)
- Harassment/Injuries: sexual abuse, assault.
- Multiple Plaintiffs (five).
- Basic Facts: Vasquez, a Colorado middle school teacher, sexually abused five students. One student reported in 2013 but was questioned in Vasquez's presence about the allegations, coerced into recanting, and then suspended for making false allegations. She was forced to apologize and hug Vasquez at the end of the meeting. Vasquez asked another student to send him sexual pictures and threatened to harm one of her friends if she refused. She reported to police, who then arrested Vasquez. He confessed to sexual abuse of five students, including the one who had been suspended after reporting in 2013.
- Causes of Action: Unknown.
- Plaintiffs' Attorney: Qusair Mohamedbhai of Rathod Mohamedbhai Law Firm (Denver, CO).
- More information: <https://www.denverpost.com/2018/09/24/cherry-creek-schools-sex-assault-settlement/>

***Stewart v. Board of Trustees for Colorado School for Deaf and Blind, No. 1:12-cv-02664-RM-KLM (D. Colo. 2015)***

- Settlement: \$1.4 million.
- Harassment/Injuries: Sexual assaults.
- Multiple Plaintiffs (two).
- Basic Facts: Two blind boys, one of whom was also developmentally disabled, were sexually abused by another student at a residential state school for the deaf and blind. Sexual assaults were repeatedly reported to school staff, including principal, who merely documented incidents, but took little action to protect boys from further abuse and did not report sexual abuse to state authorities. Sexual assaults were reported to police approximately two years later. Student accused of assaulting the boys admitted he had sexually assaulted five students at school in a two-year period and pled guilty. The boys' parents sued the school board and school officials for failing to prevent and respond appropriately to the sexual abuse.
- Causes of Action: Title IX claims for deliberate indifference to sexual harassment; claims under 42 U.S.C. § 1983 alleging substantive due process violations; claims under Title II of Americans with Disabilities Act and § 504 of Rehabilitation Act for disability-based discrimination.
- Plaintiffs' Attorney: Daniel Bristol of Godin & Baity, LLC in Denver, CO.
- More information: <http://gazette.com/1.4-million-settlement-finalized-in-sex-assaults-at-colorado-school-for-the-deaf-and-the-blind/article/1567732>.

## **CONNECTICUT**

***Anibal v. Greenwich Public Schools (Stamford Sup. Ct. 2005)***

- Settlement: Injunctive relief with no monetary damages.
- Injunctive Relief: School apology and revised anti-bullying policy.
- Harassment/Injuries: Verbal harassment.
- Single Plaintiff.
- Basic Facts: Elementary school student endured four years of almost daily taunting and teasing in school.

- Causes of Action: State tort law claims for negligent and intentional infliction of emotional distress.
- Plaintiff's Attorney: Alyce Alfano, Hartford, CT.
- More Information: <http://www.insurancejournal.com/news/east/2005/08/23/58659.htm>; [http://parentadvocates.org/nicecontent/dsp\\_printable.cfm?articleID=5230](http://parentadvocates.org/nicecontent/dsp_printable.cfm?articleID=5230).

***Doe v. Board of Educ. of City of Stamford***

- Settlement: \$750,000 (pre-suit)
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: High school teacher provided and smoked marijuana with one of her students, whom she sexually abused for several months. She would drive him to a parking lot off campus to abuse him and repeatedly threatened to fail him if he broke things off. The teacher was sentenced to five years in prison. Police say administrators were told of the situation but did nothing. The high school's principal and her assistant were both arrested; the principal was fired and her assistant resigned.
- Causes of Action: N/A
- Plaintiff's Attorney: Papcsy Janosov Roche law firm (Norwalk, CT).
- More Information: <https://www.stamfordadvocate.com/local/article/Stamford-student-who-had-relationship-with-7220253.php>

***Doe v. Deerfield Academy (D. Conn. 2016)***

- Settlement: \$500,000
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff attended Deerfield Academy in the early 80s and was abused by English teacher Bryce Lambert from 1983-85. Plaintiff would attend squash and golf events in Connecticut against other schools, and Lambert would wait in the parking lot to take him on "excursions" afterward. Lambert's supervisor, Peter Hindle, also faced several allegations of abuse by other students.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Mitchell Garabedian.
- More information: [https://www.masslive.com/news/2016/01/deerfield\\_academy\\_settles\\_case.html](https://www.masslive.com/news/2016/01/deerfield_academy_settles_case.html)

***Doe ex rel. A.N. v. East Haven Board of Education, 430 F. Supp. 2d 54 (D. Conn. 2006), affirmed 200 F. App'x 46 (2d Cir. 2006)***

- Jury Verdict: \$100,000; judge also awarded attorneys' fees of \$34,422.50.
- Harassment/Injuries: Sexual assault, harassment and suicide attempt.
- Single Plaintiff.
- Basic Facts: Two upperclassmen raped a female high school freshman, causing her to suffer sexual harassment at school. One male student barked at her, another threw a tennis ball at her head, while others regularly called her "slut," "bitch," and "whore," among other names. The harassment caused her to stop attending classes and to have to sit with the guidance counselor to complete her work. The harassment was so severe that the plaintiff was taken to the emergency room after threatening suicide. The school board and principal were allegedly unresponsive to complaints about the peer harassment.

- Cause of Action: Title IX claim for deliberate indifference to sexual harassment.
- Plaintiff's Attorneys: John Williams, New Haven, CT; Norman Pattis, Bethany, CT.

***Doe v. Indian Mountain School (2016)***

- Settlement: Confidential (two settlements).
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff (one in each suit).
- Basic Facts: An English teacher abused middle school boys over the course of a decade. He took photos of the boys to blackmail them into silence. School staff witnessed boys entering his apartment after hours, and the school even instituted a policy prohibiting after-hours visits specifically to address the teacher's behavior, but he continued. He also provided students with alcohol and drugs, including cocaine, heroin, marijuana, and LSD. A few boys were even forced to live in the teacher's campus apartment basement.
- Causes of Action: Negligence, Connecticut General Statutes § 10-222 d & g.
- Plaintiff's Attorney: Antonio Ponvert III of Koskoff Koskoff & Bieder (Bridgeport, CT).
- More Information: <https://www.law.com/ctlawtribune/sites/ctlawtribune/2018/01/09/indian-mountain-school-settles-abuse-suits-by-2-former-students/>

***Doe v. Madison Board of Education, 3:11-cv-01418-RNC (D. Conn. 2015)***

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Female middle school student sexually assaulted by five male classmates at a party, sixth boy took photographs and showed other students. Girl continued to have to attend school with all six perpetrators, including continuing to high school with boy who took pictures.
- Cause(s) of Action: Title IX claim for sex-based discrimination.
- Plaintiff's Attorney(s): Margaret Rattigan, Murphy Laudati Kiel Buttler & Rattigan LLC, Farmington, CT; William Wilson II, Halloram & Sage LLP, Hartford, CT.
- More information: <http://www.norwichbulletin.com/article/20150120/News/150129968>.

***Doe v. Stamford Board of Education (Conn. Sup. Ct. 2021)***

- Settlement: \$440,000
- Harassment/Injuries: Teacher-on-student sexual abuse
- Single Plaintiff.
- Basic Facts: The plaintiff in this case was a victim of child sex abuse, including sexual assault, by a Stamford School District elementary school gym teacher during the 1970s and 1980s. He was able to file suit in 2020 after Connecticut lengthened the statute of limitations for civil suits based on child sex abuse.
- Cause of Action: Unknown
- Plaintiff's Attorneys: Cindy Robinson and Doug Mahoney of Robinson Mahoney (Fairfield, CT).
- More Information: <https://www.stamfordadvocate.com/policereports/article/Lawyer-Stamford-schools-agree-to-440K-16501603.php>

***Doe v. Stamford Board of Education (Conn. Sup. Ct. 2018)***

- Settlement: \$3.25 million

- Harassment/Injuries: Teacher-on-student sexual abuse
- Multiple Plaintiffs.
- Basic Facts: Five men brought suit against the Stamford Board of Education based on sexual abuse they experienced as elementary school students by their gym teacher. The abuse, which included sexual assault, took place in various locations at school and off campus. The teacher in question also showed the victims a gun that he kept in his car or in his gym bag. They were able to file suit after Connecticut lengthened the statute of limitations for civil suits based on child sex abuse.
- Causes of Action: Unknown
- Plaintiffs' Attorneys: Cindy Robinson, Robinson Mahoney (Fairfield, CT).
- More Information: <https://www.ctpost.com/news/article/Stamford-pays-3-2-million-in-school-sex-assault-12616567.phpf>

***Jenkins v. Town of West Hartford*, No. HHD-CV14-6051677-S (Hartford Sup. Ct. 2018)**

- Settlement: \$87,500
- Harassment/Injuries: Sexual assault and post-traumatic stress disorder.
- Single Plaintiff.
- Basic Facts: An eighth-grader at Sedgwick Middle School was repeatedly sexually assaulted in and around the locker room during gym class. On one occasion, the student was grabbed by three other students in gym class who were yelling out to rape him. They dragged him into a closet where they assaulted him with a broom and groped him. A teacher entered the closet, told the boys to knock it off, and took no further action.
- Causes of Action: Negligence, Connecticut General Statutes § 10-222 d & g.
- Plaintiff's Attorneys: Peter K. O'Keefe & Jackson O'Keefe of Jackson O'Keefe LLP in Wethersfield, CT.
- More Information: <https://www.courant.com/community/west-hartford/hc-news-west-hartford-jenkins-school-board-settlement-87k-20180723-story.html>; <https://we-ha.com/town-west-hartford-settles-case-involving-alleged-sexual-assault-sedgwick-middle-school/>.

***Riccio ex rel. Andree v. New Haven Board of Education*, 467 F. Supp. 2d 219 (D. Conn. 2006)**

- Settlement: Undisclosed amount.
- Harassment/Injuries: Anti-gay verbal and physical harassment.
- Single Plaintiff.
- Basic Facts: Female eighth grade student endured a stream of physical harassment and name-calling such as "loser," "freak," "dyke," "bitch," "gay," and "lesbian" because of her perceived sexual orientation. A student threw a pencil at her during lunchtime and other students threw paper balls at her in class and challenged her to fights.
- Cause of Action: Title IX claim of deliberate indifference to sexual harassment.
- Plaintiff's Attorney: John R. Williams, New Haven, CT.

***Willia v. Bridgeport Board of Ed.*, Docket No: FBT-CV12-6031135 (Conn. Super. Ct. 2015)**

- Settlement: \$37,000
- Injunctive Relief: Unknown.
- Harassment/Injuries: Physical violence, threats, and verbal harassment.
- Single Plaintiff.
- Basic Facts: Middle school student was verbally harassed and threatened with physical violence by several female students, soon after she transferred to the school in 2011. The verbal abuse and

threats culminated in an attack in eighth grade. During lunch in the cafeteria, one of the student's tormentors struck her repeatedly, causing the dislocation of the girl's right shoulder.

- Causes of Action: State law tort claim.
- Plaintiff's Attorney: Matthew Broder, Bridgeport, CT.
- More Information: <http://blog.ctnews.com/connecticutpostings/2015/04/30/family-wins-settlement-for-school-bullying-claim/>.

## **FLORIDA**

### ***Adams v. Okaloosa County School District, No. 3:16-cv-00178 (N.D. Fla.)***

- Settlement: \$500,000.
- Harassment/Injuries: Racial harassment and discrimination.
- Multiple Plaintiffs (two students).
- Basic Facts: Two black students faced continued racial harassment at school. One child was called the n-word, was told he would hang from a tree, was shown a picture of the KKK holding a noose and told this would happen to him, and was grabbed in the face and asked why he reported a football player for making racial slurs. School administrators were aware of the harassment, including the fact that the students were called the n-word at least eight times, once by a teacher, and threatened with a noose at least twice.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Unknown.

### ***Doe v. Charter Schools USA, Inc., No. 12 -25666 CA 08 (Cir. Ct. Miami-Dade Cnty. 2014)***

- Jury Verdict: \$5.25 million.
- Harassment/Injuries: Sexual assault; attempted suicide.
- Single Plaintiff.
- Basic Facts: Eleven-year-old student raped a seven-year-old student in the back of a transport van on the way to school, and two more times in school bathroom.
- Causes of Action: Claim under state tort law; claim under Title IX for deliberate indifference to sexual harassment.
- Plaintiff's Attorney: Jeffrey Herman, Miami, FL.
- More Information: <http://www.nbcmiami.com/news/local/Jury-Awards-525-Million-in-Downtown-Miami-Charter-School-Sex-Assault-Case-255357051.html>.

### ***Doe v. School Board of Miami Dade County (Cir. Ct. Miami-Dade Cnty. 2018)***

- Settlement: \$8.7 million.
- Harassment/Injuries: Teacher-on-student sexual harassment, including rape.
- Multiple Plaintiffs (5).
- Basic Facts: Five students brought suit against Brownsville Middle School in Miami Dade County. Four alleged former middle school teacher Wendell Nibbs raped them, and the fifth alleged he sexually harassed her and inappropriately touched her.
- Cause of Action: Title IX.
- Plaintiff's Attorney: Aaron Karger of the Law Offices of Aaron A. Karger and Pedro Echarte of Haggard Law Firm.
- More Information: <https://www.law.com/dailybusinessreview/2020/11/13/5-sexual-abuse-victims-obtain-8-7m-settlement-after-miami-dade-teacher-was-left>

[unchecked/?sreturn=20210506011544](#) and <https://miami.cbslocal.com/2020/11/12/miami-dade-school-board-settles-with-families-of-sexual-assault-victims-for-nearly-9-million/>.

***Doe v. School Board of Miami-Dade County, No. 1:17-cv-22926 (S.D. Fla. 2017)***

- Verdict: \$6 million.
- Harassment/Injuries: Teacher-on-student sexual abuse
- Single Plaintiff.
- Basic Facts: Jane Doe was sexually abused by a teacher during her junior and senior years in high school. The teacher also sexually abused many other girls during his decades-long tenure as a teacher in Miami-Dade County. The abuse included emotional manipulation, child pornography, and forcible kissing and touching. Though the school district had previously received reports of sexual abuse by the teacher, it had failed to investigate the reports.
- Causes of Action: Title IX; Section 1983 claim for policy, practice, and custom causing Constitutional harm; Section 1983 claim for failure to train/supervise.
- Plaintiff's Attorneys: Ronald P. Weil and Mark A. Schweikert, Weil Quaranta (Miami, FL).
- More Information: <https://www.law.com/dailybusinessreview/2021/10/05/south-florida-jury-awards-6m-in-damages-to-accuser-in-sexual-abuse-case-against-miami-dade-school-board/?sreturn=20220027122649> <https://www.wfla.com/news/lawsuit-florida-teacher-molested-students-referred-to-as-jasons-girls-while-school-ignored-warnings/> and [https://account.miamiherald.com/paywall/subscriber-only?resume=254745127&intcid=ab\\_archive](https://account.miamiherald.com/paywall/subscriber-only?resume=254745127&intcid=ab_archive)

***Doe v. School Board of Miami-Dade County, No. 1:19-cv-20204 (S.D. Fla. 2019)***

- Settlement: Unknown.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Jane Doe was 14 years old when she was sexually assaulted three times and verbally harassed from by older boys in school bathrooms over a two-week period at Carol City High School. When she reported the assaults the school suspended her.
- Causes of Action: Title IX, Section 1983 claim for equal protection violation, negligence.
- Plaintiff's Attorneys: National Women's Law Center, Stroock & Stroock & Lavan, Allison Hertog, and Alice K. Nelson.
- More information: [https://www.miamitimesonline.com/education/lawsuit-alleging-sexual-assault-coverup-settled/article\\_3f59aca0-1154-11ea-80a6-6713e2e9b743.html](https://www.miamitimesonline.com/education/lawsuit-alleging-sexual-assault-coverup-settled/article_3f59aca0-1154-11ea-80a6-6713e2e9b743.html) and <https://dev.devurl.info/nwlc2.org/press-releases/settlement-approved-in-miami-dade-county-school-sexual-assault-lawsuit/>.

***Heidenberg v. Hillel School of Tampa, No. 06-CA-512 (Cir. Ct. Hillsborough Cty. 2007)***

- Jury Verdict: \$4 million; judge reduced to \$600,000, characterizing closing argument by plaintiff's attorney as "highly inflammatory" for focusing too much on school's punishment rather than liability.
- Settlement: Parties settled for an undisclosed sum exceeding \$600,000.
- Harassment/Injuries: Physical assault (broken arm and permanent nerve damage).
- Single Plaintiff.
- Basic Facts: 12-year old boy assaulted several times by fellow student, prompting bullied boy's father to ask principal to protect his son. After reporting incident to principal, the bully assaulted the student on school grounds again. The student sustained a broken arm and was left with

permanent nerve damage. During closing argument, plaintiffs' attorney emphasized that school officials never apologized and asked the jury to "teach the teachers," stating, "Today's the day that [the teachers] get taken to the woodshed."

- Cause of Action: Negligence claim under state tort law.
- Plaintiff's Attorney: David Tirella, Tampa, FL.
- More Information: [http://www.sptimes.com/2007/12/18/Hillsborough/Award\\_in\\_bullying\\_cas.shtml](http://www.sptimes.com/2007/12/18/Hillsborough/Award_in_bullying_cas.shtml).

***Minor v. Polk County School Board; Smith v. Polk County School Board (Fla. 10th Cir. Ct. 2019)***

- Settlements: \$10,000 and \$175,000 respectively.
- Harassment/Injuries: Sexual harassment and abuse.
- Single Plaintiff (one in each suit).
- Basic facts: English teacher Jason Argo touched a 15-year-old student inappropriately and sent her explicit messages on social media. Her mother reported to the school and the teacher was suspended for three days. When he returned to school, he began texting a second student, whom he sexually abused throughout 2015. The school district had no tracking system for cases they were investigating and admitted that when law enforcement gets involved, the district does not conduct its own investigation. Argo is serving a 12-year prison sentence.
- Cause of action: Negligence; other claims unknown.
- Plaintiff's Attorney: Kent Lilly of Lilly & Brown (Lakeland, FL).
- More Information: <https://www.newschief.com/news/20190611/lawyers-settle-lawsuits-over-former-mulberry-teacher-jason-argo-engaging-in-sex-acts-with-students>

***Oviedo v. School Board of Seminole County, No. 2015CA001576 (Cir. Ct. of Seminole Cty. Fla. 2017)***

- Settlement: \$200,000
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, an autistic student, was beat up on a school bus as the school bus attendant ignored the incident. The bus surveillance video shows a child hitting the plaintiff as the attendant sat nearby knitting. The suit alleged that the school should have been aware that the attacker had a propensity for violence.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Imran Malik of Maitland, FL.
- More Information: <http://www.orlandosentinel.com/features/education/os-lawsuit-bus-seminole-school-20161221-story.html>.

***S.B., ex rel. Cox v. Duval County School Board (Cir. Ct. Duval Cty. 2013)***

- Jury Verdict: \$100,000 (for past and future pain and suffering).
- Harassment/Injuries: Physical assault.
- Single Plaintiff
- Basic Facts: S.B. suffered a serious fracture requiring three surgeries on her left knee after a 12-year-old girl, known for her violent tendencies, assaulted S.B.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Unknown.

- More Information: <http://www.lexisnexis.com/legalnewsroom/litigation/b/jverdicts/archive/2013/05/08/failure-to-prevent-bullying-can-prove-costly-to-school-districts.aspx>.

***T.B. and S.W. v. The School Board of Palm Beach County, Florida, (Cir. Ct. Palm Beach Cty. 2013)***

- Jury Verdict: \$1.7 million (could be reduced to \$100,000 under state sovereign immunity statute).
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: A 15-year-old student raped a 3-year-old special needs girl on a school bus.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Stephan Le Clainche of West Palm Beach, FL.
- More Information: <http://www.palmbeachpost.com/news/news/crime-law/attorneys-ask-for-35-million-for-pahokee-girl-sexu/nWHNc/>.

***Wyke v. Polk County School Board, 898 F. Supp. 852 (M.D. Fla. 1995)***

- Jury Verdict: \$500,000.
- Harassment/Injuries: Suicide.
- Single Plaintiff.
- Basic Facts: A 13-year-old boy attempted to hang himself in his junior high school restroom. The dean of students called him into his office and read him Scripture but took no further action, did not inform his parents, and did not notify other school officials. He tried to kill himself again that day on school grounds and then completed suicide in his backyard at home a couple days later. The judgment of the district court was affirmed in part: 129 F.3d 560 (11th Cir. 1997), certified question withdrawn, 137 F.3d 1292 (11th Cir. 1998).
- Cause of Action: State negligence claim.
- Plaintiff's Attorney: Clay Booth Rood of Law Office of Clay Rood, Tampa, FL.
- More Information: <https://www.usatoday.com/story/news/nation/2015/03/23/school-suicides/25215371/>

## **GEORGIA**

***Brinkley v. Waters, No. 2:18-CV-89, 2021 WL 1233352 (S.D. Ga. Mar. 31, 2021)***

- Settlement: \$4.1 million.
- Harassment/Injuries: Child sexual abuse by teacher
- Multiple Plaintiffs.
- Basic Facts: Two plaintiffs (and other students) were sexually abused by an Appling County School District teacher. After a student reported the abuse, the school failed to follow legally required mandatory reporting laws, allowing the abuse to continue. The case survived a motion for summary judgment before settling.
- Causes of Action: Negligent Hiring, Training, and Supervision; Negligence; Title IX; Section 1983 Due Process.
- Plaintiffs' Attorney: Melvin Hewitt, Isenberg & Hewitt, Atlanta, GA.
- More Information: [https://www.baxleynewsbanner.com/news/federal-civil-case-against-school-system-may-go-to-trial/article\\_5d09f616-970d-11eb-85f7-3f577dc4aa73.html](https://www.baxleynewsbanner.com/news/federal-civil-case-against-school-system-may-go-to-trial/article_5d09f616-970d-11eb-85f7-3f577dc4aa73.html)

***United States v. DeKalb County School District (2013 & 2014)***

- Settlement: injunctive relief only (pre-suit).
- Injunctive Relief:
  - First Settlement (2013): School district required to work with consultant to develop and implement anti-harassment training at student’s middle and high school; immediately implement a safety plan to ensure that student is safe at school and, should incidents of harassment occur, that district responds quickly and effectively; and meet with the student, his family, and administrators from his middle school and the high school where he will enroll, to Identify key school personnel who can support the student should any future incidents of harassment occur. See: <http://www.justice.gov/iso/opa/resources/85920135716465774430.pdf>.
  - Second Settlement (2014): School district required to provide information to non-English-proficient parents of district students about district’s anti-harassment policies, regulations, and procedures; increased monitoring by DOJ; renewed round of anti-harassment training for staff and students. See: [http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/11/18/dekalb\\_settlement\\_agreement.pdf](http://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/11/18/dekalb_settlement_agreement.pdf).
- Harassment/Injuries: Verbal and physical harassment based on national origin and religion.
- Single Plaintiff.
- Basic Facts: A Sikh middle school student endured bias-based taunts, including being called “Osama,” “terrorist,” and “curryhead.” He was told that he had a “bomb on his head” and to “go back to [his] country.” He also suffered physical harassment. A student cut off some of his hair in class, an affront to practicing Sikhs, whose faith prohibits haircuts.
- Causes of Action: The Sikh Coalition filed a complaint on the student’s behalf with the United States Department of Justice (“DOJ”). DOJ negotiated a pre-suit settlement with the school district pursuant to Title IV of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, sex, religion, and national origin in public schools. The statute authorizes the U.S. Attorney General to file suit to enforce the Act, but does not create a private right of action.
- Student’s Attorney: Sikh Coalition of New York, NY.
- More Information: <http://www.sikhcoalition.org/advisories/2013/legal-victory-bullied-for-years-sikh-student-gets-justice-in-landmark-settlement>; <http://www.justice.gov/opa/pr/2013/May/13-crt-516.html>; <http://www.sikhcoalition.org/advisories/2014/doj-settlement-of-sikh-complaint-will-protect-100000-school-children>.

**HAWAII**

***Doe v. State of Hawaii, No. 11-cv-0550-KSC (D. Haw. 2013)***

- Settlement: \$5.75 million.
- Harassment/Injuries: Sexual assault and harassment.
- Multiple Plaintiffs (class action).
- Basic Facts: Gang at public school for the deaf and blind sexually assaulted and terrorized their classmates. The assaults included robberies, gang rapes and other forms of sexual assault. School officials knew about the assaults for more than a decade and covered up the acts.
- Causes of Action: Disability discrimination claims under Title II of the Americans with Disabilities Act, § 504 of the Rehabilitation Act, and the Individuals with Disabilities in

Education Act; unspecified claims under 42 U.S.C. § 1983; Title IX claims for deliberate indifference to peer harassment; and claims under the state constitution.

- Plaintiffs' Attorneys: Glenn H. Uesugi, John Rapp, Michael J. Green of Honolulu, HI.
- More Information: <http://www.hawaiireporter.com/5-75-million-settlement-awarded-to-deaf-and-blind-students-sexually-assaulted-by-gang-at-hawaii-public-school/123>.

***Kauhako v. State of Hawaii Board of Education Department of Education, 2015 WL 5312359 (D. Haw. Sept. 9, 2015)***

- Jury Verdict: \$810,000.
- Single Plaintiff.
- Harassment/Injuries: Sexual assault.
- Basic Facts: A ninth-grade girl with the intellectual ability of a second-grader was raped by a then-senior boy from her special education class in a unisex bathroom during school in 2013. The girl's mother had previously expressed concerns to the school about her daughter being without supervision and had brought forward complaints that this same male student had inappropriately touched her in the past.
- Causes of action: Title IX claim; premises liability; negligent supervision; negligence; gross negligence; intentional infliction of emotional distress; negligent infliction of emotional distress
- Plaintiffs' Attorneys: Michael Jay Green and Peter C. Hsieh (Honolulu, HI).
- More Information: <https://www.cbsnews.com/news/hawaii-schools-special-education-student-rape/>

***K. S-A. v. State of Hawaii, Department of Education, No. 16-00115 ACK-KJM (D. Haw. 2018)***

- Settlement: \$10,000 (\$5,000 to each student).
- Injunctive Relief: Department must update its student misconduct code to cover bullying against protected classes, develop a complaints and investigation process, hire equity specialists for each complex area, and develop a web-based standardized training program on department procedures.
- Multiple plaintiffs (two students and their father).
- Harassment/Injuries: Physical and verbal bullying; sex discrimination.
- Basic Facts: Two brothers, ages 12 and 13, suffered verbal and physical abuse at school since they were 6 and 7. They were repeatedly subject to homophobic slurs like "faggot" and "queer," and shoved to the ground. One teacher allegedly told one of the boys "maybe these things wouldn't happen if you believed in God." As a result of the persistent bullying, the boys frequently switched schools, attending four different elementary schools.
- Causes of Action: Title IX and negligent infliction of emotional distress.
- Plaintiffs' Attorneys: Brooks L. Bancroft of Bancroft Law LLLC in Hilo, Hawaii; Rob Roy Smith, Christina M. Gattuso, & Scott Kolassa of Kilpatrick Townsend & Stockton LLP in Seattle, Washington.
- More Information: <https://www.civilbeat.org/2018/04/are-hawaii-schools-doing-enough-to-address-bullying/>; <https://casetext.com/case/ks-a-v-hawaii>.

***Roe v. Hawaii Preparatory Academy, No. 1:2017-cv-00256 (D. Haw. 2017)***

- Settlement: Unknown.
- Multiple Plaintiffs (three).

- Basic Facts: Former director of alumni and student programs, Arati Clarry, sexually abused at least one male student, who was a seventeen-year-old junior in high school at the time, on campus and in his residence. The administrator was never charged criminally.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.hawaiitribune-herald.com/2018/10/17/hawaii-news/settlement-reached-in-hpa-sex-abuse-lawsuit/>

## **IDAHO**

### ***McDaniel v. Dietrich School District No. 314*, No. 1:16-cv-202-BLW (D. Idaho 2016)**

- Settlement: Confidential.
- Harassment/Injuries: Racial and disability-based harassment; assault.
- Single Plaintiff.
- Basic Facts: African-American male student in small, predominantly white school district was routinely harassed by fellow football players for his race, as well as a mental disability for which he had an IEP. The victim was made to sing a racist KKK song, forced to fight a particularly large and vicious student at football practice, and was ultimately sodomized by several teammates with a coat hanger.
- Causes of Action: Race discrimination claims under 42 U.S.C. § 1983 for violations of Equal Protection and Due Process Clauses; race discrimination claims under Equal Educational Opportunities Act of 1974 and Title VI of the Civil Rights Act of 1964; state constitutional and tort claims.
- Plaintiff's Attorney: R. Keith Roark, The Roark Law Firm, Hailey, ID; Lee Schlender, Schlender Law Offices, Mountain Home, ID.
- More Information: <https://www.boiseweekly.com/boise/settlement-reached-in-dietrich-sex-assault-lawsuit/Content?oid=6996711>; <https://apnews.com/0415b12939804de580e4276674ab9af8/Idaho-school-settles-in-locker-room-assault-case>; <https://www.idahoednews.org/kevins-blog/ap-dietrich-settles-lawsuit-locker-room-assault/>.

### ***P.R. v. Shoshone School District No. 321*, No. 1:17-CV-00521-CWD, 2018 WL 6729634 (D. Idaho 2018)**

- Settlement: Confidential
- Harassment/Injuries: Sexual assault and harassment.
- Single Plaintiff.
- Basic facts: A 13-year-old middle school student was raped by a 17-year-old high school football star in a school computer lab. The assault was caught on school security video. Following her report of the assault, the girl was told she could complete her schoolwork from home, while the boy remained in school. The girl ultimately moved out of the district in order to attend a new school, and the boy pled guilty to lewd conduct with a minor in juvenile court.
- Cause of action: Title IX claim; 42 U.S.C. § 1983 claim against school officials and employees in their individual capacities.
- Plaintiff's Attorney: E. Lee Schlender (Mountain Home, ID).
- More Information: [https://magicvalley.com/news/local/crime-and-courts/shoshone-school-district-settles-sex-assault-case-involving-student/article\\_2b1fbfaa-05d1-5274-93f3-800803a8f1f3.html#tracking-source=home-top-story-1](https://magicvalley.com/news/local/crime-and-courts/shoshone-school-district-settles-sex-assault-case-involving-student/article_2b1fbfaa-05d1-5274-93f3-800803a8f1f3.html#tracking-source=home-top-story-1)

***Torres v. Sugar-Salem School District #332, No. 4:17-cv-00178-DCN, 2019 WL 4784598 (D. Idaho Sept. 30, 2019)***

- Settlement: \$300,000.
- Harassment/Injuries: Child sex abuse by school employee.
- Single Plaintiff.
- Basic Facts: A school counselor groomed and then sexually abused the plaintiff over a two-year period. According to the complaint, the school district did nothing to supervise or investigate the school counselor, despite previous complaints to school administrators about him sending inappropriate “flirty” text messages to the plaintiff. The case survived a motion for summary judgment prior to settling.
- Causes of Action: Title IX; negligence; state law tort claim for child abuse; negligent infliction of emotional distress; intentional infliction of emotional distress; assault and battery.
- Plaintiff’s Attorneys: Amanda Elizabeth Ulrich, DeAnne Casperson, Casperson Ulrich Dustin PLLC, Laurie Baird Gaffney, Banks Gaffney McNally PLLC, Idaho Falls, ID,
- More Information: <https://www.eastidahonews.com/2021/07/sugar-salem-settles-title-ix-case-for-300000/>.

## **ILLINOIS**

***Acoff v. Wolf Branch School District, U.S. Dept. of Education, OCR Complaint (2015)***

- Settlement: \$75 for costs related to bullied student’s therapy, and injunctive relief.
- Injunctive Relief: Pursuant to voluntary resolution agreement reached with U.S. Department of Education’s Office for Civil Rights (“OCR”), school district agreed to take steps necessary to ensure that students enrolled at Wolf Branch Middle School are not subjected to hostile environment on basis of race, color or national origin; promptly investigate incidents of harassment and take appropriate disciplinary action; revise anti-bullying policies and procedures; provide anti-bullying training to staff; improve anti-bullying program for students; and report to OCR on implementation of all action items.
- Harassment/Injuries: Race-based harassment (both verbal and physical).
- Single Plaintiff.
- Basic Facts: An African American middle school student was targeted by other students for racially motivated bullying, which included racial slurs and incidents of physical abuse. His parents filed a complaint with OCR. (The parents also filed a civil suit, which they dropped.)
- Causes of Action: Title VI claim for school’s failure to respond appropriately to racial harassment.
- Plaintiff’s Attorney: None.
- More Information: <http://www.bnd.com/news/local/education/article19573368.html>; <http://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/05141021-b.pdf>.

***Black, as parent and next friend of J.D. and J.A.D, minors, v. Littlejohn, No. 19 C 2585, 2020 WL 469303 (N.D. Ill. Jan. 28, 2020)***

- Settlement: \$1.25 million.
- Harassment/Injuries: Disability-based physical assaults and verbal bullying by students and teachers, resulting in one child’s suicide attempt that caused severe brain damage, and ultimately, death.
- Two Plaintiffs (through their parent).

- Basic Facts: Special needs elementary school student, J.D., experienced severe verbal bullying by both teachers and students, who called him “dumb,” “stupid,” “retarded,” “dirty,” “nappy-headed.” He was also physically assaulted by two school employees on different occasions and physically attacked by a group of students during class on yet another occasion. J.D. attempted suicide, and was found hanging by his younger sister, J.A.D., who was also a special needs elementary school student, and had also experienced school bullying. J.D.’s suicide attempt resulted in severe brain damage and led to his death two years later.
- Causes of Action: Section 1983 Equal Protection claim; ADA Title II claim; Rehabilitation Act Section 504 claim; Section 1983 Substantive Due Process claim; Section 1983 Excessive Force claim; Section 1983 *Monell* claim; Willful and Wanton Supervision; Intentional Infliction of Emotional Distress; Battery; Illinois Hate Crime; Indemnification; Respondeat Superior.
- Plaintiff’s Attorney: Jon Erickson, Erickson & Oppenheimer, Ltd. (Chicago, IL).
- More Information: <https://chicago.suntimes.com/education/2021/10/25/22745541/jamari-dent-dead-cps-public-school-settlement-suicide-bully-teirra-black>  
<https://www.dailymail.co.uk/news/article-10153081/Chicago-Public-Schools-pay-1-25-million-Jamari-Dents-parents.html>

***Doe v. Evanston Township High School District 202, (Cook Cty. Cir. Ct. 2017)***

- Settlement: \$100,000 (to be spent enhancing existing programs sponsored by the school district, for benefit of Evanston High School students, that address sexual assault awareness, prevention, and reporting).
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (three former students).
- Basic Facts: Former high school drama teacher Bruce Siewerth sexually abused several students between 1976 and 1980, reaching down their pants and making crass comments about their genitals. Complaints alleged the school district knew or should have known about the abuse allegations.
- Causes of Action: Negligence.
- Plaintiff’s Attorney: Hurley, McKenna & Mertz (Chicago, IL).
- More Information: <https://news.wttw.com/2019/01/21/evanston-township-high-school-settlement>

***Doe v. Lake Zurich Community Unit School District No. 95, No. 1:17-cv-00834 (N.D. Ill. 2017)***

- Settlement: \$399,000.
- Harassment/Injuries: Sexual harassment; hazing.
- Two Plaintiffs.
- Basic Facts: Two former members of the high school football team were sexually harassed in the locker room, including an unspecified incident in the showers and another instance when one victim was forced to perform oral sex. The victims alleged that sexual and other physical harassment was routinely used to haze new members of the football team, and also alleged that hazing was rampant in the school’s athletic program since approximately 1997. Past hazing included stripping players naked, punching them in the genitals, and sodomizing them with broomsticks.
- Causes of Action: § 1983 claims for violations equal protection and substantive due process rights; state tort law.
- Plaintiffs’ Attorney: Antonio Romanucci, Romanucci & Blandin, LLC, Chicago, IL.

- More Information: <http://www.chicagotribune.com/news/local/breaking/ct-lake-zurich-hazing-lawsuit-met-20170201-story.html>; <http://www.chicagotribune.com/suburbs/lake-zurich/news/ct-lzc-district-95-hazing-settlement-tl-1228-20171222-story.html>.

***Doe v. Limestone Community School District 310 (C.D. Ill. 2019)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual harassment and assault.
- Single Plaintiff.
- Basic Facts: A former high school student experienced repeated sexual advances and harassment from one of her former teachers. The perpetrating teacher had a history of making advances toward students, including inappropriate comments and conduct. The disclosed-to teacher reported immediately to the principal, and while the perpetrating teacher was removed from the classroom, the school took no steps to prevent further harassment. Other students later came forward about the same teacher.
- Cause of action: Title IX claim for deliberate indifference to sexual harassment; intentional infliction of emotional distress; battery; conspiracy to deprive of constitutional rights.
- Plaintiff's Attorney: Nina Gougis (Peoria, IL).
- More Information: <https://www.pjstar.com/news/20190620/limestone-teacher-sexual-harrassment-suit-reportedly-settled>

***Doe v. Macomb Community Unit School District No. 185, No. 18-cv-010720 (C.D. Ill. 2018)***

- Settlement: \$1.5 million
- Harassment/Injuries: Sexual harassment, including sexual assault.
- Two Plaintiffs.
- Basic Facts: A male student, who was the son of a teacher at the school, 'sexually harassed, assaulted and violently penetrated' two female students on different occasions. He sexually harassed one of them 20 separate times. The principal and assistant principal were notified four times but imposed no discipline and took no action.
- Cause of Action: Title IX claims.
- Plaintiff's Attorney: Monica Beck of The Fierberg National Law Group.
- More Information: <https://wgem.com/2020/08/06/macomb-school-district-settles-sexual-assault-lawsuit/> and <https://khqa.com/news/local/macomb-public-schools-facing-10m-civil-lawsuit>.

***Doe v. Maine Township School District 207 (Cook Cty. Cir. Ct. 2016)***

- Settlement: \$1 million (\$200,000 per victim).
- Harassment/Injuries: Hazing, sexual assault.
- Multiple Plaintiffs (five).
- Basic Facts: Five former high school student-athletes, four on the soccer team and one on the baseball team, were sexually assaulted by more senior varsity teammates as part of a hazing ritual. The older teammates stuck their fingers and foreign objects in the younger students' anuses, while holding them down. Two coaches were relieved of coaching and teaching duties during the investigation.
- Causes of action: State tort claims against school district, principal, and two coaches for willful and wanton misconduct and intentional infliction of emotional distress.
- Plaintiffs' Attorneys: Antonio Romanucci of Romanucci & Blandin (Chicago, IL); Adele Kimmel of Public Justice (Washington, DC).

- More Information: <https://patch.com/illinois/desplaines/reported-hazing-battery-sexual-assault-of-14-year-old2c5dddd004>

***Hunley v. St. Charles Community Unit School District 303 (Ill. Sup. Ct. 2013)***

- Settlement: \$15,000.
- Harassment/Injuries: Assault.
- Single Plaintiff.
- Basic Facts: A 10-year-old elementary school student was pushed on the playground at recess, suffering serious and permanent injuries, after having been bullied by another student. The incident happened despite the school district's knowledge of the bullying and previous agreement with the parents of both children that all staff members would be notified both orally and in writing that the children needed to be separated while on school property.
- Causes of Action: Reckless failure to prevent boys from contacting each other; reckless failure to ensure staff members were notified of policy not to allow the boys' contact; purposefully allowing boys to go to recess together; minor's parents failure to prevent boys from coming into contact; minor's parents' failure to remove son from school after learning of the bullying.
- Plaintiff's Attorney: Unknown.
- More Information: <http://www.kcchronicle.com/2014/09/02/d-303-parent-reach-settlement-in-bullying-case/anjybp/>.

***Kuhner v. Highland Community Unit School District No. 5, No. 15-cv-00107 (D. Ill. 2017)***

- Settlement: \$27,000.
- Harassment/Injuries: Verbal and physical bullying based on the victim's learning disability.
- Single Plaintiff.
- Basic Facts: The plaintiff, a student with learning disabilities and in a special education program at Highland High School, was subject to verbal and physical bullying by other students at the school. The plaintiff reported the bullying to her teacher, caseworker and her mother, who also spoke with the caseworker. The school took no action, the bullying continued, and the plaintiff's mother withdrew her daughter from school. The plaintiff subsequently attempted suicide. After the plaintiff returned to school, the mother spoke with the assistant principal about the harassment, but again no action was taken and the bullying continued. As a result, the plaintiff returned to homeschooling.
- Causes of Action: Claims under Title II of the Americans with Disabilities Act, § 504 of the Rehabilitation Act, and the Individuals with Disabilities in Education Act; § 1983 claims under the Fourteenth Amendment.
- Plaintiff's Attorney: David Cates and Chad M. Mooney of Swansea, IL.
- More Information: <http://www.bnd.com/news/local/community/highland-news-leader/article142875034.html>.

***Liggett v. El Paso-Gridley Community Unit School District No. 11, No 14-L-2 (Ill. Ct. Cl. 2014).***

- Jury Verdict: \$250,000
- Harassment/Injuries: Middle school boy with autism physically assaulted and bullied regularly by two high school students on school bus.
- Single Plaintiff.
- Basic Facts: Thirteen-year-old autistic boy rode in a school bus each day with Marcus Salley, then 16, and Dakota Dunn, then 15. The two perpetrators were in high school while Zachary was a student at El Paso-Gridley Junior High School. Zachary was routinely beaten and bullied by the

two boys, but the bus driver, James Roberts, failed to report or stop the bullying. In fact, he lied to school administrators by telling them that everything was fine on the bus. Later, Zachary's parents called the police when they noticed cuts and bruises on his body.

- Causes of Action: State tort claims
- Plaintiff's Attorney: Nicolette A. Ward and Martin D. Gould of Romanucci & Blandin LLC, and James P. LeFante and Thomas L. Norman Jr. of LeFante Law Offices P.C.
- More Information: <https://rblaw.net/personalinjurylawyers/wp-content/uploads/2018/04/Bullied-Student-Wins-250000-in-Damages-Chicago-Daily-Law-Bulletin-3.2....pdf>; [http://www.pantagraph.com/news/local/crime-and-courts/jury-awards-in-local-bullying-case/article\\_82a1eaa4-ccd4-59d6-8bbf-527141134503.html](http://www.pantagraph.com/news/local/crime-and-courts/jury-awards-in-local-bullying-case/article_82a1eaa4-ccd4-59d6-8bbf-527141134503.html)

***Sandra T.E. v. South Berwyn School District 100* (N.D. Ill. 2010)**

- Jury Verdict: \$3.5 million.
- Harassment/Injuries: Sexual abuse; kidnapping.
- Multiple Plaintiffs (Nine students and their parents).
- Basic Facts: Former band teacher Robert Sperlik kidnapped more than twenty girls between 1998 and 2003. He put rags in their mouths, taped their mouths shut, bound their hands and feet, and used them for his own sexual stimulation. Sperlik's personnel file included two letters of reprimand from 2001 warning the teacher to cease inappropriately touching students. The school never warned CPS or parents.
- Causes of Action: 42 U.S.C. § 1983 claims for violation of Fourth Amendment and Fourteenth's Amendment's substantive due process and equal protection clauses; Title IX claim; state law claim for intentional infliction of emotional distress
- Plaintiff's Attorney: Jon Loevy of Loevy & Loevy (Chicago, IL).
- More Information: <https://www.nbcchicago.com/news/local/berwn-teacher-abuse-98149929.html>

***Sterling v. Evanston Township High School District 202 et al.*, No. 1:19-cv-5599 (N.D. Ill. Filed Mar. 31, 2021)**

- Settlement: \$225,000.
- Harassment/Injuries: Grooming, sexual abuse, and sexual harassment.
- Multiple Plaintiffs (a student and her mother).
- Basic Facts: Two school safety officers groomed and sexually abused the plaintiff over a period of more than two years while she was in high school. Much of the sexual abuse took place on or near school grounds, with the plaintiff utilizing a hall pass provided to her by one of the perpetrators. One of the school safety officers also sexually assaulted the plaintiff at his residence, where he lived with an Evanston teacher.
- Causes of Action: 42 U.S.C. § 1983 claims for violation of the Fourteenth's Amendment's substantive due process and equal protection clauses; Title IX claim; Illinois Gender Violence Act claim; intentional infliction of emotional distress; battery; willful and wanton conduct; state law indemnification claim.
- Plaintiffs' Attorneys: Andrew Stroth, Carlton Odum, Amanda S. Yarusso of Action Injury Law Group, LLC in Chicago, Illinois; Kimberly A. Evans and Irene R. Lax of Grant & Eisenhofer.
- More Information: <https://evanstonroundtable.com/2022/06/04/eths-paid-a-225000-in-the-fall-of-2021-to-settle-a-sex-abuse-lawsuit/>

***Student A v. Township High School District, U.S. Dept. of Education, OCR Complaint (2015)***

- Settlement: \$75 for costs related to harassed student's therapy, plus injunctive relief.
- Injunctive Relief: Pursuant to voluntary resolution agreement reached with U.S. Department of Education's Office for Civil Rights ("OCR"), school district agreed to work with an expert consultant, provide individual accommodation measures to Student A that respect her gender identity, issue an updated non-discrimination notice, and provide documentation of its compliance with these measures.
- Harassment/Injuries: Gender identity and gender presentation discrimination.
- Single Plaintiff.
- Basic Facts: A transgender girl and her family communicated with high school about her transition to ensure use of her proper name and access to facilities aligned with her gender. The District agreed to all requests except that she be provided access to the girls' locker rooms, despite the fact that she had been harassed in middle school while forced to use the boys' locker room. The student requested the opportunity to change in a private space within the girls' locker room but this request was again denied. She was instead told to use a single occupancy facility that is kept locked at all times during the school day, requiring her to find someone to unlock it for her each time and to take a circuitous route to her physical education class.
- Cause of Action: Title IX claim for unequal treatment on the basis of sex.
- Plaintiff's Attorney: None.
- More Information: <https://www.ed.gov/news/press-releases/settlement-reached-palatine-ill-township-high-school-district-211-remedy-transgender-discrimination>

***Walgren v. Heun, 2019 WL 265094 (N.D. Ill. 2019)***

- Settlement: \$125,000.
- Harassment/Injuries: Harassment; suicide.
- Multiple Plaintiffs (parents and estate of deceased student).
- Basic Facts: Corey Walgren, a 16-year-old high school student, died by suicide just hours after being questioned by two deans from his school. School officials suspected Corey had made and possibly disseminated a video of himself having sex with a fellow classmate. They called him in and interrogated him, telling him he could be forced to register as a sex offender and might face child pornography charges, but an initial search of his phone turned up nothing. School officials had him wait in a separate office while his mother traveled to the school, but he slipped out, went to a fifth floor parking garage, and jumped. He later died from his injuries.
- Causes of Action: Wrongful death; Fourth Amendment claims for unreasonable conditions of confinement; Fourteenth Amendment claims for violations of substantive due process; failure to protect from a state-created danger; state law claims for willful and wanton conduct and intentional infliction of emotional distress
- Plaintiff's Attorney: John Joseph Malm; Ekl, Williams & Provenzale LLC (Lisle, IL)
- More Information: <https://www.nbcchicago.com/news/local/suit-settled-in-teen-suicide-that-led-to-illinois-law-change-558948581.html>

**INDIANA**

***A.S. v. Indianapolis Public Schools (S.D. Ind. 2015)***

- Settlement: \$500,000 (School to \$490,000; former teacher to pay \$10,000)
- Harassment/Injuries: Sexual abuse
- Single plaintiff.

- Basic Facts: Former teacher Corey Greenwood faced complaints of inappropriate conduct with students as far back as 2004. He had a sexual relationship with a student, kissing her in his locked office. The school investigated but took no action, and Greenwood transferred to another high school where he served as assistant principal, dean of students, and athletics director. There, he met the 16-year-old plaintiff. Greenwood provided her with money for food and gave her gifts. When plaintiff was in 10<sup>th</sup> grade, Greenwood sexually abused her in his office. She ultimately told her friend, and school officials found out.
- Cause of action: Title IX claim; other claims unknown.
- Plaintiff's Attorney: Eric Schmadeke of Densborn Blachly LLP (Indianapolis, IN) and Stephen Wagner of Wagner Reese LLP (Carmel, IN).
- More Information: <https://www.indystar.com/story/news/2015/11/24/lawsuit-ips-ignored-former-employees-sexual-misconduct-student/76326186/>

***Doe v. Indianapolis Public Schools (S.D. Ind. 2018)***

- Settlement: Confidential, but public records requests reveal settlement was for \$95,000.
- Harassment/Injuries: Sexual abuse and harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff was 16 at the time his school guidance counselor began sexually abusing him. The abuse continued while he was 17 and took place in several geographic locations, including at the school. School officials noticed a pattern of male students missing class to be in the guidance counselor's office and noticed she had given one student a laptop, but took no action to investigate. Plaintiff's mother found out and immediately reported the abuse to the school. Despite more than twelve of them being on notice of the allegations, school officials did not make their mandatory report to the Department of Child Services until six days later. School officials also made an effort to keep police out of the situation.
- Causes of action: Negligence; other claims unknown.
- Plaintiff's Attorney: Eric Schmadeke of Densborn Blachly LLP
- More Information: <https://www.indystar.com/story/news/education/2019/06/11/shana-taylor-case-ips-settles-student-administrators-600-000/1417685001/>

***McCoy v. South Madison Community Schools (Madison Cty. Cir. Ct. 2013)***

- Jury Verdict: \$50,000.
- Harassment/Injuries: Verbal and written harassment.
- Single Plaintiff.
- Basic Facts: Classmates photoshopped sexually suggestive pictures of the plaintiff when she was a freshman in high school, and posted them on flyers in school hallways and bathrooms that included her phone number.
- Causes of Action: State tort law claim for negligence.
- More Information: <http://www.wthr.com/story/23700742/2013/10/15/madison-county-school-district-found-liable-in-bullying-case.>

***R.N. v. Franklin Community Schools Corporation (S.D. Ind. 2017)***

- Settlement: \$85,000.
- Harassment/Injuries: Verbal and physical harassment.
- Single Plaintiff.
- Basic Facts: 14-year-old with autism, depression, ADHD was "the victim of a lengthy, severe and pervasive campaign of verbal and physical harassment by other students at school and on the

school bus.” They were teased, kicked, punched, hit, and told to kill themselves. They attempted suicide several times.

- Causes of Action: Section 504 of the Rehabilitation Act, Title II of ADA, Equal Protection, Negligence.
- Plaintiff’s Counsel: Thomas W. Blessing of Massillamany Jeter & Carson LLP, Fishers, IN.
- More Information: <https://www.wrtv.com/news/call-6-investigators/franklin-teen-sues-school-district-for-failing-to-stop-severe-and-pervasive-bullying>.

***Seiwert v. Spencer-Owen Community School Corporation, 497 F. Supp. 2d 942 (S.D. Ind. 2007)***

- Settlement: \$4,250.
- Harassment/Injuries: Anti-gay physical and verbal assault against a brother and sister.
- Multiple Plaintiffs (two).
- Basic Facts: S.S. experienced constant physical and verbal harassment because of his perceived sexual orientation, including threats and physical assaults in gym class. As a result of the bullying, he suffered medical problems that caused him to take medical leave from school. Students also threatened and assaulted K.S., S.S.’s sister, because she defended S.S. While S.S. was on medical leave, a student sent K.S. a text message threatening to kill her brother if he returned to school.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; claim under Title IX for deliberate indifference to sexual harassment; breach of contract claim; state tort claims for negligent supervision, intentional infliction of emotional distress, and negligent infliction of emotional distress.
- Plaintiffs’ Attorney: Michael K. Bonnell, Spencer, IN.

***Sobieralski v. Bartholomew Consolidated School Corporation, 10-cv-407-SEB-MJD (S.D. Ind. 2010)***

- Settlement: \$100,000 from school district; \$50,000 from family of alleged bully.
- Harassment/Injuries: Verbal harassment and sexual rumors.
- Single Plaintiff.
- Basic Facts: Fellow high school student and band member sexually harassed and spread sexual rumors about plaintiff because she would not go out with him. She alleged that school administrators failed to take meaningful steps to protect her from the harassment, even after the alleged harasser graduated from high school. The school social worker sent a letter alerting the administration to the effects that the harassment had on plaintiff’s emotional health, but the principal allegedly told the social worker that she was acting unprofessionally. When the alleged harasser graduated, the band director invited him back as an assistant, but his presence at school greatly upset plaintiff. The alleged perpetrator’s mother, who continued to volunteer at band functions after her son graduated, also allegedly harassed plaintiff.
- Causes of Action: Claim under Title IX for deliberate indifference to sexual harassment; state tort claims for failure to protect, negligent infliction of emotional distress, intentional infliction of emotional distress; state tort claims for slander against harasser; state common-law and statutory claims against harasser’s parents.
- Plaintiff’s Attorneys: C. Richard Marshall, Jason H. Guthrie, Michael Thomasson, Sean G. Thomasson, Shari E. Long, Columbus, IN.
- More Information: <http://www.wishtv.com/dpp/news/education/family-gets-150k-in-bullying-settlement>.

***Young v. Indianapolis Public Schools, No. 12-cv-1241-WTL-DKL (S.D. Ind. 2012)***

- Settlement: \$65,000 and injunctive relief.
- Injunctive relief: School district reversed plaintiff's expulsion from school.
- Harassment/Injuries: Anti-gay physical and verbal harassment.
- Single Plaintiff.
- Basic Facts: Student experienced severe verbal and physical harassment because he did not conform to stereotypical notions of masculinity. Instead of protecting him from his harassers, the school district told him that he was to blame for the harassment, and suggested that he be less flamboyant. When it was clear that the school district would not protect him, the student's mother gave him a "self-protection flashlight" that emits a loud noise and a weak electric charge when fired. The school district expelled the bullied student after he discharged the flashlight in the air in self-defense.
- Causes of Action: Claim under Title IX for deliberate indifference to peer harassment; claims under 42 U.S.C. § 1983 alleging denial of equal protection based on sexual orientation and sex, denial of the right to speech and expression, and denial of procedural and substantive due process; claim under Indiana law for failure to comply with expulsion hearing procedures.
- Plaintiff's Attorneys: Asaf Orr and Christopher F. Stoll of the National Center for Lesbian Rights in San Francisco; Brent P. Ray, Eliza Davis, Erin E. Wagner, Ferlillia V. Roberson, Margaret Hoppe, P. Daniel Bond and Vanessa Barsanti of Chicago, IL; and Richard A. Waples of Indianapolis, IN.
- More Information:  
<http://www.nclrights.org/cases-and-policy/cases-and-advocacy/young-v-ips-2/>;  
<http://www.usatoday.com/story/news/nation/2013/07/11/gay-bullying-victim-settles-lawsuit-school/2507903/>.

## **IOWA**

***C.A. v. Sibley-Ocheyedan Community School District (April 27, 2017)***

- Settlement: \$650,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff:
- Basic Facts: A man who was both the high school football coach and a middle school social studies teacher was found sleeping with a ten-year-old student on an air mattress in a classroom. School officials later found lubricant and a bottle of Viagra prescribed to the man in the classroom. The administration had been aware of previous allegations that the man had had inappropriate contact with students.
- Causes of Action: Negligence, failure to protect, state statutory claims.
- More Info: [https://siouxcityjournal.com/news/local/crime-and-courts/mother-dismisses-sex-abuse-lawsuit-against-siouxland-schools-in-wake/article\\_76a5adca-e0e3-590f-9c44-200e8dc1e2aa.html](https://siouxcityjournal.com/news/local/crime-and-courts/mother-dismisses-sex-abuse-lawsuit-against-siouxland-schools-in-wake/article_76a5adca-e0e3-590f-9c44-200e8dc1e2aa.html) and <https://www.courthousenews.com/wp-content/uploads/2017/05/SibleyIowa.pdf>.

***Davidson v. Clear Lake Community School District, ICRC No. 06-13-64419 (2013)***

- Settlement: \$50,000.

- Injunctive Relief: Apology letter from football coach and school district will broaden the ways in which students may report bullying and harassment. Additional training for staff in bullying and harassment awareness and prevention.
- Harassment/Injuries: Unknown.
- Single Plaintiff.
- Basic Facts: After a payment to a student’s father was listed in school board minutes and inquired into by a local newspaper, the school district admitted that the payment was for settlement of bullying claims and released the settlement agreement containing monetary and injunctive relief. No further details of the bullying were released other than that the payment was for “bullying/harassment.”
- Causes of Action: personal injuries; pain and suffering; emotional distress; damage to reputation.
- Plaintiff’s Attorney: Roxanne Barton Conlin, DesMoines, IA.
- More Information: [http://www.cloreporter.com/index.php?option=com\\_content&view=article&id=2274:school-district-involved-in-50k-bullying-settlement&catid=49:localnews&itemid=81](http://www.cloreporter.com/index.php?option=com_content&view=article&id=2274:school-district-involved-in-50k-bullying-settlement&catid=49:localnews&itemid=81).

***Dickinson v. The Clinton Community School District (2018)***

- Settlement: \$2.25 million.
- Harassment/Injuries: Sexual harassment and rape.
- Single Plaintiff.
- Basic Facts: Jane Doe was 13 and in the 8th grade when she became the focus of the attention of a predatory teacher. He groomed her on social media and with gifts and unsolicited attention. Jane Doe’s grades dropped precipitously from her customary straight As and she stopped participating in her usual sporting activities. The teacher eventually had sexual intercourse with her. He was charged and pled guilty to sexual exploitation and is serving time in prison. His conduct with Jane Doe and with other female students was repeatedly reported to supervisory personnel, who took no action.
- Causes of Action: Negligent hiring, supervision and retention; premises liability; invasion of privacy.
- Plaintiff’s Attorney: Roxanne Barton Conlin, Des Moines, IA.
- More Information: <https://www.roxanneconlinlaw.com/selected-case-summaries/selected-case-summaries-civil-remedies-for-victims-of-crime/> and [https://www.clintonherald.com/news/local\\_news/district-reaches-2-25m-settlement/article\\_3f76b02f-2734-5e60-ae67-001f27cfb54c.html](https://www.clintonherald.com/news/local_news/district-reaches-2-25m-settlement/article_3f76b02f-2734-5e60-ae67-001f27cfb54c.html).

***Doe v. Des Moines Independent Community School District, No. LACL150725 (Polk Cty. Dist. Ct., 2021)***

- Settlement: \$250,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Army Sergeant groomed JROTC high school student, using special assignments and attention. In her senior year, when the victim was seventeen, the Sergeant began inappropriately touching her and then sexually assaulted her. Doe’s lawsuit alleged that the school violated Doe’s rights by negligently hiring and supervising the Sergeant.

- Cause of action: Article I, Section 6 of the Iowa Constitution; Article I, Section 9 of the Iowa Constitution; Negligence; Negligent Hiring/Supervision; Premises Liability; Breach of Fiduciary Duty
- Plaintiff's Attorney: Roxanne Conlin, Des Moines, Iowa.
- More Information: <https://www.desmoinesregister.com/story/news/crime-and-courts/2022/10/13/jrotc-instructor-sex-abuse-lawsuit-settled-des-moines-public-schools/69557903007/>

***Doe (Rothmeyer) v. Perry Community School District, No. 04-cv-40161-JEG (S.D. Iowa 2004)***

- Judgment: Over \$27,000.
- Harassment/Injuries: Anti-gay verbal and physical abuse.
- Single Plaintiff.
- Basic Facts: Rothmeyer experienced repeated verbal and physical abuse for three years because of his perceived sexual orientation. Classmates regularly called him “faggot,” “queer,” and “homo”—sometimes even in front of teachers. Rothmeyer suffered damages to his ear and a neck laceration in an assault.
- Causes of Action: Claim under Title IX for retaliation and deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection, substantive due process, unreasonable seizure, and free speech violations; conspiracy claim under 42 U.S.C. § 1985; claim under 42 U.S.C. § 1986; and state tort law claims for failure to supervise, negligence, false arrest, false imprisonment, and abuse of process.
- Plaintiff's Attorney: Robert P. Montgomery, Des Moines, IA.
- More Information: [https://www.aclu.org/files/pdfs/cost\\_of\\_harassment\\_2012\\_final.pdf](https://www.aclu.org/files/pdfs/cost_of_harassment_2012_final.pdf).

***Doe v. Marion Independent School District (2019).***

- Settlement: \$619,000 (structured settlement of \$550,000, plus \$69,000 interest)
- Harassment/Injuries: Sexual abuse
- Single Plaintiff (parents of one student).
- Basic Facts: In 2016, a 15-year-old volunteer abused this student and at least two others during rest time in their kindergarten classroom. The students allegedly told the classroom's main teacher about the abuse, but she failed to report it, resulting in continued abuse. The 15-year-old served three years at a juvenile detention center.
- Cause of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <https://www.kcrg.com/content/news/Marion-Schools-settles-fifth-lawsuit-over-sex-abuse-in-kindergarten-classroom-510526591.html>

***Doe v. Sibley Ocheyedan Community School District, Mediapolis School District, Akron Westfield Community School District, Sioux City Community School District (2019)***

- Settlement: \$650,000.
- Harassment/Injuries: Sexual abuse and assault.
- Single Plaintiff.
- Basic Facts: In 2015, teacher Kyle Ewinger sexually assaulted a 10-year-old student on school property while working in the Sibley Ocheyedan Community School District. Later, it was revealed that in 2004, while working for the Mediapolis School District, Ewinger was alleged to have inappropriately touched a student; the district let him resign and did not report his conduct to the Board of Educational Examiners. They also provided him with a neutral letter of

recommendation. Ewinger then worked for Akron Westfield Community School District, which discovered the information after hiring him but did not report it to future employers. After that, Ewinger worked for the Sioux City Community School District, where he was again accused of inappropriate contact with a student. The district did not investigate the incident properly and did not inform Ewinger's next employer, where the 2015 assault then occurred. Ewinger is serving a 10-year prison sentence for third-degree sexual abuse.

- Cause of action: Unknown.
- Plaintiff's Attorney: John M. Snady, Matthew Sease, Scott Wadding.
- More Information: <https://whotv.com/2019/10/22/4-iowa-school-districts-reach-settlement-over-teacher-who-sexually-abused-10-year-old-student/>

***Gannaway v. Grinnell-Newberg School District (Iowa District Court for Poweshiek County 2015)***

- Settlement: Undisclosed amount.
- Harassment/injuries: Taunting by students; emotional abuse by principal.
- Single plaintiff.
- Basic Facts: After an eight-year-old boy was taunted and bullied by other elementary school students, his father reported this to the school. The school principal pulled the boy into his office, yelled at him, and made him repeat over and over that he would not lie again, traumatizing the boy. The boy developed cyclic vomiting syndrome and was scared to go to school and see the principal.
- Causes of Action: Claim under Iowa anti-bullying statute; due process and equal protection claims under Iowa constitution; state tort law claims.
- Plaintiff's Attorney: Roxanne Barton Conlin, DesMoines, IA.
- More Information: <http://www.radioiowa.com/2015/06/09/grinnell-newburg-bullying-case-settled-before-trial/>.

***Greene v. Sioux City Community School District, (Iowa Dist. Ct. for Woodbury Cty. 2017)***

- Settlement: \$262,500
- Harassment/Injuries: Physical assault resulting in permanent injuries.
- Single Plaintiff.
- Basic Facts: The plaintiff, a student who was recovering from a cornea transplant, required a second cornea transplant and suffered loss of vision after his tormenter punched him in the face. The mother had on several occasions informed the school administration, including the principal, about her son's attacker and the need for the school to protect the plaintiff from him. The plaintiff's mother stressed that the school needed to protect her son from his tormentor before he returned from his first cornea transplant (not related to the bullying), and a doctor's note specified that her son stay indoors during recess. The school disregarded these instructions and the same student punched the plaintiff in the face during outdoor recess, leading to his injuries.
- Causes of Action: Negligence.
- Plaintiff's Attorney: Michelle D. Epstein of Omaha, NE.
- More Information: [http://siouxcityjournal.com/news/local/school-district-pays-to-settle-lawsuit/article\\_c8ca82bb-cc4c-501e-bcee-30b981207fe1.html](http://siouxcityjournal.com/news/local/school-district-pays-to-settle-lawsuit/article_c8ca82bb-cc4c-501e-bcee-30b981207fe1.html);  
<https://bloximages.chicago2.vip.townnews.com/siouxcityjournal.com/content/tncms/assets/v3/editorial/f/2c/f2cf444-dbab-58eb-a893-61956940637e/55dcee8781baa.pdf.pdf> (complaint).

***Maschka v. Waukee Community School District, No. 17-cv-00424-HCA (S.D. Iowa 2018)***

- Settlement: \$150,000 (\$17,536 to parents to pay for daughter's education; \$60,000 to student; \$72,464 in attorney's fees).
- Harassment/Injuries: Bullying by students over weight and appearance; physical assault by administrators; anxiety and panic attacks from student-on-student bullying.
- Multiple Plaintiffs (student and her parents).
- Basic Facts: Walnut Hills Elementary School student Berkley was bullied by her peers since kindergarten and constantly subjected to demeaning insults about her weight and appearance. In third grade, administrators physically assaulted Berkley when she was too anxious to go to class because of the bullying. Berkley was on the floor of the school office crying while multiple administrators used their feet to kick her back and buttocks and push her across the floor. The administrators then tried to physically force her into a wheelchair to get Berkley to class. After the incident, Berkley's parents pulled her and her brothers from school and began home schooling them.
- Causes of Action: Negligence; assault & battery; excessive use of force and unreasonably bodily restraint under § 1983; loss of parental consortium.
- Plaintiff's Attorneys: Grant C. Gangestad & Robert G. Rehkemper of Gourley Rehkemper & Lindholm PLC in West Des Moines, Iowa.
- More information: <https://www.desmoinesregister.com/story/news/local/waukee/2018/11/29/waukee-schools-bullying-harassment-federal-lawsuit-settlement-agreement-maschka/2127776002/>.

***Nissen v. Cedar Falls Community School District, No. 20-CV-2098-CJW-MAR, 2022 WL 873612 (N.D. Iowa, E. Div., 2022)***

- Settlement: \$195,000.
- Harassment/Injuries: Sexual assault and harassment.
- Multiple Plaintiffs (student and his parents).
- Basic Facts: Child was sexually assaulted by a classmate in his home. The parents of the child eventually learned of the assault and reported it the school. The principal implemented a safety plan but never investigated the assault. The student-assailant continued to harass the victim. The parents allege that the school did not take enough steps to reasonably guarantee their child's safety, because the school did not guarantee that the children would not run into or communicate with each other.
- Causes of Action: Title IX, Section 1983, negligence, premises liability, and loss of consortium.
- Plaintiffs' Attorneys: Roxanne Conlin and Devin Kelly of Roxanne Conlin & Associates; Chris Ford, John Clune, Colleen Kuch, and Meghan Hungate of Hutchinson Black and Cook.
- More information: <https://iowacapitaldispatch.com/2022/08/25/school-district-agrees-to-195000-settlement-over-alleged-assault-threats/>

***Roe v. Prairie City-Monroe School District (Jasper County Civil Court 2014)***

- Settlement: \$100,000 from school district's insurer.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: A 12-year-old boy was sexually harassed by a ninth grade student during and after wrestling practice in the locker room showers, including repeated requests to see the boy's genitals. The bullying also included sexual requests on Facebook. As a result of the continued bullying, the boy eventually exposed himself to the older student. After repeatedly complaining

to school officials about the bullying, the superintendent told the boy's mother that the incidents were not actionable and suggested that she destroy the Facebook exchanges. A member of the school board also told the boy's mother that the bullying was "not a big deal." The boy had to enroll in another school district to avoid further abuse.

- Causes of Action: Failure to investigate allegations of bullying; sexual harassment; aiding and abetting the sexual abuse of a minor.
- Plaintiff's Attorney: Roxanne Barton Conlin, Des Moines, IA.
- More Information: <http://www.newtondailynews.com/2014/07/27/pcm-bullying-civil-suit-dismissed/api061f/>.

***Santee v. Lisbon Community School District, No. LACV079780 (Lynn County Civil Court 2018)***

- Jury verdict: \$90,000 (found \$150,000 in damages, but district only 60% responsible)
- Harassment/Injuries: Physical and sexual assault; post-traumatic stress disorder.
- Single Plaintiff.
- Basic Facts: High school wrestler was subjected to demeaning assaults in locker-room by his teammates. Other students urinated on him and placed their exposed genitals on his face.
- Cause of Action: Negligence.
- Plaintiff's Attorney: Steve Hamilton of Hamilton Law Firm, P.C. in Des Moines, Iowa.
- More Information: <https://www.thegazette.com/subject/news/public-safety/lisbon-high-wrestling-assault-jury-trial-donald-santee-20180810>.

***Vacek v. Ankeny Community School District (2020)***

- Settlement: \$880,000.
- Harassment/Injuries: Bullying and physical assault.
- Single Plaintiff.
- Basic Facts: Audrey Vacek suffered permanent brain damage after another student, Mallory Schaubhut, punched her in the face and slammed her head into a concrete wall, during class. The attack came after a verbal spat about a boy both girls had dated. This was on the heels of a year of torment Vacek endured, mostly by Schaubhut; the bullying included threats of violence, verbal abuse like profanity-laced nicknames, and throwing food into Vacek's hair. The school subsequently gave the attacker, Schaubhut, a spirit award for her speeches about the harms of bullying—speeches a court had ordered Schaubhut to give as part of her probation.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Roxanne Conlin.
- More information: <https://www.desmoinesregister.com/story/news/local/ankeny/2020/05/22/settlement-reached-bullying-case-ankeny-high-school-student-attacked-brain-damage-roxanne-conlin/5240413002/> and <https://www.desmoinesregister.com/story/news/investigations/2018/02/28/ankeny-student-says-school-bully-left-her-brain-damaged-then-and-district-gave-her-attacker-spirit/375495002/>

***W.W. v. Order of St. Benedict of New Jersey (Morris Cty. Super. Ct. 2018)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault and abuse.
- Multiple Plaintiffs (five).
- Basic Facts: Five monks sexually abused five students at an all-boys Catholic school.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Unknown.

- More Information: <https://www.wcnc.com/article/news/nation-now/catholic-boys-school-settles-5-sex-abuse-suits-former-teacher-admits-he-had-sex-with-50-boys/465-f8b450f7-679d-4b71-af83-298560141eb1>

## **KANSAS**

### ***Dagnan v. St. John’s Military Academy, 2016 WL 7386280 (D. Kan. 2016)***

- Settlement: \$370,000 (awarded through arbitration).
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: A grade-school boy at a military academy sexually assaulted a fellow eleven-year-old student in a dorm room. The school has faced allegations in the past that it allows and condones mental and physical abuse of younger students by older students as a form of discipline.
- Causes of Action: Negligent supervision; other claims unknown.
- Plaintiff’s Attorney: Unknown.
- More Information: <https://www.kansas.com/news/state/article72212617.html>

### ***Doe v. Shawnee Mission School District (2019)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: An eighth-grade student sexually assaulted a female peer in 2017. The student had previously been accused of sexual misconduct in school by three other students, but the school had not taken any action to address the conduct at the time the assault report was made. The student was ultimately expelled and convicted on criminal charges.
- Cause of Action: Unknown.
- Plaintiff’s Attorney: Unknown.
- More Information: <https://www.ksn.com/news/crime/shawnee-mission-district-to-settle-sexual-assault-lawsuit/>

### ***Theno v. Tonganoxie Unified School District No. 464, 377 F. Supp. 2d 952 (D. Kan. 2005)***

- Jury Verdict: \$250,000; judge also awarded \$270,000 in attorneys’ fees. After school district appealed to Tenth Circuit, the parties reached a settlement.
- Settlement: \$440,000.
- Harassment/Injuries: Same-sex harassment involving gender-based stereotyping.
- Single Plaintiff.
- Basic Facts: Plaintiff was severely bullied by his peers for years during middle and high school, causing him to drop out of high school in his junior year. Harassment consisted of unrelenting name-calling, teasing, and gestures with sexual undertones. Students spread sexually-based rumors and called plaintiff names such as “fag,” “faggot,” “queer,” “flamer,” “masturbator” and “banana boy.” On one occasion during a school basketball game, the plaintiff missed a basket and one of his classmates said, “Way to go, queer” loud enough for plaintiff’s parents to hear from the stands. On another occasion, the student was talking with his teacher and a classmate said, “Mr. Bond, watch out, Dylan might go jack off in the bathroom.” The teacher laughed at the classmate’s ridicule. One student even convinced a teacher to call plaintiff “banana boy.”

Though plaintiff was not gay or perceived by his peers to be gay, the primary objective of his harassers was to disparage plaintiff's perceived lack of masculinity

- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; state law claim for negligent failure to supervise students (dismissed on summary judgment)
- Plaintiff's Attorneys: Arthur A. Benson II, Jamie Kathryn Lansford, Aften P. McKinney, Kansas City, MO.
- More Information: <http://www.nsba.org/SchoolLaw/Issues/Equity/Legal-Clips-Article-on-harassment.pdf>.

***H.W. v. McLouth Unified School District, 2020-CV-000187 (Kan. 7th Jud. Dist. 2020)***

- Settlement: \$800,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually abused by her high school science teacher. In 2020, Plaintiff filed a federal lawsuit claiming that the district and its superintendent were aware that the teacher had been abusing her, but didn't take any corrective action.
- Causes of Action: Title IX claim; negligence.
- Plaintiff's Attorneys: Daniel Zmijewski of DRZ Law in Kansas.
- More Information: <https://www.kansascity.com/news/local/article264456471.html>

## **KENTUCKY**

***Griffith, et al. v. Casey County Board of Education (Casey Cty. Cir. Ct. 2008)***

- Settlement: \$110,000 (\$108,000 shared collectively; \$2,000 for one plaintiff from a defendant sued in her individual capacity).
- Harassment/Injuries: Physical and verbal abuse.
- Multiple Plaintiffs (five).
- Basic Facts: Five female high school students, ages 15 through 18, sued the school district and administrators for repeated verbal and physical abuse they suffered from their peers at school. One girl had a bald spot on her head from where a bully pulled out her hair; another received death threats causing her to transfer school; and a third was diagnosed with adjustment disorder, which involves feelings of depression or anxiety. In response, the principal told one of the girls that there was nothing he could do about the bullying. The vice principal told another girl that she should toughen up.
- Causes of Action: Unknown.
- Plaintiffs' Attorneys: Ted Lavit of Lebanon, KY; Ned Pillersdorf of Prestonsburg, KY; Brenda Poplewell of Somerset, KY.
- More Information: [http://articles.centrankynews.com/2008-12-21/news/24870344\\_1\\_settlement-lawsuit-administrators](http://articles.centrankynews.com/2008-12-21/news/24870344_1_settlement-lawsuit-administrators); <http://abcnews.go.com/US/LegalCenter/story?id=2256089&page=1>; <http://www.caseynews.net/content/110000-paid-bullying-lawsuit>.

***Putman v. Board of Education of Somerset Independent Schools, 00-cv-00145-JBC (E.D. Ky. 2000)***

- Settlement: \$135,000 and injunctive relief.
- Injunctive relief: School district required to create a new anti-harassment policy.
- Harassment/Injuries: Anti-gay verbal and physical assault.
- Single Plaintiff.

- Basic Facts: Plaintiff experienced verbal and physical harassment because of his perceived sexual orientation. Students wrote three death threats to him within the span of a few months, threw objects at him, and called him names. One student grabbed his groin area and made sexually suggestive gestures at him.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection violation on the basis of actual or perceived sexual orientation.
- Plaintiff's Attorneys: Everett C. Hoffman, Louisville, KY; John Frith Stewart, Crestwood, KY; Michael A. Owsley, Bowling Green, KY.
- More Information: <http://www.justice.gov/crt/about/edu/documents/putmanbr1.php>.

***Vance v. Spencer County Public School District*, 231 F.3d 253 (6th Cir. 2000)**

- Jury Verdict: \$220,000.
- Harassment/Injuries: Sexual harassment, including assault.
- Single Plaintiff.
- Basic Facts: For years, a female student was subjected to verbal and physical sexual harassment by other students. As a result, she suffered from depression and withdrew from school. In virtually every class, plaintiff was asked for sexual favors and was touched in inappropriate ways. On one occasion, while in class, two male students held her down while others yanked off her shirt, pulled her hair, and attempted to disrobe. On another occasion, she was stabbed in the hand with a pen. Plaintiff was also repeatedly hit with books by groups of students and subjected to name-calling.
- Cause of Action: Title IX claim for deliberate indifference to sexual harassment.
- Plaintiff's Attorney: Oliver H. Barber, Jr., Jeffery S. Miller, Louisville, KY.

## **LOUISIANA**

***Brammer v. Bossier Parish School Board* (2014)**

- Verdict: \$150,000
- Harassment/Injuries: Physical assault resulting in broken arm.
- Single Plaintiff.
- Basic Facts: A 10-year-old boy broke his arm after he was attacked by three students on the playground. Before the attack, he had told his teacher that another student had pushed him down, but was told that there was nothing the teacher could do about it.
- Cause of Action: Negligent supervision.
- Plaintiff's Attorney: Adam Savoie, Simmons, Morris & Carroll.
- More Information: <http://www.ksla.com/story/26688964/bpsb-considering-appealing-162k-lawsuit-involving-playground-attack>.

***Lane v. School Board Sabine Parish*, No. 14-CV-100-EEF-KLH (W.D. La. 2014)**

- Settlement: \$4,000 (to reimburse family for expenses incurred to send son to a school 25 miles from home); injunctive relief.
- Injunctive relief: Consent decree enjoins school officials from promoting/advancing prayer at school events and from organizing religious services at school.
- Harassment/Injuries: Teacher-on-student and student-on-student verbal harassment based on religion.
- Multiple Plaintiffs (5).

- Basic Facts: Science teacher ridiculed sixth grade student of Thai Buddhist descent by telling classmates that his religion was “stupid.” Teacher’s comments caused student’s classmates to call Buddhism stupid as well, creating hostile environment for student and his entire family. School district also promoted Christianity in many ways, such as endorsing Christian prayer at all school events and scrolling Bible verses on electronic marquees.
- Cause of Action: Claim under 42 U.S.C. § 1983 alleging freedom from establishment of national religion protected by Establishment Clause of First Amendment to U.S. Constitution.
- Plaintiffs’ Attorneys: Daniel Mach and Heather Weaver, ACLU National Foundation (Washington, DC); Justin Paul Harrison, ACLU of LA (New Orleans); Nelson Welch Cameron, Shreveport, LA.

## **MAINE**

### ***Doe v. Brunswick School Department, No. 15-cv-00257-DBH (D. Me. 2016)***

- Settlement: \$125,000 (including attorneys’ fees) and injunctive relief.
- Injunctive Relief: School district agreed to provide annual anti-bullying training for the next two academic years to staff at Brunswick Junior High School, with a focus on sex stereotyping; provide schoolwide assemblies addressing bullying; maintain a searchable digital system for keeping records of alleged bullying even when incidents are unsubstantiated; form a gay-straight alliance at the junior high school; conduct surveys related to school bullying; and provide annual compliance reports to plaintiff’s counsel.
- Harassment/Injuries: Verbal abuse, physical assault, and sexual assault.
- Single Plaintiff (joined by Maine Human Rights Commission).
- Basic Facts: For over two years, students at junior high school verbally harassed male plaintiff, a fellow student, based on his appearance, lack of athletic ability and perceived sexual orientation. Plaintiff and his mother repeatedly complained about the harassment to teachers and the school’s principal, but they took little corrective action. Verbal abuse eventually escalated to physical violence and sexual assaults, including sodomizing plaintiff multiple times and cutting him with a knife in school bathrooms. The boy’s mother filed a discrimination complaint with the Maine Human Rights Commission. The Commission found that the school district failed to take sufficient action to address the ongoing harassment and joined plaintiff’s lawsuit on his claim that the defendants violated the Maine Human Rights Act.
- Causes of Action: Claim under 42 U.S.C. § 1983 for violations of Equal Protection Clause and First Amendment; Title IX claim for deliberate indifference to sexual harassment; and Maine Human Rights Act claim for sex and sexual orientation discrimination.
- Plaintiff’s Attorneys: David G. Webbert, Johnson, Webbert, & Young, LLP; Gary Goldberg and Christopher A. Harmon, Terry Garmey & Associates; Courtney I. Beer, Pine Tree Legal Assistance, Inc.; and Barbara Archer Hirsch, Maine Human Rights Commission.
- More Information: <http://www.pressherald.com/2016/11/15/brunswick-schools-pay-125000-to-settle-bullying-suit/>.

### ***McCann v. York School Department, 365 F. Supp. 3d 132 (D. Me. 2019)***

- Settlement: Confidential.
- Harassment/Injuries: Verbal abuse; physical assault.
- Single Plaintiff.
- Basic facts: Plaintiff is gay and had a Section 504 plan for ADHD and anxiety. Defendant parents’ two sons attended defendant high school with plaintiff and bullied him based on his

sexual orientation and perceived lack of masculinity. One of the defendant parents' sons physically assaulted plaintiff in a school hallway, resulting in injuries from which it took plaintiff three months to recover. After being threatened, but prior to the beating, the victim had informed both his 504 coordinator and the SRO of the threats and had requested changes to his 504 plan to accommodate his increased anxiety and fear at school.

- Causes of action: Violations of Section 504 of the Rehabilitation Act; Title IX claim for deliberate indifference to harassment on the basis of sex; common law tort and statutory claims against defendant parents.
- Plaintiff's Attorney: James Clifford and Andrew Cotter of Clifford & Clifford (Kennebunk, ME).
- More Information: <https://bangordailynews.com/2019/07/31/news/york/settlement-reached-in-lawsuit-that-claimed-school-should-have-protected-student-from-assault/>

#### ***Woodford v. RUS 38 (D. Me. 2017)***

- Settlement: \$95,000.
- Harassment/Injuries: Emotional abuse; bullying.
- Single Plaintiff.
- Basic facts: A teacher, Laura Reville, put a paper bag over the head of plaintiff, an elementary school student, in front of the student's classmates, resulting in her humiliation.
- Causes of action: State Freedom of Access Act; state anti-bullying statute; other claims unknown.
- Plaintiff's Attorney: Seth Brewster (Portland, ME)
- More Information: <https://bangordailynews.com/2017/08/14/news/mid-maine/family-settles-lawsuit-against-teacher-accused-of-putting-bag-on-daughters-head/>

## **MARYLAND**

#### ***Doe v. Baltimore City Public Schools (Cir. Ct. Baltimore City 2013)***

- Settlement: \$45,000.
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic Facts: Female high school student was beaten up so severely that she required three surgeries. Attacker had a history of bullying the girl, which was well known by the school. Victim alleged that the school provided insufficient supervision to protect her when the fight broke out.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: <http://www.wbaltv.com/news/maryland/baltimore-city/baltimore-city-settles-bullying-lawsuit-for-45k/-/10131532/20437604/-/kqltiu/-/index.html>.

#### ***Doe v. Montgomery County Board of Education (Cir. Ct. Montgomery Cty. 2019)***

- Settlement: \$500,000, split evenly between two plaintiffs
- Other Relief: The two students were allowed to transfer schools.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff (two separate suits; settlement reached jointly).
- Basic facts: Vigna, a third-grade teacher at Cloverly Elementary School, placed students on his lap and touched them inappropriately in front of other students. After learning of his conduct, the school placed him on leave for three weeks to investigate the allegations and then issued a letter

of reprimand and advised Vigna to seek assistance for his “inability to recognize appropriate behavior with students.” He returned to teaching. One of the plaintiffs was abused by him one year after that investigation. Vigna is now serving 48 years in prison for sexual abuse.

- Cause of action: Title IX claim for deliberate indifference; negligence claim.
- Plaintiff’s Attorney: Steven Kelly of Silverman Thompson Slutkin & White (Baltimore, MD); Jeffrey Herman and Krisel McSweeney of Herman Law (Boca Raton, FL).
- More Information: <https://bethesdamagazine.com/bethesda-beat/courts/mcps-agrees-to-500000-settlement-in-cloverly-elementary-sexual-abuse-case/>; Complaint available at <https://www.scribd.com/document/369842564/Jane-Doe-v-BOE>.

***Doe v. Prince George’s County Public Schools (Cir. Ct. Prince George’s Cty. 2017)***

- Jury Verdict: \$100,000.
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic Facts: The plaintiff, a female elementary school student, was attacked by another female student on a school bus as other kids recorded and encouraged the beating. Although the bus driver stopped the bus to address the attacker on two occasions, the beating still occurred afterwards, and the bus driver did nothing as the attack took place. The bus driver also did not report the incident to the school or police. The plaintiff’s mother had previously reported to school administrators that the attacker was physically bullying the plaintiff, but the school took no action prior to or after the beating.
- Cause of Action: Unknown.
- Plaintiff’s Attorney: Unknown.
- More Information: [https://www.washingtonpost.com/local/public-safety/im-not-fighting-you-jury-awards-100000-to-family-of-girl-in-school-bus-assault/2017/04/20/89dd6234-25e9-11e7-b503-9d616bd5a305\\_story.html?utm\\_term=.f7c01d3ea955\\_highlight](https://www.washingtonpost.com/local/public-safety/im-not-fighting-you-jury-awards-100000-to-family-of-girl-in-school-bus-assault/2017/04/20/89dd6234-25e9-11e7-b503-9d616bd5a305_story.html?utm_term=.f7c01d3ea955_highlight).

## **MASSACHUSETTS**

***Doe v. Greater New Bedford Regional Vocational Technical High School District, 1:20-cv-10103-IT, 2022 WL 2208925 (D. Mass. 2022)***

- Settlement: Unknown.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: School failed to protect a high school girl who was being sexually harassed by a classmate, allegedly at least in part because the classmate was the son of a local police officer. He stole her nude photos off her computer and then shared it with several classmates. The school then not only failed to inform Doe of her rights, but according to the complaint, “forced her to sit, alone, in what they called a 'mediation session' with R.B., and also forced her to accept his 'apology' for the theft, and the dissemination, of the Pictures.” The school also threatened Doe with expulsion if she did not participate in the mediation. The defendants took no action against the harasser except suspending him from class for one week, which did not end the harassment.
- Causes of Action: Title IX, Section 1983 failure to train/supervise, conspiracy, intentional infliction of emotional distress, Equal Protection Clause.
- Plaintiff’s Attorney: Carmen Durso of Durso Law in Boston, MA.
- More information: <https://www.southcoasttoday.com/story/news/2022/12/07/gnb-voc-tech-settles-2020-lawsuit-over-leaked-nude-photos-harassment/69691785007/>

***Prince v. South Hadley Public Schools, MCAD (2010)***

- Settlement: \$225,000 (obtained pre-suit).
- Harassment/Injuries: Verbal and physical harassment.
- Single Plaintiff.
- Basic Facts: A 15-year-old high school girl committed suicide after being bullied by her classmates. She had recently immigrated to the United States from Ireland and had only been at school for a few weeks before her death. On the day of her suicide, she was bullied in a school's library and a student followed her in a car and threw a can at her as she walked home from school. Prior to her death, her mother spoke to at least two school officials about the bullying, although the school later denied any knowledge of any bullying.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More information: <http://www.cnn.com/2011/12/28/us/new-york-bullying-settlement/>.

***Thomas, Jr. v. Chelmsford School Committee, No. 1:2016-cv-11689 (D. Mass. 2016)***

- Settlement: Confidential.
- Harassment/Injuries: Hazing; sexual assault; rape.
- Single Plaintiff.
- Basic Facts: Special needs student was a freshman member of the high school football team and was repeatedly bullied and harassed by senior members of the football team. At an annual football camp in 2013, the victim was ruthlessly bullied and ultimately held down and sodomized with a broomstick by three members of the team. Later, he was also held down while another student placed his scrotum on the victim's chin. Students continued to physically and emotionally harass the victim on a daily basis throughout 2014, 2015, and into 2016.
- Causes of Action: § 1983 claims for violations of substantive due process, equal protection, and free speech rights; Title IX claim for deliberate indifference to sexual harassment; IDEA reimbursement claim under 20 U.S.C. § 1400 *et seq.*; state constitutional and statutory claims; and state tort claims.
- Plaintiff's Attorney: Brian W. Leahey, Law Office of Brian W. Leahey, P.C., Tyngsborough, MA.
- More information: <http://chelmsford.wickedlocal.com/news/20170908/settlement-reached-in-chelmsford-lawsuit>; [http://www.lowellsun.com/breakingnews/ci\\_31285604/chelmsford-hazing-lawsuit-settled-out-court](http://www.lowellsun.com/breakingnews/ci_31285604/chelmsford-hazing-lawsuit-settled-out-court).

## **MICHIGAN**

***C.R. v. Novi Community School District, No. 14-14531, 2017 WL 528264 (E.D. Mich. 2017)***

- Settlement: \$695,000
- Harassment/Injuries: Student-on-student sexual assault and harassment.
- Single Plaintiff (and his parents).
- Basic Facts: A thirteen-year old boy with autism was repeatedly sexually assaulted and harassed by a much larger boy who also had special needs and a history of aggressive behavior. On one occasion, which was caught on video by a third student, the perpetrator touched the victim's groin area over his pants for over four minutes during class. At least three teachers witnessed the two boys holding hands or touching each other inappropriately prior to this incident, but never formally intervened or notified the boys' parents. After the groin-touching incident, school

administrators were notified. Administrators conducted an investigation and concluded that the relationship was “mutual.” After the victim’s parents withdrew him from the school, school administrators attempted to pressure his parents into sending him back to the school and to the classes with his abuser.

- Causes of Action: Title IX (harassment and retaliation) claims; §1983 equal protection claims based on victim’s disabled status and failure to train; substantive due process claim; tort claims.
- Plaintiff’s Attorney: Joseph Pagano and Joseph Viviano of Viviano, Pagano, & Howlett PLLC, Mount Clemens, MI.
- More Information: <https://www.hometownlife.com/story/news/2018/02/05/novi-school-district-settles-sexual-abuse-suit-695-000/302732002/>.

***Doe v. Byron Center Public School (2015)***

- Settlement: \$400,000.
- Harassment/Injuries: Sexual harassment; assault.
- Single Plaintiff.
- Basic Facts: Math teacher and girls’ varsity basketball coach Glenn Davis exchanged text messages with, sexually assaulted, and sexually abused a 15-year-old student. Suspecting inappropriate contact, the school asked to search the student’s cell phone. On her way to the office, the student was intercepted by Davis, who had her delete all the messages between the two of them. The principal never informed the student’s parents about their suspicions. Davis was later sentenced to prison time for assaulting several students over the years.
- Causes of Action: Title IX claim.
- Plaintiff’s Attorney: Unknown.
- More Information: <https://www.woodtv.com/news/kent-county/byron-center-schools-paid-400k-to-survivor-of-teacher-sex-assault/>

***Doe v. City of Lansing, No. 1:19-cv-01081 (W.D. Mich. Filed Dec. 23, 2019)***

- Settlement: \$75,000.
- Harassment/Injuries: Sexual assault/abuse.
- Single Plaintiff.
- Basic Facts: Jane Doe, a high school student and an immigrant, was groomed and sexual assaulted by a Lansing Police officer stationed as a school resource officer (SRO) at her Lansing High School. Though school staff knew that the SRO in question was consistently spending large amounts of time with young women students, school officials did not take actions to stop the SRO from having prolonged contact with female students like Jane. The SRO also improperly used Michigan law enforcement systems to access information about Jane’s family and used this information and his position as an SRO to threaten and intimidate Jane into submitting to his sexual demands. At the same time, the SRO was having an affair with one of Jane’s teachers, who then retaliated against Jane.
- Causes of Action: Post-report deliberate indifference to sexual harassment in violation of Title IX; retaliation in violation of Title IX; 42 U.S.C. § 1983 Equal Protection Clause claim; 42 U.S.C. § 1983 failure to train claim; discrimination and retaliation in violation of Michigan’s Elliott-Larsen Civil Rights Act; intentional infliction of emotional distress.
- Plaintiff’s Attorney: Karen Truskowski of Temperance Law Group in Lansing, Michigan.
- More Information: <https://www.lansingstatejournal.com/story/news/2022/05/10/police-sexual-assault-lawsuit-settled-lansing-schools-city/9702446002/>

***Doe v. City of Lansing, No. 1:20-cv-01006 (W.D. Mich. Filed Oct. 21, 2020)***

- Settlement: \$43,000
- Harassment/Injuries: Sexual assault/abuse.
- Single Plaintiff.
- Basic Facts: Jane Doe, a high school student, was groomed and sexual assaulted by a Lansing Police officer stationed as a school resource officer (SRO) at her Lansing High School. Though school staff knew that the SRO in question was consistently spending large amounts of time with young women students and had sexually abused at least one student before, school officials did not take actions to stop the SRO from having prolonged contact with female students like Jane.
- Causes of Action: Violation of Title IX, including post-report deliberate indifference and failure to address pre-report substantial risk; 42 U.S.C. § 1983 Equal Protection Clause and Failure to Train claims; violations of Michigan’s Elliott-Larsen Civil Rights Act; law vicarious liability claims; assault and battery; and intentional infliction of emotional distress.
- Plaintiff’s Attorneys: H. James White, Alexander S. Rusek, and Daniel J. Sturdevant of White Law, PLLC in Okemos, Michigan.
- More Information: <https://www.lansingstatejournal.com/story/news/2022/05/10/police-sexual-assault-lawsuit-settled-lansing-schools-city/9702446002/>

***Doe v. Forest Hills Public School (W.D. Mich. 2015)***

- Settlement: \$600,000 and injunctive relief.
- Injunctive relief: The school district will sponsor Title IX training as part of its existing Global Learning Initiative program.
- Harassment/Injuries: Sexual harassment; assault.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually assaulted by classmate and star basketball player Marques Mondy in a band practice room in 2010. Instead of investigating the complaint plaintiff filed, the school protected the suspect and permitted continuing harassment of the plaintiff.
- Causes of Action: Title IX claim; 42 U.S.C. § 1983 failure-to-train claim/equal protection claims.
- Plaintiff’s Attorneys: Anne Buckleitner of Smietanka, Buckleitner, Steffes and Gezon (Grandville, MI); Thomas Wurst of Miller Johnson (Grand Rapids, MI); Neena Chaudhry of National Women’s Law Center (Washington, DC).
- More Information: <https://www.woodtv.com/news/grand-rapids/forest-hills-schools-settles-sex-assault-suit-for-600k/>

***Doe v. Gull Lake Community School District, No. 1:18-cv-01311-PLM-PJG (W.D. Mich. 2018)***

- Settlement: \$25,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Female was sexually assaulted by an older male student in an equipment shed. He punched and choked her to intimidate her into not reporting. She did report the assault, but the school failed to investigate or respond appropriately.
- Causes of Action: Title IX, Section 1983, discrimination in violation of Michigan’s Elliott-Larsen Civil Rights Act.
- Plaintiff’s Attorneys: Karen Truszkowski of Temperance Legal Group, Lansing, MI; Julie A. Jacot of Jacot Law, PLLC, Davison, MI.

- More Information: <https://www.mlive.com/news/kalamazoo/2021/01/former-gull-lake-student-receives-25k-settlement-in-sex-assault-case.html>.

***Doe v. Lansing Public Schools, No. 16-cv-00698 (W.D. Mich. 2017)***

- Settlement: \$180,000.
- Harassment/Injuries: Sexual assault; harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually assaulted by another student in a stairwell at their school. Her assailant masturbated in front of her, rubbed his penis on her, and attempted to force oral sex. The assault was captured on camera. Plaintiff did not initially report the assault to school, but instead her attacker reported threats that followed from plaintiff's boyfriend. Plaintiff subsequently reported the assault to administrators, who viewed the video, questioned the credibility of her story by asking her why she didn't just tell him "Is that all you've got?" The school suspended her for engaging in sexual activity on school grounds. The Lansing Police Department viewed the video differently, charging plaintiff's assailant for the sexual assault. The school did little to accommodate plaintiff, which forced her to leave the school and enroll in an online course for which the school provided little support. She was later threatened with trespass charges when she attempted to attend an extracurricular club while homeschooling.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; § 1983 claims under Fourteenth Amendment.
- Plaintiff's Attorney: Karen Truszkowski of Lansing, MI.
- More Information: <http://www.lansingstatejournal.com/story/news/local/2017/04/28/lansing-school-district-pay-405k-settle-sex-assault-lawsuits/101018492/>.

***Doe, by next friend, Michelle Hoffman v. Holland Christian Education Society, No. 1:18-cv-00400 (W.D. Mich. 2019)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault/rape; harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff Gabrielle Hoffman was raped by her then-boyfriend Bryce DeRoo while a student at Holland Christian High School, part of the private Holland Christian school district. DeRoo sent emotionally abusive texts to Hoffman, including threats of self-harm and suicide if Hoffman broke up with him, as well as demands that Hoffman kill herself. Hoffman disclosed the rape to a teacher, who reported to CPS. The school made special accommodations for DeRoo but not Hoffman and failed to respond to Hoffman's complaints that DeRoo was attempting to intimidate Hoffman and her brother. The private school district allegedly had no Title IX policy in place at the time of the abuse and rape (but received federal funds, so was subject to Title IX). DeRoo was convicted of third-degree criminal sexual assault involving a person 13-16 years old.
- Cause of action: Title IX claim for deliberate indifference to sexual harassment/assault.
- Plaintiff's Attorney: Karen Truszkowski of Temperance Legal Group (Lansing, MI).
- More Information: <https://www.hollandsentinel.com/news/20190109/holland-christian-title-ix-lawsuit-partially-dismissed>

***Matuschek ex rel. ZB v. Warren Consolidated Schools, No. 20-cv-10624, 2020 WL 12675178 (E.D. Mich. Mar. 9, 2020)***

- Settlement: Confidential.

- Harassment/Injuries: Sexual orientation-based verbal harassment, including cyberbullying, and physical harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff was bullied by other students throughout high school, causing him to become depressed and attempt suicide. Harassment included being called names such as “fag” and “faggot” at school and online; other student football players asking questions like “do you get a ‘boner’ when you tackle us” and whether the plaintiff “looks at [the other football players’] dicks” in the locker room; being told by another football player that he “can’t believe they allow ‘faggots’ on the sideline;” and being assaulted by other football players, which resulted in a concussion with post-concussion syndrome. Though school administrators were repeatedly notified about the harassment, they took little or no action to stop the abuse.
- Causes of Action: Title IX sexual orientation-based harassment claim; Title IX sex-based harassment claim; 42 U.S.C. § 1983 equal protection claim based on sexual orientation discrimination; 42 U.S.C. § 1983 equal protection claim based on gender discrimination.
- Plaintiff’s Attorney: Eric Stempien, Southfield, MI.
- More Information: <https://www.macombdaily.com/2021/10/21/mother-of-alleged-gay-bashed-sterling-heights-high-school-student-settles-lawsuit/>

***Patterson v. Hudson Area School*, 551 F.3d 438 (6th Cir. 2009)**

- Jury Verdict: \$800,000 (later overturned after judge found bullying was not based on sex).
- Harassment/Injuries: Sexual harassment, including assault.
- Single Plaintiff.
- Basic Facts: Plaintiff was bullied by students for years during middle and high school, ultimately withdrawing from school. Harassment included regular taunting with names such as “queer,” “faggot” and “man boobs;” defacing plaintiff’s locker with a drawing of a penis inserted into a rectum; an episode in which student urinated on his clothes; and a locker room assault in which a star baseball player stripped naked, cornered plaintiff and rubbed his genitals in plaintiff’s face, while another student blocked exit so plaintiff couldn’t escape. Some school officials responded to taunts by saying “kids will be kids, it’s middle school.” One teacher asked plaintiff, “How did it feel to be hit by a girl?” Though school officials took some action to try to stop the harassment and disciplined some of the harassers, the harassment continued.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; state tort claims.
- Plaintiff’s Attorney: Terry E. Heiss, Ada, MI.
- More Information: [http://www.onpointnews.com/NEWS/Jury-Awards-\\$800K-to-Victim-of-Pattern-of-Bullying.html](http://www.onpointnews.com/NEWS/Jury-Awards-$800K-to-Victim-of-Pattern-of-Bullying.html); <http://lawandeducation.wordpress.com/2009/10/11/pushing-the-limits-of-deliberate-indifference/>.

***Pratt v. Portage Public Schools*, Case No. 2015-0217-CZ (Kalamazoo Cty. Cir. Ct. 2016)**

- Settlement: \$30,000 (including attorneys’ fees) and injunctive relief.
- Injunctive Relief: Plaintiff was reinstated to tennis team so she could compete in state finals, and district agreed to provide favorable recommendation letters for her.
- Harassment/Injuries: Verbal harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff, a female high school tennis captain, was bullied by her teammates and their parents. Coaches ignored her complaints, and school officials searched her property for drugs and alcohol and gave her a breathalyzer test in response to rumors spread by teammates.

School officials cleared plaintiff, but asked her to step down as captain in exchange for their promise to stop the bullying. The verbal harassment continued. This isolated plaintiff and created friction on the team. Officials eventually removed her from tennis team.

- Causes of Action: Unknown state law claims.
- Plaintiff's Attorney: Matthew DePerno, DePerno Law Offices, PLLC
- More Information: [http://www.mlive.com/news/kalamazoo/index.ssf/2015/06/judge\\_reinstates\\_portage\\_cent.html](http://www.mlive.com/news/kalamazoo/index.ssf/2015/06/judge_reinstates_portage_cent.html); [http://www.mlive.com/news/kalamazoo/index.ssf/2016/09/portage\\_settlement\\_with\\_high\\_s.htm](http://www.mlive.com/news/kalamazoo/index.ssf/2016/09/portage_settlement_with_high_s.htm); [http://media.mlive.com/kzgazette\\_impact/other/Pratt%20-%20Final%20SA%20\(002\).pdf](http://media.mlive.com/kzgazette_impact/other/Pratt%20-%20Final%20SA%20(002).pdf).

***Presas v. Lansing Public Schools, No. 16-cv-00580 (W.D. Mich. 2017)***

- Settlement: \$225,000.
- Harassment/Injuries: Rape; threats and harassment for reporting rape.
- Single Plaintiff.
- Basic Facts: Plaintiff was raped on school grounds by a senior at the high school. Plaintiff reported the rape to school principal as well as police. Plaintiff was subsequently bullied through social media. The school never followed up with plaintiff or her mother, and her mother could not get in touch with anyone at the school, including the principal, counselor, or superintendent. Plaintiff did not return to school after the incident, and was even forbidden from joining the school's cheer squad. The district never provided plaintiff with any services (aside from online instruction) nor notified plaintiff about a Title IX coordinator.
- Causes of Action: Title IX claims for deliberate indifference to sexual harassment and retaliation; § 1983 claims under Fourteenth Amendment.
- Plaintiff's Attorney: Karen Truszkowski of Lansing, MI.
- More Information: <http://www.lansingstatejournal.com/story/news/local/2017/04/28/lansing-school-district-pay-405k-settle-sex-assault-lawsuits/101018492/>.

***Wohlfert v. Lansing School District (2020)***

- Settlement: \$500,000 (\$332,182 to the thirteen-year-old's estate; \$167,818 for attorney fees).
- Harassment/Injuries: Bullying led to thirteen-year-old boy's death by suicide.
- Single Plaintiff.
- Basic Facts: Michael Martin, a thirteen-year-old boy, was repeatedly called names and physically shoved at school and on the bus. Teachers had noticed a change in his behavior shortly before his death. Several teachers talked about Michael in December 2018 and submitted a written referral to the school's assistant principal, seeking an intervention. Michael's mom also contacted school officials and the bus company seeking an intervention. Michael himself informed school officials about the bullying he was experiencing, in the month before his death, but Michael did not give the names of the students bullying him, likely because he feared retaliation. School officials told Michael's mom that Michael had not given the names of any of the students who bullied him when officials sought them. It is unclear whether the school followed up with Michael again before his death.
- More information: <https://www.lansingstatejournal.com/story/news/local/2020/09/01/lansing-school-district-settlement-michael-martin-bullying/5678471002/>

## **MINNESOTA**

### ***Doe v. Anoka-Hennepin School District No. 11, Nos. 11-cv-01999-JNE-SER and 11-cv-02282-JNE-SER (D. Minn. 2011)***

- Settlement: \$270,000 and injunctive relief.
- Injunctive Relief: Pursuant to a consent decree, school district agreed to revise its harassment policies; immediately respond to and stop all harassment; fully investigate harassment on the basis of sexual orientation; train staff; and retain a third-party consultant to determine what additional measures were needed and to monitor compliance with consent decree. District was also required to retain a mental health consultant and create an anti-bullying taskforce. Finally, district was required to track reports of harassment. The injunctive relief cost district approximately \$500,000.
- Harassment/Injuries: Anti-gay harassment, including assaults.
- Multiple Plaintiffs (six).
- Basic Facts: Six current and former students were subjected to a torrent of harassment based on their actual or perceived sexual orientation that included physical assaults and threats, anti-gay name-calling, and a hostile educational environment. In some cases, students were strangled, shoved, urinated on and even stabbed with a pencil. The harassment was exacerbated by a gag policy that prevented teachers from discussing issues related to sexual orientation and required teachers to remain neutral about the subject when students discussed the issue. Although none of the plaintiffs committed suicide, four students in the school district committed suicide within nine months of one another because of anti-gay harassment.
- Causes of Action: Claims under 42 U.S.C. § 1983, alleging denial of equal protection on basis of sexual orientation; Title IX claims for deliberate indifference to sex discrimination; Minnesota Human Rights Act claims for discrimination based on sexual orientation.
- Plaintiffs' Attorneys: Southern Poverty Law Center; National Center for Lesbian Rights; Faegre Baker Daniels LLP in Minneapolis, MN. U.S. Department of Justice (Civil Rights Division) and U.S. Department of Education, through its Office for Civil Rights, investigated and subsequently intervened in case.
- More Information: <http://www.splcenter.org/get-informed/case-docket/anoka-hennepin-school-district>.

### ***Edwards v. Nova Classical Academy, Complaint filed with St. Paul Dep't of Human Rights and Equal Economic Opportunity (2017)***

- Settlement: \$120,000 and injunctive relief.
- Injunctive Relief: School will revise policies and practices to support transgender and gender-nonconforming students.
- Harassment/Injuries: Gender-based bullying and harassment.
- Single Complainant.
- Basic Facts: Parents filed civil rights complaint against Nova Classical Academy, a St. Paul charter school, after harassment of their seven-year-old child, who was born a boy but presents as a girl.
- Causes of action: Claims under Minnesota Human Rights Act and city human rights ordinance.
- Plaintiffs' Attorney: Gender Justice, St. Paul, MN.

- More information: <https://www.twincities.com/2017/08/08/st-paul-family-reaches-settlement-with-nova-classical-academy/>.

***Grafe v. Bunnell*, No. 55-cv-11-7746 (Minn. Dist. Ct. 2011)**

- Settlement: \$87,500 from school district; \$32,000 from perpetrator’s insurance.
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic Facts: A student perpetrator repeatedly harassed Grafe in the boys’ locker room before and after gym class. When Grafe’s parents complained to school officials about the harassment, they agreed to assign a monitor to the locker room. On a day when the monitor was absent, the perpetrator assaulted Grafe, causing him to suffer a concussion, damage to a cochlear implant that had to be surgically replaced, and deafness in one ear. Grafe experienced additional trauma because the school assigned the perpetrator and Grafe to the same classroom even though a juvenile court had ordered the perpetrator to have no contact with Grafe.
- Cause of Action: State tort claims.
- Plaintiff’s Attorney: Unknown
- More Information: <http://postbulletin.com/news/stories/display.php?id=1509107>.

***N.H. v. Anoka-Hennepin School District No. 11*, 950 N.W.2d 553 (Minn. App. Ct. 2020)**

- Settlement: \$300,000 plus reforms to school policy to permit students to use the locker rooms and bathrooms that correspond with their gender identity.
- Harassment/Injuries: Sex discrimination in school facilities; anti-trans bullying.
- Single Plaintiff.
- Basic Facts: Trans student athlete was forced to use segregated changing facilities, which led other students to bully him.
- Cause of Action: Gender discrimination claim under Minnesota law.
- Plaintiff’s Attorney: Tim Griffin and Andrew W. Davis, Stinson, LLP (Minneapolis, MN); Teresa J. Nelson and David P. McKinney, ACLU of Minnesota (Minneapolis, MN); Christy Hall and Jess Braverman (St. Paul, MN).
- More Information: <https://thehill.com/changing-america/respect/equality/544943-transgender-student-wins-300000-from-school-for> <https://www.aclu-mn.org/en/press-releases/transgender-student-wins-300k-settlement-over-discrimination-anoka-hennepin-school>

***Pruitt v. Anderson*, No. 11-cv-2143-DSD-JJK (D. Minn. 2011)**

- Settlement Amount: \$90,000.
- Harassment/Injuries: Racial harassment.
- Class action filed by single plaintiff.
- Basic Facts: African-American student filed class action after Red Wing School District allowed students to hold a homecoming event known as “Wigger Day” or “Wangsta Day.” (“Wigger” refers to “a white youth who affects the speech patterns, fashion and other manifestations of black youth;” “Wangsta” refers to “someone, especially a white person, who poses as a gangsta rapper.”) The complaint alleged that about 70 students wore baggy pants and “do-rags” during this event, creating a racially hostile environment. This offensive activity sent plaintiff into a deep depression that almost prompted her to quit school. Although school administrators did not sanction the event, which dated back to at least 2007, the suit charged that they “failed to take adequate steps to address the conduct.”

- Causes of Action: Title VI claim for deliberate indifference claim to race discrimination; claim under 42 U.S.C. § 1983, alleging equal protection violation (dismissed); state tort claim; and claim under Minnesota Human Rights Act.
- Plaintiff's Attorney: Joshua Williams, Minneapolis, MN.
- More information: <http://postbulletin.com/news/stories/display.php?id=1506100>; <http://legalclips.nsba.org/?p=15378>.

## **MISSISSIPPI**

### ***D.H. v. Moss Point School District, No. 1:13-cv-466-H50-RHW (S.D. Miss. 2015)***

- Settlement: Undisclosed.
- Injunctive Relief: School district required to adopt and implement new anti-bullying and harassment policies and procedures, including equal educational opportunity policies based on sexual and gender identity, and reform bullying reporting and response procedures.
- Harassment/Injuries: Anti-gay physical and verbal abuse.
- Single plaintiff.
- Basic Facts: Plaintiff, then 14, was continually harassed by fellow students, teachers, and administrators at her high school because of her sexual orientation. She was subjected to constant name-calling, students would throw things at her and encourage her to kill herself, and she was repeatedly barred from using the girls' bathroom. She attempted suicide once and expressed suicidal ideation a second time to a friend before school stepped in.
- Causes of Action(s): Title IX claim for deliberate indifference to sex-based discrimination; § 1983 claim for denial of equal protection by showing deliberate indifference to sex-based harassment.
- Plaintiff's Attorney(s): Jody E Owens II, Elissa Johnson, Samuel Wolfe, Alesdair Ittelson, and Anjali Nair of Southern Poverty Law Center, Jackson, MS and Montgomery, AL.
- More information: <http://www.splcenter.org/get-informed/news/splc-reaches-settlement-with-mississippi-school-district-to-stop-anti-lgbt-bullyin>.

### ***Malone v. Moss Point School District, No. 15-cv-00371-LG-RHW (S.D. Miss. 2017)***

- Settlement: Confidential
- Single plaintiff.
- Basic Facts: Plaintiff's son died as the result of severe bullying at his middle school. The victim was teased because of his size, clothing, looks, and practice of his religious beliefs which involved handing out crosses, pictures of angels, and anti-bullying slogans. Parents reported bullying on multiple occasions, but instead of punishing his tormentors, the school transferred the victim to another class. Plaintiff continued to report bullying to school, but school did little to protect the victim. Eventually, a group of students ganged up on victim and beat him, triggering a fatal heart condition.
- Causes of Action(s): § 1983 claims under Fourteenth Amendment based on religious discrimination.
- Plaintiff's Attorney(s): Edward Blackmon, Jr., Janessa E. Blackmon, Bradford J. Blackmon of Canton, MS; Greg J. Bosseler of Jackson, MS.
- More information: [http://www.clarionledger.com/story/news/local/2017/04/28/moss-point-school-settles-suit-over-7<sup>th</sup>-graders-death/101053388/](http://www.clarionledger.com/story/news/local/2017/04/28/moss-point-school-settles-suit-over-7th-graders-death/101053388/).

## **MISSOURI**

### ***Doe v. [Unknown/Confidential] School District***

- Settlement: \$375,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Grooming and sexual touching of breasts and vagina by high school math teacher.
- Causes of Action: Violations of Title IX and Missouri Human Rights Act.
- Plaintiff's Attorney: David Mayer and Reed Martens of Monsees & Mayer, P.C., Kansas City, MO.

### ***J.M. v. School of the Osage School District***

- Settlement: \$475,000.
- Harassment/Injuries: Sexual molestation.
- Single Plaintiff.
- Basic Facts: Grooming and sexual touching on buttocks and vagina by science teacher on 7<sup>th</sup> grade female student prior to and during school hours.
- Causes of Action: Violations of Title IX and Missouri Human Rights Act.
- Plaintiff's Attorney: Reed Martens and Ryan Frazier of Monsees & Mayer, P.C., Kansas City, MO.

### ***John Doe 116 v. Marianist Province of the United States (St. Louis Cty. Cir. Ct. 2015)***

- Settlement: \$300,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually abused by his typing teacher beginning in 1966 while a student at Chaminade College Preparatory School, run by Defendant. The teacher watched plaintiff and other boys in the showers and fondled plaintiff's and several other children's genitals and buttocks in the locker room. He also invited plaintiff to private tutoring sessions during which he further molested plaintiff. This teacher's sexual harassment and abuse of students was well known in the school, resulting in several nicknames about his sexual misconduct. The school still allowed him full access to minor boys.
- Cause of action: State common law claims.
- Plaintiff's Attorney: Kenneth M. Chackes and Nicole Gorovsky of Chackes, Carlson & Halquist (St. Louis, MO).
- More Information: [https://www.kmov.com/news/settlement-reached-in-chaminade-sex-abuse-case/article\\_e8d94a95-7a42-5032-b7f3-d58bf8278689.html](https://www.kmov.com/news/settlement-reached-in-chaminade-sex-abuse-case/article_e8d94a95-7a42-5032-b7f3-d58bf8278689.html)

### ***John Doe Jr. v. Willard Public Schools, No. 1831-CC00277 (31st Jud. Dist. Mo. 2018)***

- Settlement: \$90,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually assaulted by classmates on a school bus. State law required the district to report these incidents to a Children's Division hotline. The lawsuit alleges that the school failed to do so.
- Cause of action: Unknown.
- Plaintiff's Attorney: Jay Kirksey of Kirksey Law Firm in Missouri.

- More Information: <https://www.news-leader.com/story/news/education/2022/08/25/willard-public-schools-district-pays-settlement-lawsuit-over-alleged-sexual-assault/9673938002/>

***K.J. ex rel. K.D. v. St. Joseph School District, No. 18-6113-CV-SJ-SRB, 2019 WL 267743 (W.D. Mo. 2018)***

- Settlement: \$130,000 (\$34,000 in structured settlement, nearly \$60,000 to plaintiff's attorney, \$10,000 in student's savings account, \$25,000 split evenly between parents for medical bills and therapy).
- Harassment/Injuries: Disability-related bullying and harassment; sexual harassment; physical assault.
- Single Plaintiff.
- Basic Facts: Plaintiff's 13-year-old autistic son developed anxiety due to bullying at school, including verbal and physical harassment. He was put on medication for anxiety, to which he had an allergic reaction that spurred behavioral episodes. In one instance, three school officials physically restrained the student until he was arrested at the principal's request. Student was transferred to a new school where the principal was physically inappropriate with him in a sexual manner.
- Causes of action: School district liability under the ADA and the Rehabilitation Act; retaliation; negligence/breach of ministerial duties; sexual harassment under Title IX; violations of the Missouri Human Rights Act through disability discrimination and retaliation.
- Plaintiff's Attorney: Rebecca M. Randles of Randles Mata, LLC (Kansas City, MO).
- More Information: [https://www.newspressnow.com/news/local\\_news/sjsd-faces-another-bullying-lawsuit/article\\_61e34811-b12c-5198-8903-4fc7c9685de8.html](https://www.newspressnow.com/news/local_news/sjsd-faces-another-bullying-lawsuit/article_61e34811-b12c-5198-8903-4fc7c9685de8.html)

***Lewis v. Blue Springs School District, No. 4:17-cv-00538-NKL (W.D. Mo. 2017)***

- Settlement: \$185,000.
- Harassment/Injuries: Physical and verbal abuse; suicide.
- Single Plaintiff.
- Basic Facts: Throughout middle school and high school, plaintiff's son Ryker was constantly verbally and physically bullied due to his speech impediment, major clinical depression, and attention-deficit disorder. Several of Ryker's friends attempted suicide because of similar bullying, and in the 2013-14 school year, Ryker's best friend committed suicide. Parents of these friends reported pervasive bullying school officials, who failed to follow the school's bullying policies and instead did nothing to protect the victims. After students told Ryker to "go ahead and kill himself," he attempted suicide. Ryker was admitted to an inpatient program, where he told doctors that bullying was the cause of his suicide attempt. The doctors relayed this to school officials. School officials did nothing and Ryker ultimately committed suicide in 2014.
- Causes of Action: Wrongful death claims under Section 504 of the Rehabilitation Act and Title IX; substantive due process claim under § 1983; tort claims.
- Plaintiff's Attorney: Erik A. Bergmanis of Bergmanis Law Firm, LLC, Camdenton, MO; Robert C. Sullivan and Timothy R. Morgan of Sullivan, Morgan & Chronic, LLC, Kansas City, MO.
- More information: <https://molawyersmedia.com/2018/03/20/blue-springs-school-district-settles-suicide-suit-for-185k/>; <http://www.kansascity.com/news/local/article207552934.html>.

***Lovins v. Pleasant Hill Public School District, No. 99-cv-550-FJG (W.D. Mo. 1999)***

- Settlement: \$72,500 and injunctive relief.

- Injunctive Relief: Pursuant to consent decree, school district was required to: conduct a climate assessment of student-to-student and teacher-to-student relations within its schools; develop a comprehensive plan to identify, prevent, and remedy harassment and discrimination on the basis of sex and sexual orientation; educate and train teachers, staff, and students about the operation of the policy and procedures; maintain written records of complaints and investigations; and file implementation reports with the U.S Department of Justice and the court.
- Harassment/Injuries: Anti-gay physical and verbal assaults.
- Single plaintiff.
- Basic Facts: Plaintiff experienced harassment because of his perceived sexual orientation from eighth through eleventh grade. After a classmate physically assaulted him, he was forced to leave school because of the harassment. School officials failed to respond appropriately to plaintiff's complaints of harassment.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violations; Title IX claim for deliberate indifference to sexual assault.
- Plaintiff's Attorney: Douglas Patterson, Katherine Tess Argent, Kansas City, MO; United States Department of Justice (Civil Rights Division) intervened.
- More Information: <http://www.justice.gov/crt/about/edu/documents/casesummary.php#lovins>; <http://www.justice.gov/crt/about/edu/documents/lovinscom.php>.

***Myers v. Blue Springs School District R-IV, No. 10-cv-00081-BP (W.D. Mo. 2010)***

- Settlement: \$500,000 and injunctive relief.
- Injunctive Relief: Settlement included retraining two administrators in bullying awareness and requiring every school in the district to hold a bullying awareness day.
- Harassment/Injuries: Physical assaults and verbal harassment resulting in suicide.
- Single plaintiff.
- Basic Facts: A 12-year-old student hung himself after facing constant torment from classmates because of his cleft palate. Elementary school students taunted him and physically assaulted him beginning in third grade, with little or no response from school officials.
- Causes of Action: State tort law claim; claim under 42 U.S.C. § 1983 alleging substantive due process violation.
- Plaintiff's Attorneys: Daniel A. Thomas, Jonathan Soper, Independence, MO.
- More Information: [http://www.kshb.com/dpp/news/local\\_news/investigations/blue-springs-school-districts-insurance-company-settled-bullying-lawsuit-for-500000](http://www.kshb.com/dpp/news/local_news/investigations/blue-springs-school-districts-insurance-company-settled-bullying-lawsuit-for-500000); [http://www.kshb.com/dpp/news/local\\_news/investigations/blue-springs-parents-reach-landmark-settlement-over-bullying](http://www.kshb.com/dpp/news/local_news/investigations/blue-springs-parents-reach-landmark-settlement-over-bullying).

***Nugent v. Carl Junction R-1 School District, No. 3:13-cv-05089-MJW (W.D. Mo. 2015)***

- Settlement: \$300,000.
- Harassment/injuries: Suicide after bullying that included sexual orientation slurs, physical threats, and theft and destruction of property.
- Single plaintiff.
- Basic Facts: Parents alleged that their 14 year-old son, Luke, committed suicide after his school failed to protect him from ongoing bullying. The harassment started in seventh grade when Luke came out as bisexual. Students taunted him with slurs about his sexual orientation, suggested that he kill himself, physically threatened him, and stole and destroyed his personal belongings.

- Causes of Action: State tort law claims; Title IX claim for deliberate indifference to gender-based harassment; claim under 42 U.S.C. § 1983 alleging substantive due process and other violations.
- Plaintiffs' Attorneys: Daniel A. Thomas, Jonathan Soper, and Kenneth McClain, Independence, MO.
- More information: [http://www.joplinglobe.com/news/local\\_news/school-lawsuit-alleging-bullying-ends-with-settlement/article\\_9657e94a-c1f0-5032-9d0a-1a8e105594b8.html](http://www.joplinglobe.com/news/local_news/school-lawsuit-alleging-bullying-ends-with-settlement/article_9657e94a-c1f0-5032-9d0a-1a8e105594b8.html).

***Overstreet v. Hallsville R-IV School District, No. 18-cv-04166 (W.D. Mo. 2018)***

- Settlement: Undisclosed.
- Harassment/Injuries: Assault; battery; discrimination; humiliation; severe emotional distress.
- Single Plaintiff.
- Basic Facts: Student's mother brought wrongful death claim after her daughter committed suicide in response to constant bullying based on her daughter's sexual orientation, perceived sexual practices, popularity, clothes, financial status, and appearance.
- Causes of Action: Violations of ministerial duties; negligence; negligent infliction of emotional distress; Title IX; state-created danger under § 1983; supervisory liability for participation in and encouragement of unconstitutional misconduct by subordinates under § 1983; failure to train and supervise under § 1983; denial of substantive due process through policy, custom, and practice of failing to respond to or prevent bullying under § 1983.
- Plaintiff's Attorneys: Charles A. Gentry, Emily J. Fretwell, Jason L. Call, and Nicholas Daniel Leslie, Call & Gentry Law Group LLC, Jefferson City, MO.
- More Information: <https://fox2now.com/2019/02/27/settlement-reached-in-lawsuit-over-girls-bullying-suicide/>.

***Suttner v. Howard County R-2 School Dist. (Boone Cty Cir. Ct. 2019)***

- Settlement: Confidential.
- Harassment/Injuries: Disability-based harassment.
- Single Plaintiff.
- Basic Facts: Students harassed student Kenneth Suttner based on his mental and physical disabilities. The school did not intervene to protect Suttner from the ongoing and harassment at school, and he died by suicide in December 2016.
- Cause of action: Unknown.
- Plaintiff's Attorney: Chip Gentry.
- More Information: [https://www.columbiamissourian.com/news/local/mother-school-district-reach-settlement-in-kenneth-suttner-wrongful-death/article\\_1e9ab2ee-be15-11e9-92d4-4f553aced299.html](https://www.columbiamissourian.com/news/local/mother-school-district-reach-settlement-in-kenneth-suttner-wrongful-death/article_1e9ab2ee-be15-11e9-92d4-4f553aced299.html)

***S.Z. v. Ladue School District, No. 15-cv-01220-CEJ (E.D. Mo. 2016)***

- Settlement: \$75,000 (including attorneys' fees) and injunctive relief.
- Injunctive Relief: School district agreed to conduct annual bullying and harassment training for students and teachers, and to review practices to ensure that parents of all students involved in bullying incidents are notified.
- Harassment/Injuries: Anti-gay verbal abuse and threats of violence.
- Single Plaintiff.
- Basic Facts: High school students sexually harassed plaintiff, a fellow male student, using anti-gay epithets and vulgar sexual language, as well as threats of violence. Plaintiff reported

incidents to a teacher, but the teacher blamed plaintiff for the incidents. The teacher reported a few incidents to the assistant principal, and other officials became involved, but the school's investigation eventually blamed plaintiff.

- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; sex discrimination claim under 42 U.S.C. § 1983 for violation of Equal Protection Clause; and intentional infliction of emotional distress under state law.
- Plaintiff's Attorney: Frank R. Ledbetter, Ledbetter Law Firm, LLC.
- More Information: [http://www.stltoday.com/news/local/crime-and-courts/ladue-school-district-to-pay-to-settle-bullying-claims/article\\_7d9bd633-c921-570c-b4aa-db8fa9796631.html](http://www.stltoday.com/news/local/crime-and-courts/ladue-school-district-to-pay-to-settle-bullying-claims/article_7d9bd633-c921-570c-b4aa-db8fa9796631.html).

## **MONTANA**

### ***T.C. v. Frenchtown School District, 2018 WL 5810505 (D. Mont. 2018)***

- Settlement: \$350,000.
- Harassment/Injuries: Sexual abuse and assault.
- Single Plaintiff.
- Basic Facts: Former teacher Troy Bashor inappropriately touched the plaintiff-student in the school auditorium and attempted to kiss her in 2016. There were additional instances between 2014 and 2017 that were not otherwise detailed. He was sentenced to one year in jail, fully suspended, and required to permanently surrender his teaching certificate.
- Cause of Action: Title IX claim.
- Plaintiffs' Attorney: John Clune and Lauren Growth of Hutchinson Black and Cook LLC (Boulder, CO); Peter Meloy of Meloy Law Firm (Helena, MT).
- More Information: [https://missoulain.com/news/local/frenchtown-school-district-settles-with-family-of-alleged-sexual-assault/article\\_dc916920-d97c-55cc-a5ac-166875946c03.html](https://missoulain.com/news/local/frenchtown-school-district-settles-with-family-of-alleged-sexual-assault/article_dc916920-d97c-55cc-a5ac-166875946c03.html)

## **NEBRASKA**

### ***Benedict v. Ansley Public Schools, No. 4:19-cv-03112-JMT-MDN (Dec. 6, 2019)***

- Settlement: \$650,000.
- Harassment/Injuries: Rape.
- Single Plaintiff.
- Basic Facts: A 15-year-old girl was raped in a bathroom during a school basketball game by another student who had a documented history of threatening to rape students. The assailant had a history of violence and aggression and so the district required him to be under constant supervision, but the district failed to enact a plan for school events. The girl received special education services for an intellectual disability. School officials took no disciplinary action after the rape.
- Causes of Action: Title IX, Section 1983, negligence.
- Plaintiff's Attorney: Tony J. Brock.
- More information: [https://journalstar.com/news/state-and-regional/nebraska/school-district-pays-650-000-to-settle-lawsuit-alleging-it-I-protect-student-from-sexual/article\\_d1d43f37-ae6b-507a-a4bb-0b12ae4d7cdf.html](https://journalstar.com/news/state-and-regional/nebraska/school-district-pays-650-000-to-settle-lawsuit-alleging-it-I-protect-student-from-sexual/article_d1d43f37-ae6b-507a-a4bb-0b12ae4d7cdf.html)

### ***Berry v. Lincoln Public Schools (2018)***

- Settlement: \$11,000.
- Harassment/Injuries: Bullying.

- Single Plaintiff.
- Basic Facts: When he was a 15-year-old student in 2017, the plaintiff suffered facial injuries, a concussion and lost some teeth during an attack by another student. He suffered post-traumatic stress disorder. Plaintiff alleged school knew or should have known the student-assailant was violent.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Elizabeth Govaerts.
- More information: [https://journalstar.com/news/local/crime-and-courts/lps-settles-lawsuit-by-student-alleging-school-didnt-protect-him-from-being-bullied-attacked/article\\_20347b01-b95c-5bc2-884b-c89cac5651fb.html](https://journalstar.com/news/local/crime-and-courts/lps-settles-lawsuit-by-student-alleging-school-didnt-protect-him-from-being-bullied-attacked/article_20347b01-b95c-5bc2-884b-c89cac5651fb.html).

***Doe v. Malcolm Public Schools (Lancaster Cty. Dist. Ct. 2013)***

- Settlement: \$75,000.
- Harassment/Injuries: Physical and verbal harassment.
- Multiple Plaintiffs.
- Basic Facts: A coach laughed at a student reporting that classmates had pushed his head into a toilet bowl. The harassment and ridicule the student endured caused him to enroll into another school. The plaintiff also alleged that the school failed to make accommodations for his diabetes.
- Causes of Action: Claim under Title II of the Americans with Disabilities Act; state tort law claim for negligent supervision.
- Plaintiffs' Attorney: Kathleen Neary, Lincoln, NE.
- More Information: [http://journalstar.com/news/local/education/mom-who-sued-malcolm-schools-reaches-settlement/article\\_59d2e6f5-9dfc-52df-9117-649d941ff7df.html](http://journalstar.com/news/local/education/mom-who-sued-malcolm-schools-reaches-settlement/article_59d2e6f5-9dfc-52df-9117-649d941ff7df.html); [http://journalstar.com/news/local/crime-and-courts/article\\_c9f60d01-98c5-58df-a3fc-f40ac7392d9b.html](http://journalstar.com/news/local/crime-and-courts/article_c9f60d01-98c5-58df-a3fc-f40ac7392d9b.html).

***Doe v. Omaha Public School District 8:17-cv-00096 (D. Neb. 2017)***

- Settlement: \$175,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic facts: A former middle school student was manipulated, asked for sex acts, and inappropriately touched by her teacher and coach Shad Knutson. When she and her parents reported to the school's principal, administrators called neither the police nor CPS and failed to conduct a proper investigation. Instead, they suspended the student for making false allegations and forced her to transfer middle schools. Knutson was criminally charged in another case and is now a registered sex offender.
- Causes of action: Negligence: failure to provide a safe and secure environment; infliction of emotional distress.
- Plaintiff's Attorney: Richard P. McGowan of McGowan Law Firm (Omaha, NE).
- More Information: [https://www.omaha.com/news/education/primary-secondary/ops-board-approves-settlement-for-former-student-who-alleged-abuse/article\\_4db568ab-1a8e-5fb6-9ed3-b9e0a4e6cc59.html](https://www.omaha.com/news/education/primary-secondary/ops-board-approves-settlement-for-former-student-who-alleged-abuse/article_4db568ab-1a8e-5fb6-9ed3-b9e0a4e6cc59.html)

***Doe v. Scottsbluff Public School District No. 32, No. 4:17-CV-05010 (D. Neb. 2019)***

- Settlement: \$2.75 million.
- Harassment/Injuries: Sexual harassment and assault.

- Single Plaintiff.
- Basic facts: A student was groomed, controlled, and sexually abused by her high school golf coach for three years during high school. He continued to harass her after she quit the team and while she was in college. The coach is currently serving a 24- to 32-year prison sentence on four counts of sexual assault.
- Causes of action: Title IX deliberate indifference; tort claims (sexual battery, sexual assault, negligence, and intentional infliction of emotional distress).
- Plaintiff's Attorneys: Andrew Alexander, Garrett Hunkins, Kathleen Fisher, and Dane Martin of Graves Garret LLC (Kansas City, MO).
- More Information: [https://www.starherald.com/news/local\\_news/student-sexually-assaulted-by-former-coach-settles-lawsuit-for-million/article\\_86375316-4276-5ff6-9488-aa5456cf0d98.html](https://www.starherald.com/news/local_news/student-sexually-assaulted-by-former-coach-settles-lawsuit-for-million/article_86375316-4276-5ff6-9488-aa5456cf0d98.html)

## **NEVADA**

### ***Doe v. Clark County School District No. 215CV00793APGGWF, 2017 WL 1483428 (D. Nev. 2018)***

- Judgment: \$190,000.
- Harassment/injuries: Sexual abuse and harassment; attempted suicide attempt.
- Single Plaintiff.
- Basic Facts: Freshman student John Doe suffers from anxiety attacks and depression. Doe's English teacher reportedly had a history of flirting with minor male students and the teacher told Doe that the principal knew about this behavior. The teacher began sexually abusing and harassing the student, sending explicit text messages, having explicit phone calls, and subjecting him to sexual abuse in the teacher's car. The student repeatedly missed class to spend time with the teacher, and the school knew of those absences. After one incident was reported, the school questioned Doe about things with the office door open. The teacher was later arrested, and students realized Doe was the student whose abuse led to the teacher's arrest. Students began harassing Doe in person and on social media, and teachers blamed him and stopped enforcing his 504 plan. Doe attempted suicide and eventually withdrew from the school to complete his education out of state.
- Causes of Action: Title IX; intentional infliction of emotional distress; public disclosure of private facts/invasion of privacy; violation of the vulnerable persons statute; negligent infliction of emotional distress.
- Plaintiffs' Attorney: Theodore Parker, III of Parker, Nelson & Associates; Douglas M. Cohen of Wolf, Rifkin, Shapiro, Schulman & Rabkin (Las Vegas, NV); and Floyd Travis Buchanan of the Henderson City Attorney's Office.
- More Information: <https://www.reviewjournal.com/news/education/clark-county-school-board-oks-settlement-in-sexual-harassment-case/>

### ***Doe v. Clark County School District (8th Dist. Nev. 2017)***

- Judgment: \$400,000 (\$200,000 per plaintiff). Court held that school district violated Title IX and students' due process rights.
- Harassment/injuries: Sexual harassment.
- Two Plaintiffs.
- Basic Facts: Two students were sexually harassed continually while in band class at Greenspun Junior High. One student was stabbed in the groin with a pencil. Parents of the victims filed at least three complaints about the harassment, but administrators failed to respond with a timely investigation.

- Causes of Action: Title IX claim for deliberate indifference to known sexual harassment; § 1983 claim for due process violations under 14th Amendment.
- Plaintiffs' Attorney: Allen Lichtenstein, Paradise, NV.
- More Information: <http://www.lasvegasnow.com/news/families-win-bullying-lawsuit-against-ccsd/758587356>; <https://www.legalreader.com/judge-rules-against-clark-county-school-district-in-bullying-case/>; <https://www.reviewjournal.com/news/education/clark-county-school-district-must-pay-400k-in-bullying-case/#!>.

***Doe v. Clark County School District (D. Nev. Filed Oct. 2, 2020)***

- Settlement: \$9,000,000
- Harassment/injuries: Sexual assault by a school bus driver
- Two Plaintiffs
- Basic Facts: Three- and four-year old were sexually abused by a school bus driver. The sexual abuse took place on the bus and was caught on camera.
- Causes of Action: Unknown
- Plaintiffs' Attorney: Unknown
- More Information: <https://nevadanewsgroup.com/Content/NEWS/NEWS-Humboldt-County/Article/Two-Nevada-school-districts-settling-big-child-abuse-cases/36/171/49682>; <https://www.rgj.com/story/news/2022/02/07/wcsd-paid-record-4-4-million-settlement-alleged-child-abuse/6692940001/>; <https://www.dailyadvent.com/news/bf242cfa337361accd0f4e9a733ace08-WCSD-paid-44M-settlement-to-family-after-alleged-child-abuse-on-school-bus-over-6month-period>

***Doe v. Washoe County School District (Nev. 2021)***

- Settlement: \$4,400,000.
- Harassment/injuries: Severe physical abuse and bullying.
- Single Plaintiff
- Basic Facts: A student experienced severe physical abuse and bullying over a period of six months on a school bus.
- Causes of Action: Unknown.
- Plaintiffs' Attorney: Unknown.
- More Information: <https://nevadanewsgroup.com/Content/NEWS/NEWS-Humboldt-County/Article/Two-Nevada-school-districts-settling-big-child-abuse-cases/36/171/49682>; <https://www.rgj.com/story/news/2022/02/07/wcsd-paid-record-4-4-million-settlement-alleged-child-abuse/6692940001/>; <https://www.dailyadvent.com/news/bf242cfa337361accd0f4e9a733ace08-WCSD-paid-44M-settlement-to-family-after-alleged-child-abuse-on-school-bus-over-6month-period>

***Doe I and Doe II v. Clark County School District, 2:16-00239-APG-PAL (Nev. 2018)***

- Settlement: \$5,000,000.
- Harassment/injuries: Sexual abuse.
- Two Plaintiffs.
- Basic Facts: Elementary school music teacher Jeremiah Mazo sexually abused plaintiffs (minor children) after other students had been dismissed from class. Mazo had previously been arrested on charges of sexual molestation of students at his former school within the same district. Those charges were later dismissed, and the school abandoned administrative proceedings against him,

allowing him to be reinstated in full with all allegations kept confidential. The abuse at issue here occurred a few years later.

- Causes of Action: Title IX claim for deliberate indifference to known sexual harassment; § 1983 claim for due process violation under 14th Amendment.
- Plaintiffs' Attorney: Allen Lichtenstein, Paradise, NV.
- More Information: <http://www.lasvegasnow.com/news/families-win-bullying-lawsuit-against-ccsd/758587356>; <https://www.legalreader.com/judge-rules-against-clark-county-school-district-in-bullying-case/>; <https://www.reviewjournal.com/news/education/clark-county-school-district-must-pay-400k-in-bullying-case/#!>.

***Henkle v. Gregory*, 150 F. Supp. 2d 1067 (D. Nev. 2001)**

- Settlement: \$451,000 and injunctive relief.
- Injunctive Relief: School district required to implement policies to protect gay and lesbian students from discrimination, including training all staff on preventing and responding to sexual harassment and intimidation.
- Harassment/Injuries: Anti-gay harassment and physical assault.
- Single Plaintiff.
- Basic Facts: Gay high school student experienced physical and verbal harassment because of his sexual orientation. Classmates called him names, shoved him against lockers, spit on him, and even threw a lasso around his neck and threatened to drag him behind a pick-up truck. After he escaped, a teacher laughed at him for being upset. Plaintiff transferred from school to school within the district because the harassment persisted. At one school, the principal warned him against "acting like a fag" and at another school, police officers stood by while a classmate punched him in the face.
- Causes of Action: Claims under 42 U.S.C. § 1983 alleging equal protection and free speech violations; Title IX claim for deliberate indifference to sex-based discrimination; and state tort claims for negligence, negligent training and supervision, and intentional infliction of emotional distress.
- Plaintiff's Attorneys: Jon W. Davidson and Doni Gewirtzman of Lambda Legal Defense & Education Fund; Michael F. Tubach, Peter Obstler and Luann Simmons of O'Melveny & Myers LLP in San Francisco, CA.
- More Information: [http://www.lambdalegal.org/news/ca\\_20020828\\_groundbreaking-legal-settlement-first-to-recognize](http://www.lambdalegal.org/news/ca_20020828_groundbreaking-legal-settlement-first-to-recognize).

***Hurd v. Clark County School District*, 2017 WL 4349231 (D. Nev. 2017)**

- Settlement: \$1.2 million.
- Harassment/Injuries: Physical and verbal abuse of disabled students.
- Multiple Plaintiffs (three).
- Basic Facts: Elementary School teacher James Doran subjected students in a special education classroom to physical and verbal abuse throughout the 2014-2015 school year. The district repeatedly failed to document instances of abuse, and they did not inform the students' parents in a timely manner as required under state law. Doran threw an autistic, non-verbal student into a beanbag, lifted another non-verbal, autistic child from the ground by her hair, and injured another child's arm so badly it required a cast. Doran was eventually charged and convicted for battery.
- Causes of Action: 1983 claims; violation of the ADA; violation of the Rehabilitation Act; battery; criminal violations motivated by characteristics of the victim; intentional infliction of

emotional distress; negligence; negligent supervision; enhanced damages for injury or loss suffered by a vulnerable person.

- Plaintiff's Attorney: Peter Alfert (Walnut Creek, CA).
- More Information: <https://www.reviewjournal.com/news/education/ccsd-may-pay-1-2m-to-settle-suit-alleging-special-ed-student-abuse-1585775/>

***Lamberth v. Clark County School District, No. A-14-7<sup>08</sup>849-C (8th Dist. Nev. 2018)***

- Settlement: \$700,000.
- Harassment/Injuries: Bullying and suicide.
- Multiple plaintiffs (student's estate, brother, parents).
- Basic Facts: Hailee was shoved by fellow students, called names like "stupid bitch" and "slut," and received messages in her locker like "Drink Bleach and Die" and "Why don't you die?" Another student reported to the school that Hailee was being bullied, but the school never informed Hailee's parents. Three weeks later, Hailee committed suicide.
- Causes of Action: wrongful death through negligence and negligence per se; bystander negligent infliction of emotional distress; negligent infliction of emotional distress; unreasonable publicity given to private facts; defamation; false light.
- Plaintiffs' Attorneys: Janiece Marshal, Dominic Gentile, Paola Armeni, Colleen McCarty, and Lauren Paglini of Gentile Cristalli Miller Armeni Savarese in Las Vegas, NV.
- More Information: <https://www.lasvegasnow.com/news/local-news/ccsd-board-of-trustees-approve-700k-settlement-for-hailee-lamberth-s-family/1442327902>.

***Tolliver v. Lyon County School District, No. 3:18-cv-00003-LRH-WGC (D. Nev. 2018)***

- Settlement: Amount confidential, but court record show that city and school district agreed to pay at least \$160,000 to cover attorney's fees.
- Injunctive Relief: After suit was filed, the district agreed to consult U.S. Department of Education's racial harassment experts and pay for students' counseling.
- Harassment/Injuries: Bullying; racial epithets and threats; cyberbullying.
- Two Plaintiffs (sisters).
- Basic Facts: Two 15-year old African American sisters who were freshmen at Yerington High School were subjected to nearly daily racial slurs and threats for at least six months. The threats became terrifying when photos of a Lyon County deputy sheriff's son holding a gun and wearing a belt with knives was posted on social media, with messages superimposed over the photo saying, "the red neck god of all gods.we bout to go nigger huntin'" and "Watch out niggers."
- Causes of Action: Title VI claims of race discrimination.
- Plaintiff's Attorneys: Terri Keyser-Cooper of Law Office of Terri Keyser-Cooper & Kerry S. Doyle of Doyle Law Office in Reno, NV.
- More Information: <https://lasvegassun.com/news/2018/jun/26/rural-black-nevada-students-win-discrimination-set/>; <https://newsone.com/3814608/black-students-racist-bullying-lawsuit-settlement-nevada/>.

## **NEW HAMPSHIRE**

***Doe v. City of Manchester (N.H. 2019)***

- Settlement: \$1.5 million (pre-suit).
- Harassment/Injuries: Rape; sexual assault.
- Single Plaintiff.

- Basic Facts: A fifteen-year-old student at Manchester West High School was orally, vaginally, and anally raped by a classmate in a hallway hidden from supervision and known as a place students would go to smoke and skip class.
- Causes of Action: State tort claims; Title IX claims; § 1983 claims.
- Plaintiff's Attorney: David M. Gottesman, Gottesman & Hollis, P.A., Nashua, N.H.
- More information: <https://www.wmur.com/article/west-high-school-rape-prompts-policy-change-in-manchester-schools/10226011>; <https://manchesterinklink.com/former-student-sentenced-serve-10-20-years-rape-14-year-old-west-high-school/>.

***Doe v. Concord School District (2019)***

- Settlement: \$15,000 (\$2,500 in attorneys' fees) and relief.
- Injunctive relief: Professional development and training on handling Title IX complaints; administrative review of district Title IX policy; amendment to plaintiff's record under FERPA; formal apology to student and her parents.
- Harassment/Injuries: Retaliation.
- Single Plaintiff.
- Basic facts: Middle school student Ana Goble noticed teacher Primo "Howie" Leung was grooming a group of female students. Goble confronted one student about the behavior and was subsequently suspended for spreading "malicious and slanderous gossip." Goble faced stigma from other students and teachers upon return to school, was degraded by Leung, and received low grades in his class. Leung sexually assaulted a student months later.
- Cause of action: Title IX retaliation claim.
- Plaintiff's Attorney: Scott Harris of McLane Middleton (Woburn, MA).
- More Information: [https://www.unionleader.com/news/education/student-suspended-for-raising-concerns-about-concord-teacher-wins-settlement/article\\_e6b51a44-90f1-5845-8b24-78ff77b46d52.html](https://www.unionleader.com/news/education/student-suspended-for-raising-concerns-about-concord-teacher-wins-settlement/article_e6b51a44-90f1-5845-8b24-78ff77b46d52.html)

***Prout v. St. Paul's School, No. 1:16-cv-00225 (D.N.H.)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: A freshman girl at St. Paul's school, a residential prep school, was sexually assaulted by a male student during an annual tradition called "senior salute" during which senior boys attempt to have sexual relations with younger girls.
- Causes of Action: State tort claims.
- Plaintiff's Attorney: Charles G. Douglas, III of Douglas Leonard & Garvey, P.C., Concord, NH; Silverman Thompson Slutkin & White LLC, Baltimore, MD.
- More information: <https://patch.com/new-hampshire/concord-nh/labries-victims-parents-sue-st-pauls-school-0>; <https://patch.com/new-hampshire/concord-nh/st-paul-s-school-settles-civil-suit-prout-family>.

**NEW JERSEY**

***Acosta Javier v. Mount Olive Board of Education, L-001661-20 (Morristown Sup. Ct., Morris Cty., Aug. 2020)***

- Settlement: \$750,000 structured payment over several decades, and an additional \$40,000 from the family of abuser.

- Harassment/Injuries: Bullying, sexual assault.
- Single Plaintiff.
- Basic Facts: A student was sexually assaulted by a classmate while they played a game. She was then harassed at school by the boy and other classmates. The harassment included comments about the rape, ethnic slurs, and derogatory sexual names. School officials blamed the girl after she reported the assault to the school and told her to ignore the harassment. The victim's parents reported the harassment to the New Jersey Department of Education, but the school did not conduct an investigation as required by state law.
- Causes of action: Unknown.
- Plaintiff's Attorney: Unknown.
- More information: <https://www.nj.com/morris/2023/02/girl-will-get-payments-until-shes-60-under-750k-settlement-in-nj-bullying-case-records-show.html?outputType=amp>

***D.O. v. Pennsauken Public Schools, L-000361-15 (N.J. Super. Ct., Camden Cty. 2017)***

- Settlement: \$500,000.
- Harassment/Injuries: Harassment based on race, ethnicity, and disability.
- Single Plaintiff.
- Basic Facts: A high school student suffered multiple violent attacks by another student who acted as a “ringleader” of a group who harassed the victim based on her ethnicity, inability to speak English, and disability. The violence culminated when the ringleader slashed the victim across the face with a blade, causing serious injuries and permanent deformities.
- Causes of action: State tort claims.
- Plaintiff's Attorney: Norman M. Hobbie, Hobbie, Corrigan, & Bertucio, Eatontown, NJ.
- More information: <http://www.courierpostonline.com/story/news/local/2017/11/18/pennsauken-student-receives-500-000-school-settlement-over-alleged-slashing/869295001/>.

***Doe v. Bergen Catholic High School (2015)***

- Settlement: \$1.9 million (through pre-suit arbitration).
- Harassment/Injuries: Sexual and physical abuse.
- Multiple Plaintiffs (21).
- Basic Facts: At least 21 former students of Bergen Catholic High School were sexually abused by “Christian Brothers” staff members at the school. The same faculty members were known to emotionally and physically abuse students, including lashing them with a leather strap on their naked backsides and punching them. The sexual abuse included allegations of reaching down students' pants as well as forcing them to expose themselves. The abuse occurred during the 60s and 70s.
- Causes of Action: Unknown.
- Plaintiff's Attorneys: Mitchell Garabedian (Boston, MA).
- More Information: <https://www.northjersey.com/story/life/2018/04/09/archive-bergen-catholic-paid-out-1-9-m-ergen-catholic-paid-out-1-9-m-settled-21-who-claim-sex-abuse/500862002/>

***Doe v. Elizabeth Board of Education (2017)***

- Settlement: \$600,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Middle school technology and special education teacher Robert Goodlin sexually abused a male student over the three years he was a student. The abuse occurred in the

classroom, Goodlin's car, at the victim's home, and at Goodlin's lake house. Goodlin reportedly preyed primarily upon immigrant children.

- Causes of Action: Unknown.
- Plaintiff's Attorneys: Brian Schiller of Schiller McMahon (Westfield, NJ).
- More Information:  
[https://www.nj.com/union/2017/06/elizabeth\\_school\\_board\\_pays\\_600k\\_to\\_settle\\_sexual.html](https://www.nj.com/union/2017/06/elizabeth_school_board_pays_600k_to_settle_sexual.html)

***Doe v. Hopewell Valley Regional School District Board of Education and Hoffman (Super. Ct. 2017)***

- Jury Verdict: \$300,000 (\$200,000 in compensatory damages and \$100,000 in punitive damages against perpetrator); \$0 (against district). Verdict upheld on appeal.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: A high school teacher (later principal) sexually abused a high school boy over the course of three years. He took the boy on overnight trips and paid him to work in his yard. He abused the boy primarily at his home and on trips.
- Causes of action: Passive abuse under NJ Child Sexual Abuse Act; negligent supervision.
- Plaintiff's Attorney: Robert F. Varady.
- More information:  
[https://www.nj.com/mercer/2017/05/court\\_upholds\\_jurys\\_findings\\_in\\_teacher\\_sex\\_abuse.html](https://www.nj.com/mercer/2017/05/court_upholds_jurys_findings_in_teacher_sex_abuse.html)

***Doe v. Manasquan Board of Education (N.J. Super. Ct. Law Div. 2018)***

- Settlement: \$75,000.
- Harassment/Injuries: Disability-based harassment.
- Single Plaintiff.
- Basic Facts: Student moved from private school to Manasquan High School for his junior year. He requested to be separated from certain students that had bullied him at his private school, but from day one, he suffered relentless bullying and harassment about his medical condition from those same students and eventually had to withdraw from school as a result.
- Causes of Action: State statutory anti-discrimination claims; negligence; negligent supervision.
- Plaintiff's Attorney: Teresa L. Moore, Riker Danzig Scherer Hyland & Perretti LLP, (Morristown, NJ).
- More Information:  
[http://www.nj.com/monmouth/index.ssf/2018/06/school\\_district\\_pays\\_out\\_75000\\_to\\_settle\\_bullying.html](http://www.nj.com/monmouth/index.ssf/2018/06/school_district_pays_out_75000_to_settle_bullying.html); [https://drive.google.com/file/d/1oCJN4tKw7KA\\_Awc3H4CQhNvTh\\_0z11NJ/view](https://drive.google.com/file/d/1oCJN4tKw7KA_Awc3H4CQhNvTh_0z11NJ/view)

***George v. Board of Education of the Township. of Millburn, No. 11-cv-00043-WJM (D.N.J. 2016)***

- Settlement: \$435,000.
- Harassment/Injuries: Racial harassment (verbal and physical); wrongful expulsion from school.
- Single Plaintiff.
- Basic Facts: High school students targeted an African-American male student with verbal abuse that included racial slurs and threats of violence, as well as physical harassment. Plaintiff and his parents complained to school officials, but school officials took no action against perpetrators. The day before a mediation session was scheduled, a physical altercation occurred outside the school where plaintiff, his dad, and his older brother defended themselves against attacks by a number of students. Plaintiff and his family were arrested, but the students who participated in the altercation were not disciplined or arrested. The family was cleared of charges, but plaintiff

was expelled from school. The expulsion was overturned a year later, but plaintiff had to be homeschooled in the interim.

- Causes of Action: Federal constitutional claims under 42 U.S.C. § 1983; state law claims for violations of New Jersey’s constitution, civil rights statutes, and tort law.
- Plaintiffs’ Attorney: Harry Jay Levin, Levin Cyphers.
- More information: <http://archive.northjersey.com/news/ed-board-settles-bullying-case-for-435-000-1.1626999>; <http://ogtf.lpcnj.org/2016/2016249o1/GeoMilburn.pdf>.

***Green v. W. Milford Board of Education (2021)***

- Settlement: \$937,500.
- Harassment/Injuries: Racial harassment.
- Basic Facts: A student was bullied starting in sixth grade, by classmates and teachers. She was called the N-word, a teacher struck her with a book, and she was cyberbullied.
- Causes of Action: Intentional infliction of emotional distress, negligence, and negligent hiring of staff.
- Plaintiff’s Attorney: Unknown.
- More Information: <https://www.nj.com/passaic-county/2021/04/nj-school-district-settles-former-students-racial-discrimination-lawsuit-for-1m.html>.

***Hakim v. Bayonne Board of Education of the Township of Millburn (N.J. Super. Ct. Hudson Cty. 2017)***

- Settlement: \$375,000.
- Harassment/Injuries: Physical assault resulting in permanent injuries.
- Basic Facts: Plaintiff, a student of Egyptian descent, was physically assaulted on the way home from school, suffering a fractured skull and other permanent injuries. Prior to the incident, administrators had been aware of “tensions, fights, harassment, bullying, and injuries,” but the school failed to implement procedures to eliminate danger to victim or confront those creating a dangerous environment.
- Causes of Action: Undisclosed.
- Plaintiffs’ Attorney: Richard D. Picini of Fairfield, NJ.
- More information: [http://www.nj.com/hudson/index.ssf/2017/04/bayonne\\_school\\_district\\_to\\_settle\\_assault\\_lawsuit.html](http://www.nj.com/hudson/index.ssf/2017/04/bayonne_school_district_to_settle_assault_lawsuit.html).

***J.B. v. Mt. Ephraim School District, No. CAM-L-3606-12 (N.J. Sup. Ct. 2015)***

- Settlement: \$100,000 (\$50,000 per plaintiff), including attorney fees.
- Harassment/Injuries: Physical and verbal harassment based on disability.
- Multiple Plaintiffs (two siblings).
- Basic Facts: Two siblings in special education programs were subjected to verbal and physical harassment based on their disabilities by their middle school peers. While in eighth grade, the brother’s peers mocked his stutter and regularly called him as a “loser.” The verbal taunting escalated to physical attacks. On one occasion, fellow students threw the boy off his bicycle, then destroyed the bike. On another occasion, they punched him in the face. The student and his mother repeatedly notified school officials, but no action was taken to prevent the continued harassment.

Several years later, when the sister was in fifth grade, her peers regularly mocked her disabilities, calling her a “ghost,” “weakling,” and “raccoon eyes.” Fellow students also kicked, punched,

and stomped on her. The girl's mother repeatedly reported the harassment to school officials and eventually notified the police. The school district took no action to stop the bullying. As a result, the mother withdrew her daughter from the middle school. The school district refused the mother's request for home schooling in the family's house, claiming that teachers would feel "unsafe" there. For the remainder of the school year, the mother incurred expenses to transport her daughter to a local public library for home schooling. Ultimately, the student was placed in another school outside the district, but the school district refused to provide transportation, and the mother then incurred additional transportation expenses.

- Cause of Action: Disability discrimination claims under New Jersey's Law Against Discrimination.
- Plaintiffs' Attorney: Kevin M. Costello and Daniel T. Silverman, Costello & Mains, LLC, Mount Laurel, NJ.
- More information: [http://www.nj.com/camden/index.ssf/2016/03/south\\_jersey\\_school\\_district\\_pays\\_50k\\_to\\_settle\\_al.html](http://www.nj.com/camden/index.ssf/2016/03/south_jersey_school_district_pays_50k_to_settle_al.html); <http://ogtf.ipcnj.org/2015/2015054Q6/MEsuitlessredact.pdf>.

***J.C. v. Emerson Board of Education (N.J. Sup. Ct. Law Div. 2011)***

- Settlement: \$130,000.
- Harassment/Injuries: Physical and verbal harassment based on sexual orientation.
- Single Plaintiff.
- Basic Facts: Student endured physical and verbal harassment, in person and online, over a six-year period in middle and high school because of his perceived sexual orientation. The student's peers created a social networking web site to post disparaging remarks about the plaintiff. The abuse was so severe, and the student became so emotionally distraught, that he was home-schooled for the final months of high school.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: [http://www.nj.com/news/index.ssf/2011/12/emerson\\_board\\_of\\_education\\_to.html](http://www.nj.com/news/index.ssf/2011/12/emerson_board_of_education_to.html); [http://www.nj.com/bergen/index.ssf/2011/12/emerson\\_board\\_of\\_education\\_will\\_pay\\_130k\\_to\\_former\\_student\\_for\\_alleged\\_bullying.html](http://www.nj.com/bergen/index.ssf/2011/12/emerson_board_of_education_will_pay_130k_to_former_student_for_alleged_bullying.html).

***J.R. v. Brooklawn Board of Education, No. L-4761-14 (N.J. Super. Ct. Law Div. 2014)***

- Settlement: \$100,000.
- Harassment/Injuries: Sexual harassment; physical assault.
- Single Plaintiff.
- Basic Facts: Female student was verbally harassed by three other female students with gender-based insults, including being called a "slut," "bitch," and "whore," throughout fourth and fifth grade. The harassment escalated to physically assaults in fifth grade. In one fifth-grade incident, the three girls dragged the victim to a secluded area on the elementary school playground, then slapped, punched, and kicked her in the chest and groin.
- Cause of Action: Sex and disability discrimination claims under New Jersey's Law Against Discrimination.
- Plaintiff's Attorney: Kevin Costello, Costello & Mains, P.C., Mount Laurel, NJ.
- More information: <http://www.courierpostonline.com/story/news/local/south-jersey/2017/10/30/brooklawn-school-settles-bullying-lawsuit/812200001/>;

[http://www.nj.com/camden/index.ssf/2017/10/school\\_nurs<sup>e</sup>-denied\\_4th\\_grader\\_anxiety\\_meds\\_after.html](http://www.nj.com/camden/index.ssf/2017/10/school_nurs<sup>e</sup>-denied_4th_grader_anxiety_meds_after.html).

***K.J. v. Hillsborough Township School* (N.J. Super. Ct. Somerset Cnty. Filed Sept. 7, 2018)**

- Settlement: \$95,000.
- Harassment/Injuries: Sexual harassment.
- Basic Facts: Plaintiff, a high school student, was harassed by her ex-boyfriend and classmate after she broke off their relationship. The harassment included the use of sex-based slurs and threats. The harassing student also spread rumors that the plaintiff was pregnant, taking drugs, and had a sexually transmitted disease. When the plaintiff's parents complained to the school, school officials told them that they could not take action on the basis of "hearsay."
- Causes of Action: Unknown.
- Plaintiffs' Attorney: Costello & Mains of Mt. Laurel, New Jersey.
- More information: <https://transparencynj.com/2022/04/30/hillsborough-school-district-quietly-paid-95000-to-settle-former-students-sexual-harassment-lawsuit/>;  
<https://centraljersey.com/2022/05/11/hillsborough-township-public-schools-settle-sexual-harassment-lawsuit-with-former-student/>.

***K.K. v. Barnegat Township Board of Education, No. OCN-L-2013-14* (N.J. Super. Ct. Ocean Cnty. 2016)**

- Settlement: \$60,000.
- Harassment/Injuries: Sexual harassment.
- Basic Facts: Plaintiff suffered extreme emotional distress as a result of pervasive sexual harassment perpetrated by a student over a two-year period. The harasser regularly used disparaging remarks like "cunt" and "whore," and threw objects at the plaintiff. The plaintiff and her mother reported the harassment to school officials throughout the two-year period, yet the school did nothing to halt or mitigate the harassment.
- Causes of Action: Sexual harassment under New Jersey's Law Against Discrimination.
- Plaintiffs' Attorney: Kevin M. Costello of Mt. Laurel, NJ.
- More information: <http://njcivilsettlements.blogspot.com/2016/12/barnegat-school-board-confidentially.html>.

***Lee ex rel. E.L. v. Lenape Valley Regional Board of Education, 2009 WL 900174* (D.N.J. Mar. 31, 2009)**

- Settlement: \$275,000.
- Harassment/Injuries: Racial harassment.
- Single Plaintiff.
- Basic Facts: Bi-racial student was continually harassed with racist slurs over the course of several years including "nigger" "black piece of shit," and "Alabama porch monkey." Plaintiff was one of only thirteen African-American students out of nearly 2,000 enrolled at high school. School officials did little or nothing to abate the harassment, causing plaintiff to suffer emotional injuries.
- Causes of Action: Title VI claim for deliberate indifference to racial harassment (dismissed on summary judgment); claim under 42 U.S.C. § 1983 alleging due process and equal protection violations; claims under New Jersey Law Against Discrimination and New Jersey Civil Rights Law.
- Plaintiff's Attorneys: Bennet Zurofsky, Newark, NJ; Joshua Friedman, Larchmont, NY.

- More Information: <http://njcivilsettlements.blogspot.com/2010/10/lenape-valley-regional-school-board.html>.

***Matawan-Aberdeen School District (2020)***

- Settlement: \$25,000.
- Harassment/Injuries: Racial harassment.
- Single Plaintiff.
- Basic Facts: A ten-year-old Puerto Rican boy was harassed because of his race. He was called a racial slur, and when his parents reported it to the principal's assistant, a counselor, and the principal, they took no action. The bullying continued: the boy was made fun of for his weight, tripped in the hallways, and in the bathroom another student kicked a bucket of water and urine at the boy. The victim was suspended for three days because of comments he made to his bullies during the bathroom incident.
- Cause of Action: Unknown.
- More information: <https://www.nj.com/news/2020/02/school-district-will-pay-25k-to-settle-suit-alleging-10-year-old-was-rationally-bullied.html> .

***Moore v. Sparta Board of Education, No. 0032g-0310 (N.J. Super. Ct. 2016)***

- Settlement: \$85,000.
- Harassment/Injuries: Bullying and physical assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, a male high school student, was bullied and eventually physically assaulted by another student at his school. The school allegedly had been aware of the pattern of behavior exhibited by the perpetrator, but did nothing to discipline the him or prevent the attack.
- Causes of Action: State tort claim; claim under New Jersey Anti-Bullying Act.
- Plaintiffs' Attorney: Chuck McGivney, McGivney & Kluger, P.C.
- More information: <http://www.njherald.com/20160802/sparta-high-assault-case-settled-for-85000>; <http://ogtf.lpcnj.org/2015/2015054Q6/MooreSparta.pdf>.

***Patterson v. Irvington Board of Education, No. L-001093-09 (N.J. Sup. Ct. Law Div. 2012)***

- Jury Verdict: \$16.3 million (\$13 million against school district; \$3.3 million against perpetrator).
- Harassment/Injuries: Physical assault, resulting in paralysis and brain damage.
- Single plaintiff.
- Basic Facts: 15-year old student was left a quadriplegic and brain damaged after his 17-year old classmate severely beat him. The attacker had been suspended from school the day before the beating, but the school nevertheless allowed him back the next morning.
- Cause of Action: State tort law.
- Plaintiff's Attorney: Jack Wurgaft, Springfield, NJ.
- More Information: [http://www.nj.com/essex/index.ssf/2012/10/irvington\\_teen\\_left\\_brain\\_dama.html](http://www.nj.com/essex/index.ssf/2012/10/irvington_teen_left_brain_dama.html).

***Remphrey v. Cherry Hill Township Board of Education, No. CV 16-3084 (JBS/JS), 2017 WL 253951 (D.N.J. Jan. 20, 2017)***

- Settlement: \$85,000.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.

- Basic Facts: A high school math teacher and coach repeatedly flirted with and made advances toward plaintiff, who was a sophomore in high school at the time. The harassment culminated in an incident in which the teacher approached Plaintiff from behind, put his arms around her, laid his head on her shoulder, and said “I love you.” When the girl reported to a school counselor, the counselor advised that she had likely misinterpreted the attention and asked her what she was wearing at the time. The girl eventually left the high school to receive home instruction per her pediatrician’s advice.
- Causes of Action: Claims under Title IX and New Jersey Law Against Discrimination for inadequate investigation and retaliation.
- Plaintiff’s Attorney: Frances A. Hartman of Hartman Gilas (Moorestown, NJ).
- More Information: <https://www.courierpostonline.com/story/news/2017/01/20/cherry-hill-schools-sexual-harassment/96856594/>

***Roe v. Franklin Township School Board (2011)***

- Settlement: \$75,000.
- Injunctive Relief: School board must set aside \$2,500 for anti-bullying awareness program to be used during the current school year. School district agreed to review and potentially revise its policy on student harassment, intimidation, and bullying to ensure compliance with the New Jersey Anti-Bullying Bill of Rights. The policy will be posted on the school district’s website and a hard copy will be available at each of the district’s schools. The district will also train all school personnel responsible for responding to complaints of bullying and will provide the names, titles, and details of their training to the Division on Civil Rights.
- Harassment/Injuries: Verbal harassment.
- Single Plaintiff.
- Basic Facts: African-American elementary school student was the victim of race-based bullying from third to seventh grade. The student was called ugly by white students and told to, “go back to the ‘hood.” Her parents complained multiple times to the school’s principal and superintendent. On one occasion, the school required two female bullies to watch videos on racial discrimination, including videos about Rosa Parks. However, the school district also told the girl’s father, in response to another bullying incident, that they could “not stop children from calling out racial names... at the school.”
- Causes of Action: Unknown.
- Plaintiff’s Attorney: Acting Attorney General John J. Hoffman
- More Information: [http://www.nj.com/gloucester-county/index.ssf/2014/09/franklin\\_township\\_board\\_of\\_education\\_to\\_pay\\_student\\_75000\\_in\\_race-based\\_bullying\\_case.html](http://www.nj.com/gloucester-county/index.ssf/2014/09/franklin_township_board_of_education_to_pay_student_75000_in_race-based_bullying_case.html).

***Roe v. Old Bridge Township Public Schools (2013)***

- Settlement: \$75,000.
- Injunctive Relief: The school district implemented a bias-based harassment prevention program including an awareness component in the high school and middle school. All staff and administration received additional training.
- Harassment/Injuries: Physical and verbal harassment.
- Single Plaintiff.
- Basic Facts: A male student was bullied for his religion and perceived sexuality beginning in middle school and continuing into high school. The harassment took place at school, on the bus,

and on the internet. The school district did not take any preventative measures to address the bullying, but instead focused on after-the-fact discipline.

- Causes of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More Information: [http://sub.gmnews.com/news/2013-10-03/Schools/Old\\_Bridge\\_school\\_district\\_settles\\_bullying\\_case.html](http://sub.gmnews.com/news/2013-10-03/Schools/Old_Bridge_school_district_settles_bullying_case.html).

***Rosenstein v. Board of Education of the Borough of Ramsey*, No. L-010993-09 (N.J. Sup. Ct. Law Div. 2012)**

- Settlement: \$4.2 million.
- Harassment/Injuries: Physical assault, resulting in paralysis.
- Single Plaintiff.
- Basic Facts: A 12 year-old student ended up paralyzed from the waist down soon after a bully punched him so hard in the abdomen that a blood clot formed in one of his major arteries and burst when it reached his spine. Prior to the incident, the student had complained to school officials about being bullied, writing e-mails to the guidance counselor and assistant principal informing them that the bullying had increased, asking for help to figure out coping mechanisms, and wanting to create a record in the event that the bullying continued. Complications from plaintiff's paralysis, including scoliosis, led to 19 surgeries and a complete spinal fusion. He nearly died several times.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Jeffrey Youngman, Fair Lawn, NJ.
- More Information: <http://usnews.nbcnews.com/news/2012/04/19/11289813-42-million-settlement-for-student-paralyzed-by-bully#.UG8Ve7gt-dw.email>.

***Uziel v. Westfield Board of Education*, No. 2:20-cv-09632 (D.N.J. Filed July 29, 2020)**

- Settlement: \$250,000.
- Harassment/Injuries: Physical assaults, sexual harassment, multiple sexual assaults, suicide.
- Single Plaintiff.
- Basic Facts: Carter Uziel, a high school student, faced severe bullying, including physical assaults, sexual harassment, and multiple sexual assaults by his classmates. Carter's classmates threw his lunchbox in the trash, damaged his glasses, pulled down his pants, pushed him down, vandalized his notebooks, and stole his homework, notes and school supply box. Carter's father reported the harassment and assaults multiple times to school officials
- Causes of Action: Negligence; violation of the New Jersey Civil Rights Act; hostile environment in violation of the New Jersey Law Against Discrimination; retaliation in violation of the New Jersey Law Against Discrimination; and Portee (emotional distress) claims.
- Plaintiff's Attorney: Heidi R. Weintraub of Javerbaum Wurgaft Hicks Kahn Wikstrom and Sims, P.C. in Voorhees, New Jersey.
- More Information: <https://www.tapinto.net/towns/westfield/sections/law-and-justice/articles/lawsuit-claims-bullying-sex-assaults-led-to-westfield-student-s-suicide>; <https://patch.com/new-jersey/westfield/suit-filed-against-westfield-boe-over-sons-suicide-reaches-settlement>.

***Varnelas v. Morris School District* (N.J. Super. Ct. Law Div. 2014)**

- Settlement: \$625,000.
- Harassment/Injuries: Physical assault, bullying, robbery, suicide.

- Single Plaintiff.
- Basic Facts: A fifteen-year-old boy committed suicide in 2012 after constant bullying by three older boys. The assailants kicked Lennon Varnelas Baldwin in the groin, assaulted him, and robbed him of sixty dollars in a school parking garage. A security camera captured one of the assailants kicking Baldwin; the three students then warned the victim to tell school administrators that it was horseplay. When one of the assailants was suspended anyway, the three students robbed Baldwin as retribution.
- Cause of Action: Negligence; other claims possible, but unknown.
- Plaintiff's Attorney: Jeffrey R. Youngman, Fair Lawn, NJ.
- More Information: <https://www.usatoday.com/story/news/nation/2014/03/07/lawsuit-blames-school-teen-suicide/6166339/>;  
<https://www.dailyrecord.com/story/news/morris/2018/02/21/morris-school-district-settles-lawsuit-over-student-suicide-625-k/360027002/>

***V.F. v. Bridgewater-Raritan School District* (N.J. Super. Ct. Somerset Cty. 2016)**

- Settlement: \$100,000.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff's Spanish teacher incited her to send him nude photos and explicit text messages on multiple occasions. He taught her how to pleasure herself over text message, saved nude photos of her, and invited her to his classroom during her choir period. When plaintiff, age 15, tried to end contact with the teacher, he blackmailed her into continuing to meet with him, using the nude photos he had of her. Plaintiff's father found the photos and reported to the school. After the report, the school improperly disclosed plaintiff's name, and plaintiff was harassed, taunted, called a slut, and pushed into lockers by other students.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Glenn T. Wertheim and Gregory G. Gianforcaro.
- More Information: <https://nj1015.com/bridgewater-raritan-pays-100k-to-end-teacher-student-sex-harassment-lawsuit/>

## **NEW MEXICO**

***Z.W. v. Herrera*, No. 1:20-CV-00525 (D.N.M. 2020)**

- Settlement: \$240,000.
- Harassment/Injuries: Assault
- Single Plaintiff.
- Basic Facts: Fourth grade student was kicked by school guidance counselor in the lunchroom because the guidance counselor was unhappy that the student was sitting on his feet. The kick was captured by school surveillance cameras.
- Causes of Action: Section 1983 (Substantive Due Process); New Mexico Tort Claims Act.
- Plaintiff's Attorney: Cammie Nichols, Maggie Lane, and Kate S. Thompson, Rothstein Law (Albuquerque, NM).
- More Information: <https://www.krqe.com/news/education/aps-counselor-accused-of-kicking-elementary-student-district-settles/>

## **NEW YORK**

### ***Bari v. New York City Department of Education* (N.Y. Sup. Ct. 2004)**

- Jury Verdict: \$195,000.
- Harassment/Injuries: Physical and verbal harassment.
- Single Plaintiff.
- Basic Facts: Boy was physically and verbally harassed over a three-year period in elementary school. The school placed him and the bully in the same fifth grade class, even after the victim's mother requested that the school separate them. During a game of handball, the bully caused the boy to fall and break one wrist and sprain the other. The boy withdrew from school after that incident, as the school took no action to protect him after repeated complaints by his mother.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Philip J. Rizzuto of Carle Place, NY.
- More information: <http://www.nytimes.com/2004/05/01/nyregion/01about.html>.

### ***Doe v. Carranza, No. 19-CV-02514(PKC)(SJB)* (E.D.N.Y. 2021)**

- Settlement: \$700,000 and policy changes that aim to make it easier for students to file complaints and to make the investigation process more transparent for families.
- Harassment/Injuries: Sexual assault, unwanted touching, verbal harassment.
- Multiple Plaintiffs.
- Basic Facts: Four plaintiffs—all students of color with disabilities—experienced varying forms of sexual violence: two plaintiffs were raped by other students; the remaining two plaintiffs were otherwise sexually assaulted and faced verbal harassment. In response to plaintiffs' reports of the harassment to their respective schools, the schools took little to no action.
- Causes of Action: Title IX; Title IX Retaliation; Individuals with Disability Education Act (IDEA); Americans with Disabilities Act (ADA); Section 504 of the Rehabilitation Act; New York City Human Rights Law.
- Plaintiffs' Attorneys: Amy Leipziger, Legal Services NYC (NY, NY) and Lori Leskin, Arnold & Porter Kaye Scholer (NY, NY).
- More Information:  
<https://www.legalservicesnyc.org/storage/PDFs/doe%20title%20ix%20settlement.pdf>  
<https://www.the74million.org/article/new-york-city-settlement-four-students-sexual-assault/>

### ***Doe v. New York City Department of Education* (N.Y. Sup. Ct. 2016)**

- Settlement: \$700,000.
- Harassment/Injuries: Physical assault and bullying resulting in permanent eye damage; bullying based on perceived sexual orientation.
- Single Plaintiff.
- Basic Facts: Plaintiff was beaten by several students in his junior high school cafeteria resulting in permanent eye damage that required a cornea transplant. His attackers called him a “fucking faggot” and “gay” among other disparaging remarks. The beating was caught on surveillance cameras. Prior to the beating, the plaintiff had reported other incidents involving physical bullying to school officials.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Sanford Rubenstein of Brooklyn, NY.
- More information: <http://www.nydailynews.com/new-york/education/nyc-pays-700g-teen-bullied-blinded-school-article-1.2928216>

***Doe v. North Tonawanda City School District* (N.Y. Sup. Ct. 2019)**

- Settlement: \$60,000 (\$30,000 from school district; \$30,000 from bus company).
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic facts: A kindergartner was sexually assaulted by another student at least twice: once during kindergarten rest time and once on a bus ride home. The school did not take steps to separate the boys initially and there were no aides on the bus where the second assault occurred. Additionally, the attorney for the school district suggested the victim was partially at fault for not wearing a seat belt.
- Cause of action: Unknown.
- Plaintiff's Attorney: J. Patrick Lennon of Rosenthal, Kooshoian & Lennon (Buffalo, NY).
- More Information: <https://buffalonews.com/2019/07/15/north-tonawanda-boy-sexually-assaulted-by-fellow-kindergartener-wins-65000-settlement/>

***Doe #1 v. New York City Department of Education, No. 1:16-cv-01684-NGG-RLM* (E.D.N.Y. 2016)**

- Settlement: Injunctive relief only.
- Injunctive Relief: N.Y. DOE had to reform its bullying reporting policies and practices. Reforms included requiring DOE to: (1) report bullying incidents to an electronic system within one day of a complaint; (2) grant school transfer requests to students who are being bullied; (3) investigate bullying complaints within ten days.
- Harassment/Injuries: Persistent physical and verbal bullying.
- Class action with 24 individual plaintiffs and Families for Excellent Schools.
- Basic Facts: Individually named plaintiffs were ages seven to fourteen. Each alleged that they had been subject to assaults, bullying, harassment, and threats by fellow students and that school administrators failed to follow required procedures.
- Causes of Action: Due Process and Equal Protection claims under §1983; claims under N.Y. Const. Article XI(1); claims under Dignity for All Students Act, N.Y. Educ. L. §§ 10-18.
- Plaintiffs' Attorneys: Jim Walden, Walden Macht & Haran LLP, New York, NY.
- More Information: <https://images.law.com/contrib/content/uploads/documents/389/39237/7-30-MO.pdf>; <https://www.law.com/newyorklawjournal/2018/07/31/settlement-on-bullying-in-nyc-schools-receives-final-approval/>.

***Gloria G. v. Mount Vernon City School District, No. 70026-12* (Westchester Sup. Ct. 2018)**

- Jury Verdict: \$28,000,000.
- Harassment/Injuries: Rape; physical assault; severe emotional distress.
- Single Plaintiff.
- Basic Facts: School district failed to properly supervise a special education student with disabilities. After a school employee told the student she could take the public bus home, she went home with an older boy and was raped. She was bullied throughout the year, in part because of rumors about the rape, and was brutally beaten by other students in the girls' locker room, leaving her with a concussion and traumatic brain injury.
- Cause of Action: Unknown
- Plaintiff's Attorney: Jordan Merson, Merson Law PLLC; Andrew Buzin, Buzin Law PC.
- More information: <https://www.lohud.com/story/news/local/westchester/mount-vernon/2018/12/03/mount-vernon-special-needs-student-wins-rape-lawsuit/2192457002/>.

***Ishmael v. City of New York, (Richmond Cty. Supreme Ct. 2015)***

- Settlement: \$300,000.
- Harassment/Injuries: Physical assaults based on race and religion.
- Single plaintiff.
- Basic Facts: Trinidadian Muslim junior high school student was physically harassed and assaulted for being a “terrorist” and “taking people’s jobs.” Primarily bullied by four students for one to two years. Boy left school system and was home schooled. The aggressors were found guilty of hate crimes in juvenile court proceedings.
- Cause(s) of Action: state tort claims.
- Plaintiff’s Attorney(s): Edward J. Pavia Jr., D’Agostino & Assocs., P.C., Staten Island, NY.
- More information: [http://www.silive.com/northshore/index.ssf/2015/10/300000\\_settlement\\_in\\_bullying.html](http://www.silive.com/northshore/index.ssf/2015/10/300000_settlement_in_bullying.html); [http://www.silive.com/news/index.ssf/2011/11/since\\_being\\_bullied\\_at\\_school.html](http://www.silive.com/news/index.ssf/2011/11/since_being_bullied_at_school.html).

***J.L. v. Mohawk Central School District, No. 09-cv-00943-DNH-DEP (N.D.N.Y. 2009)***

- Settlement: \$50,000 for plaintiff; \$25,000 for attorneys’ fees; and injunctive relief.
- Injunctive Relief: School district was required to (1) retain an expert consultant in the area of harassment and discrimination based on sex, gender identity, gender expression, and sexual orientation to review the district’s policies and procedures; (2) develop and implement a comprehensive plan for disseminating the district’s harassment and discrimination policies and procedures; (3) retain an expert consultant to conduct annual training for faculty, staff, and students as deemed appropriate by the expert, on discrimination and harassment based on sex, gender identity, gender expression, and sexual orientation; (4) maintain records of investigations and responses to allegations of harassment for five years; and (5) provide annual compliance reports to the United States and private plaintiffs.
- Harassment/Injuries: Harassment involving gender-based stereotyping.
- Single Plaintiff.
- Basic Facts: Plaintiff was the victim of severe student-on-student harassment because he failed to conform to gender stereotypes in both behavior and appearance. He exhibited feminine mannerisms, dyed his hair, wore makeup and nail polish, and maintained predominantly female friendships. The bullying included name-calling, physical threats, and violence.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; Title IX claim for deliberate indifference to sex discrimination.
- Plaintiff’s Attorneys: New York Civil Liberties Foundation; the United States Department of Justice (Civil Rights Division).
- More information: <http://www.justice.gov/opa/pr/justice-department-settles-new-york-school-district-ensure-students-have-equal-opportunities>.

***John Doe No. 1 and John Doe No. 2 v. Horace Mann School (2013)***

- Settlement: \$1 million (originally undisclosed, but came to light once school sued for failure to reimburse).
- Harassment/Injuries: Sexual abuse; suicide.
- Two Plaintiffs.
- Basic Facts: Horace Mann School music teacher Johannes Somary sexually abused students for years. At least twenty other alumni of the school allege at least seven other teachers committed sexual abuse against other students, who filed their own lawsuits. Of the two plaintiffs in this suit, one died by suicide at age 32.

- Causes of Action: Unknown.
- Plaintiffs' Attorney: Unknown.
- More Information: <https://www.metro.us/local/horace-mann-paid-1-million-to-settle-sexual-abuse-claims/tmWmhg---07uFa4mqbZKPY>

***John M. v. Brentwood Union Free School District, No. 12-cv-02603-PKC-SIL (E.D.N.Y. 2015)***

- Settlement: Undisclosed amount.
- Harassment/Injuries: Physical and verbal racial harassment.
- Single Plaintiff.
- Basic Facts: Family of Caucasian high school student with disability sued school district for inadequately addressing their son's claims of racial harassment as a "minority" in a predominantly Hispanic and black school. The student was subjected to racial remarks, taunts, epithets, episodes of spitting, and physical assaults inflicted by non-Caucasian students. The student also felt himself at risk due to his minority ethnicity, the absence of any network of social contact and the lack of any support from the school staff. As a result of the racial harassment, the student underwent two psychiatric evaluations concluding that he was suffering from anxiety and depression. The school placed him in a home tutoring program to ensure his safety, but the family alleged that the program did not provide him with the free appropriate public education to which he was entitled. The school district refused the family's request to place their son in a private school that would accommodate his disabilities, so they put in him a private school at their own expense for his junior and senior years.
- Causes of Action: Claims under 20 U.S.C. § 1415 for violations of Individuals with Disabilities Education Act, Title II of Americans with Disabilities Act, and Section 504 of Rehabilitation Act.
- Plaintiffs' Attorney: Wayne J. Schaefer, Smithtown, NY.
- More Information: <http://nypost.com/2016/04/12/school-district-settles-case-over-white-students-claims-of-racial-harassment/>.

***Kahn v. Onteora Central School District, No. 12-CV-206-TJM (N.D. N.Y. 2013)***

- Settlement: Undisclosed amount.
- Harassment/Injuries: Physical and verbal anti-gay harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff endured severe and ongoing verbal and physical anti-gay harassment over the course of five years that ultimately cause him to drop out of school.
- Cause of Action: Claim under Title IX for deliberate indifference to peer-on-peer harassment.
- Plaintiff's Attorney: Stephen Bergstein of Chester, NY.
- More Information: <http://www.dailyfreeman.com/general-news/20130501/onteoara-school-district-settles-lawsuit-with-gay-former-student-liam-kahn>.

***Milton v. Byram Hills Central School District (N.Y. Sup. Ct. 2016)***

- Settlement: Undisclosed.
- Harassment/Injuries: Verbal and physical harassment culminating in suicide attempt.
- Single Plaintiff.
- Basic Facts: Female student was subjected to relentless verbal and physical abuse. Other students told her to die and drink bleach and called her a slut. They shoved her to the ground, and posted hateful attacks online encouraging her to kill herself. An assistant principal and guidance counselor were told by the student and her mother in October or early November 2014

about this repeated bullying, but took no action. In May 2015 the student wrote a suicide note and slashed her wrists. She survived.

- Causes of action: Negligence, negligent infliction of emotional distress, negligent supervision.
- Plaintiff's Attorney: Anthony Mamo.
- More information: <https://www.lohud.com/story/news/education/2020/02/28/bryam-hills-bullying-lawsuit-resolved-day-before-trial/4903459002/> and <https://www.lohud.com/story/news/education/2016/02/09/bullying-lawsuit-byram-hills/80071162/>.

***Motta by Motta v. Eldred Central School District*, 101 N.Y.S. 3d 472 (2019)**

- Settlement: Undisclosed (previous \$1 million jury verdict overturned due to error on verdict sheet; parties settled months before new trial was set to begin).
- Harassment/Injuries: Physical assaults; verbal harassment.
- Single Plaintiff.
- Basic Facts: A high school student was routinely bullied. Students urinated on his hat, poured glue on him, went through his backpack, attempted to choke him, and threw things at him. They also called him derogatory names in school. In one incident, the boy fought back and was ordered hospitalized for a psychiatric evaluation. Despite repeated reports to the school, officials failed to take protective action.
- Cause of Action: Negligent supervision.
- Plaintiff's Attorney: JenniElena Rubino and Jean-Paul Le Du of Rubino Law Offices (Yonkers).
- More information: <https://www.recordonline.com/news/20191011/no-retrial-needed-eldred-settles-school-bullying-lawsuit>; <https://riverreporter.com/stories/details-from-eldred-bullying-trial,19390?> (details from original trial)

***N.N. v. New York City Dept. of Educ.*, 52 Misc. 3d 1203(A), 38 N.Y.S.3d 831 (N.Y. Sup. Ct. 2016); *T.T. ex rel. S.S. v. New York City Dept. Of Educ.*, 48 Misc. 3d 607, 7 N.Y.S.3d 876 (N.Y. Sup. Ct. 2016)**

- Settlement: \$450,000.
- Harassment/Injuries: Sexual abuse; harassment.
- Multiple Plaintiffs (five; two lawsuits combined with three others for settlement).
- Basic Facts: High school teacher abused several female students. He took a 15-year-old to a nude beach without her parents' consent; performed a sex act on an 18-year-old student without her consent; sent photos of his genitalia to four students, including two minors; engaged in sex acts with two students of age; inappropriately touched and kissed students; grabbed the buttocks of a minor; provided alcohol and cigarettes to minors; requested two minor girls engage in sex with one another; sent and requested inappropriate text messages and photos; and took a minor student to his home daily for sex. He had been previously arrested for assault and battery of a minor boy, but the school hired him anyway.
- Causes of Action: Negligent hiring, retention, and supervision; Title IX claim.
- Plaintiff's Attorney: Jeff Herman
- More information: <https://nypost.com/2016/11/08/brooklyn-tech-students-get-450k-after-teacher-sex-abuse-claims/>

***L.W. v. New York City Department of Education*, No. 1:17-cv-08415-DLC (S.D.N.Y. 2018)**

- Settlement: \$950,000.

- Harassment/Injuries: Gang rape; post-traumatic stress disorder; sleeplessness; hair loss; skin rashes; anxiety; and anger issues.
- Single Plaintiff.
- Basic Facts: K.M., a fifteen-year-old with a severe development disorder, was led by a group of male students to a school stairwell where she was forced to perform oral sex on two of the boys. When she reported the assault, she was suspended for engaging in sexual activity at school.
- Cause of Action: sex discrimination and retaliation under Title IX; disability discrimination and retaliation under Title II of the Americans with Disabilities Act; disability discrimination and retaliation under Section 504 of the Rehabilitation Act; race discrimination under Title VI; violations of Due Process and Equal Protection Clauses; negligence; gross negligence.
- Plaintiff's Attorneys: Carrie Goldberg & Aurore Circle DeCarlo of C.A. Goldberg in Brooklyn, NY.
- More Information: <https://www.nydailynews.com/new-york/education/ny-metro-one-million-settlement-for-student-raped-at-school-and-punished-for-it-20180713-story.html>; <https://www.cagoldberglaw.com/our-client-receives-a-950000-settlement-from-nyc-dept-of-education-for-its-negligence-in-handling-her-sexual-assault-complaint/#>.

***Motta v. Eldred Central School Dist.* (N.Y. Sup. Ct. 2017)**

- Verdict: \$1 million (overturned on appeal and new trial ordered in 2019, see below).
- Harassment/injuries: Verbal anti-gay harassment; physical assault.
- Single Plaintiff.
- Basic Facts: Victim was verbally harassed by students in form of anti-gay slurs, even though he was heterosexual. He was also subjected to physical abuse, which included students urinating on him.
- Causes of Action: Claim under NY's Dignity for All Students Act; state tort claims.
- Plaintiff's Attorney: JenniElena Rubino, Rubino Law Firm, New York, NY.
- More Information: <https://www.law.com/newyorklawjournal/sites/newyorklawjournal/2017/10/30/upstate-jury-awards-1m-to-bullied-student/?sreturn=20171127145159>; <http://www.recordonline.com/news/20171025/eldred-school-district-to-pay-1m-in-student-bullying-verdict>.
- **Important:** Appeals court overturned verdict in May 2019 and ordered a new trial: <https://www.recordonline.com/news/20190514/1-million-school-bullying-verdict-tossed>

***Pratt v. Indian River Central School District, No. 09-cv-411-GTS-GHL* (N.D.N.Y. 2013)**

- Settlement: Unknown amount and injunctive relief.
- Injunctive Relief: District will, among other things, hire a consultant to advise and make recommendations concerning the District's anti-harassment training, education, and policies; administer anti-harassment surveys of students annually, with questions designed to ascertain "hot spots" where bullying or harassment is occurring; and provide live, interactive staff training and student education concerning LGBT student harassment.
- Harassment/Injuries: Physical and verbal anti-gay harassment; plaintiffs were prohibited from forming a gay-straight alliance in high school.
- Multiple Plaintiffs (two).
- Basic Facts: Student endured relentless anti-gay harassment beginning in his earliest years of school. The harassment, which intensified in middle school and high school, included physical harassment and verbal taunts such as "faggot," "sissy," "queer," and "fudgepacker." The high

school principal responded by asking the student to “tone it down,” and refused to allow him and his sister to form a gay/straight alliance at school.

- Causes of Action: Claims under 20 U.S.C. § 4071 for violations of the Equal Access Act; claims under 42 U.S.C. § 1983 for denial right to free speech and association, and denial of equal protection and state law claims, including violations of the New York State Constitution, the New York Human Rights Act, and the New York Civil Rights Act.
- Plaintiffs’ Attorneys: Thomas W. Ude, Jr., Michael Kavey, and Hayley Gorenberg of Lambda Legal Defense and Education Fund, New York, NY; and Adam T. Humann, and Maura M. Klugman of New York, NY.
- More Information: <http://www.lambdalegal.org/blog/pratt-v-indian-river-central-school-district-settlement>.

***Premi v. The City of New York, No. 09-cv-2348-FB-VVP (E.D.N.Y. 2010)***

- Settlement: \$30,000 and injunctive relief.
- Injunctive Relief: District agreed to: develop written lesson plans to address bias generally and against Sikhs specifically; discuss the school system’s legal obligation to stop discrimination with school staff and security; and designate an individual at the high school to whom bias and harassment can be reported.
- Harassment/Injuries: Physical and verbal harassment.
- Single Plaintiff
- Basic Facts: Student endured ongoing physical and verbal bullying at school because of his Sikh faith and ethnicity. On one occasion, another student punched him in the face, causing a laceration near his eye, and tried to remove his turban—even though wearing a turban is mandated by the Sikh faith.
- Causes of Action: Claims under Title VI for deliberate indifference to peer harassment; New York Human Rights Law; and state tort law.
- Plaintiff’s Attorneys: Amardeep Singh Bhalla of The Sikh Coalition, New York, NY; Gurbir Singh Grewal and Gazeena Soni of New York, NY.
- More Information: <http://www.sikhcoalition.org/advisories/2010/public-school-settles-lawsuit-after-failing-to-protect-sikh-student-from-bullying>.

***Schneiderman v. Farmingdale United Free School District (Nassau Cty. Supreme Ct. 2015)***

- Settlement: Undisclosed.
- Injunctive Relief: Unknown.
- Harassment/Injuries: Physical and verbal abuse.
- Single Plaintiff.
- Basic Facts: Middle school boy singled out for bullying by classmates for three years. Reason for targeting unclear. Boy experience serious physical attacks, repeated verbal harassment, social and psychological isolation. Result was suicidal ideation and one suicide attempt.
- Cause(s) of Action: state tort law claims.
- Plaintiff’s Attorney(s): Neal Goldstein and Lori Frucht of Goldstein & Bashner, East Meadow, NY.
- More information: <http://www.prweb.com/releases/2015/01/prweb12437971.htm>.

***Taras v. South Glens Falls School District (N.Y. 2018)***

- Jury Verdict: District was negligent, but its negligence was not a substantial factor in causing thirteen-year-old’s death by suicide. Verdict was affirmed by NY Ct of Appeals in 2020.

- Harassment/Injuries: Suicide.
- Single Plaintiff.
- Basic Facts: Incessant bullying—including name-calling, tripping, pushing, and punching—caused thirteen year old to die by suicide.
- Cause of Action: Negligence, wrongful death.
- Plaintiff’s lawyers: Ryan Finn and David Iversen.
- More information: [https://poststar.com/news/local/south-glens-falls-school-absolved-of-liability-in-bullying-case/article\\_d2c793e5-1f54-5157-9c18-1d1849251860.html](https://poststar.com/news/local/south-glens-falls-school-absolved-of-liability-in-bullying-case/article_d2c793e5-1f54-5157-9c18-1d1849251860.html) and [https://poststar.com/news/local/south-glens-falls-school-district-wins-appeal-in-bullying-case/article\\_a4471c49-127e-51fd-a19b-36007e3ee652.html](https://poststar.com/news/local/south-glens-falls-school-district-wins-appeal-in-bullying-case/article_a4471c49-127e-51fd-a19b-36007e3ee652.html).

***Taylor v. New York City Board of Education* (N.Y. Supreme Court 2019)**

- Settlement: \$3.75 million.
- Harassment/Injuries: Child sex abuse, including rape.
- Single Plaintiff.
- Basic Facts: The plaintiff experienced child sex abuse, including rape, by a predatory teacher at his high school between 1981 and 1984. The abuser later admitted, on camera, to having sex with the plaintiff while the plaintiff was underage, and also admitted to sexually abusing other students over a ten-year period. The plaintiff was able to secure this settlement thanks in part to a lookback window for child sex abuse claims, for which the plaintiffs himself helped advocate.
- Cause of Action: Negligence; Breach of Duty of Care; Negligent Supervision; Assault and Battery
- Plaintiff’s Attorneys: Kevin Mulhearn and Darren Epstein.
- More Information: <https://nypost.com/2019/12/28/ex-student-calls-3-75m-payout-hush-money-for-nyc-teachers-sex-abuse/>.

***T.E. v. Pine Bush Central School District, No. 12-cv-2303-KMK-PED* (S.D.N.Y. 2015)**

- Settlement: \$4.48 million and injunctive relief.
- Injunctive Relief: District will revise its policies and procedures regarding discrimination, bullying and harassment; promptly investigate and respond to harassment; report and track all harassment incidents; work with Anti-Defamation League to improve tolerance and reduce anti-Semitic harassment and other bullying through establishment of No Place for Hate Committee, curriculum for students, and professional development for all school employees and others who interact regularly with students; designate qualified Title VI Coordinator; administer anti-bullying survey to students; and make mental health counseling available to students with concerns connected with harassment or bullying. District must report on compliance to plaintiffs’ counsel for three years. On an annual basis for three years, district must also submit anti-bullying policies and procedures, professional development, and curriculum to U.S. Department of Education’s Office for Civil Rights for review.
- Harassment/injuries: Anti-Semitic harassment (verbal and physical).
- Multiple Plaintiffs (five).
- Basic Facts: Five Jewish students were subjected for years to severe and pervasive anti-Semitic harassment in Pine Bush Central School District. The harassment included anti-Semitic name-calling and taunts; Holocaust “jokes;” threats; physical violence; coins being thrown at or shoved in the mouths of Jewish children; Hitler salutes; and swastika graffiti. The students and their parents complained to school officials repeatedly, to no avail. Little to no discipline was

imposed on the harassing students, and the district failed to take action to address the rampant and systemic harassment.

- Causes of Action: Claims under Title VI for deliberate indifference to harassment based on race or national origin; claims under 42 U.S.C. § 1983 alleging equal protection violations based on national origin or religion; claims under NY civil rights law based on national origin or creed.
- Plaintiffs' Attorneys: Ilann Maazel, O. Andrew F. Wilson, and Zoe Salzman of Emery Celli Brinckerhoff & Abady LLP, New York, NY; Michael Meth of Meth Law Offices, P.C., Chester, NY; and Adele P. Kimmel, Public Justice, P.C., Washington, DC.
- More information: [http://www.nytimes.com/2015/06/30/nyregion/pine-bush-school-district-anti-semitism-suit.html?\\_r=1](http://www.nytimes.com/2015/06/30/nyregion/pine-bush-school-district-anti-semitism-suit.html?_r=1).

***Thompson v. City of New York (Queens Cty. Sup. Ct. 2013)***

- Jury Verdict: \$16 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff, now 19 years old, was sexually abused by an elementary school teacher when she was eight years old. He molested her and at least five other of his students over a three-year period within view of the kids' peers and warned them all not to tell anyone. Other families had lodged complaints against the teacher before he abused plaintiff, but the school did not take sufficient action.
- Causes of Action: Negligent hiring, supervision, and retention; other claims unknown.
- Plaintiffs' Attorney: Unknown.
- More Information: <https://www.nydailynews.com/new-york/teen-sexually-abused-queens-teacher-wins-16m-article-1.3911374>

***T.K. v. New York City Department of Education, No. 14-3078-cv (2d Cir. 2016)***

- Judgment: Court of Appeals unanimously upheld district court judgment awarding plaintiffs reimbursement for one year of private school education for their daughter, a student with learning disabilities who was denied access to a free appropriate public education (FAPE) because of defendant's failure to address the severe bullying she endured.
- Harassment/Injuries: Physical and verbal harassment of learning-disabled student.
- Single Plaintiff.
- Basic Facts: Third grade student with autism was taunted and abused daily by classmates. She was socially ostracized by classmates in her mixed general and special education classroom, and sometimes physically abused to the point of sustaining bruises. As a result of the bullying, she lost her ability to function in class and focus on homework. The school principal repeatedly refused to discuss the bullying with the parents, and "stonewalled" their efforts to have the bullying addressed as part of the process for formulating the student's Individualized Education Program (known as an "IEP"). As a result, the student's parents removed their daughter from the school and enrolled her in a private school for children with learning disabilities.
- Cause of Action: Claim under Individuals with Disabilities Education Act.
- Plaintiffs' Attorney: Gary S. Mayerson, New York, NY.
- More Information: <http://nypost.com/2016/01/21/city-to-pay-for-bullied-girls-private-school-tuition/>.

***Zeno v. Pine Plains Central School District, 702 F.3d 655 (2d Cir. 2012)***

- Jury Verdict: \$1.25 million, reduced by judge to \$1 million.

- Harassment/Injuries: Racial harassment, including assault.
- Single Plaintiff.
- Basic Facts: Bi-racial student experienced severe and pervasive racist bullying. Although school district disciplined bullies and offered optional sensitivity training sessions, appeals court held that there was sufficient evidence for jury to conclude that school district should have done more to stop the serious and sometimes life-threatening harassment. Plaintiff endured racially derogatory graffiti, threats to his life, and physical assaults. At one point, bullies showed him a noose and threatened to take him to a tree for a hanging. Second Circuit affirmed \$1 million judgment.
- Cause of Action: Title VI claim for deliberate indifference to racial harassment.
- Plaintiff's Attorneys: Stephen Bergstein, Helen Ullrich, Chester, NY.
- More Information: <http://news.findlaw.com/apnews/f31e58b5863247b69853114e04dce837>.

***Zimmerman v. Poly Prep Country Day Sch.*, 888 F. Supp. 2d (E.D.N.Y. 2012)**

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (12 former students and day campers).
- Basic Facts: Poly Prep hired Philip Foglietta in 1966, the year he turned around the football team's success and also began sexually abusing boys at the school. One of those boys complained about the abuse to the then-headmaster, who told the student's parents he had made up the allegations and threatened to expel him. Several other boys who witnessed the ongoing abuse went to the school, only to face the same threats of expulsion and allegations of being a troublemaker. Foglietta continued raping and abusing boys at the school during his twenty-five year tenure.
- Causes of Action: RICO Act claims; Title IX claims; state law causes of action (fraud, negligent retention or supervision, and breach of fiduciary duty).
- Plaintiff's Attorney: Kevin Mulhearn.
- More Information: <https://www.nydailynews.com/sports/i-team/poly-prep-settles-sex-abuse-suit-article-1.1227827>

## **NORTH CAROLINA**

***J.L. v. Pitt County Board of Education*, No. 18-SP-57 (Pitt Co., NC Super. Ct. 2018)**

- Settlement: \$50,000 (\$37,500 for student; \$12,500 for attorney's fees).
- Injunctive Relief: Board agreed to provide mandatory training on Title IX requirements for all county public school staff, including specific training for principals and administrators on responding to sexual assault allegations. Training includes competency testing.
- Harassment/Injuries: Sexual and physical assault, bullying, depression, and suicidal ideation.
- Single Plaintiff.
- Basic Facts: J.L., age 14, was forcibly humped and threatened with rape by a popular senior during a quasi-military activity program offered by the school. After J.L. reported the incident, the teacher announced J.L.'s allegation to the class, leading to further assaults and bullying. Student became depressed and suicidal, and he eventually stopped attending school altogether.
- Causes of Action: Claims under Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 *et seq.*, and North Carolina special education statutes, N.C. Gen. Stat. §§ 115C-106 *et seq.* in state administrative action. Threatened additional claims under Title IX and § 1983.

- Plaintiff's Attorney: Leto Copeley of Copeley Johnson & Groninger PLLC, Durham, NC, and Stacey Gahagan, Gahagan Law, Chapel Hill, NC.

***Pansa v. Gaston County Schools, Gaston County Superior Court (2019)***

- Settlement: \$130,000.
- Harassment/Injuries: Physical assault.
- Basic Facts: Teacher heard that student Kaiser Kayton was planning to beat up the Pansa's son, a first-year student at Stuart Cramer. The teacher kept the assailant out of class that day, but Kayton still carried out the planned attack in a locker room adjacent to the classroom. Kayton and another student, Denorrian Lindsay, beat up the Pansa's son for several minutes, causing a brain injury and bruised ribs.
- Causes of Action: Negligence, ADA claim.
- Plaintiff's Attorney: Will DeVore.
- More information: <https://www.gastongazette.com/news/20200923/gaston-county-schools-pay-130000-to-bullied-student>.

**NORTH DAKOTA**

***Doe v. Fargo School District (Cass Cty. Dist. Ct. 2010)***

- Settlement: \$300,000 (\$190,600 for student; \$109,400 for attorney's fees).
- Injunctive Relief: District agreed to train teachers and staff on how to recognize and deal with bullying and to provide programs and curriculum on bullying for students at all grade levels.
- Harassment/Injuries: Physical and verbal harassment; several attempted suicides.
- Single Plaintiff.
- Basic Facts: Student endured ongoing physical and verbal harassment because of vision and speech impairments for nearly five years. He was hospitalized on six occasions after attempting to commit suicide. He withdrew from the school district because of its failure to protect him.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Patricia Monson of Fargo, ND.
- More Information: <http://www.valleynewslive.com/Global/story.asp?S=13681290> ; <http://www.wdaz.com/event/article/id/5449/>.

**OHIO**

***Allen, et. al v. Lebanon City Schools (Warren Cty. Ct. 2015)***

- Settlement: \$150,000 (including attorney's fees), and injunctive relief pursuant to OCR complaint.
- Injunctive Relief: Pursuant to the resolution of OCR complaints filed by the plaintiffs, the school district will revise its policies on racial harassment and provide an employee training program on race discrimination. Policies will be reviewed and approved by OCR. The district will also form districtwide and student committees to foster a more inclusive atmosphere.
- Harassment/Injuries: Racial harassment.
- Multiple Plaintiffs (four).
- Basic facts: Biracial and African-American children reported racial slurs and harassment by other students in and outside of school, racist graffiti, and a racist Instagram post using racial slurs. Complaints included allegations of racism at both middle and high schools.

- Causes of Action: OCR investigated race discrimination claim under Title VI; damages claims filed in lawsuit are unknown.
- Plaintiffs' Attorney: Robert Newman, Newman & Meeks Co., L.P.A., Cincinnati, OH.
- More information: <http://www.daytondailynews.com/news/local-education/lebanon-schools-settle-federal-racial-harassment-case/EGu1NTvvq6AmREMjBQgZ3M/>;  
<http://www.mydaytondailynews.com/news/crime--law/lebanon-school-staff-questioned-about-complaints/B7VGgP97AxBIUKDT9DajyM/>; <http://www.daytondailynews.com/news/breaking-news/civil-rights-complaint-filed-against-lebanon-schools/IV1iBDpQV9K6UIvMkr5fM/>;  
<http://www.daytondailynews.com/news/local-education/lebanon-schools-pay-150-000-settle-racial-discrimination-case/LkyN5pCuMeKYOdNfPCJsaO/>;  
<http://www.daytondailynews.com/news/local/federal-civil-rights-investigation-opened-lebanon-schools/BisLoSD2swVKqvwAKdJyN/>;  
<https://www.cincinnati.com/story/news/local/2015/04/14/lebanon-racism-complaint/25790019/>.

***Doe v. Miami Trace School District (2011)***

- Settlement: \$300,000.
- Harassment/Injuries: Physical and verbal abuse of disabled student.
- Single Plaintiff.
- Basic Facts: A mentally disabled middle school student's parents suspected she was being mistreated by her teacher and aide. They had reported to the school in the past, and the school determined the girl was lying, so the parents hid a recording device on their daughter over the course of four days. They heard the teacher and aide call the girl "damn dumb" and "a liar," say she had no friends because nobody liked her, make fun of her bodyweight, and tell her she failed a test without even looking at it first. The teacher and aide also reportedly put the girl on a treadmill when not satisfied with her work.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Brian Garvine and Daniel Mordarski.
- More Information: <https://www.nydailynews.com/news/national/couple-hides-recording-device-developmentally-disabled-daughter-prove-teacher-school-aide-bullying-article-1.978895>

***Doe v. Olentangy Local School District (2016)***

- Settlement: \$500,000 (One settlement for \$235,000, one for \$125,000, and one for \$130,000).
- Harassment/Injuries: Sexual and physical abuse.
- Multiple Plaintiffs (three separate suits settled simultaneously).
- Basic Facts: Elementary school teacher Matthew Rausenberg sexually and physically abused at least nine girls, including the three plaintiffs who settled here, during the 2015-2016 school year and prior years. School officials failed to notify the proper authorities after the allegations were made and were dismissive toward the complaining parents. An eight-minute video of Rausenberg groping a student was found on his phone, corroborating the victims' reports. He is serving a 106-year sentence with no chance of parole for sexual imposition, kidnapping, and pandering sexually oriented materials.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Emmanuel Olawale.
- More Information: <https://www.dispatch.com/news/20180601/olentangy-district-pays-nearly-500000-to-students-sexually-abused-by-ex-teacher>

***Doe v. Springfield-Clark Career Tech. Ctr.*, No. 3:14-CV-00046, 2015 WL 5729327 (S.D. Ohio Sept. 30, 2015)**

- Settlement: \$225,000.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: A junior culinary arts instructor at a vocational high school was the source of multiple student complaints about inappropriate comments and touching during the 2010-2011 school year. The administration's investigation determined the complaints were "vague, exaggerated, or untrue," and the instructor was put on a minor professionalism improvement plan. The following school year, the instructor began grooming Jane Doe. He favored her, pried into her personal life, and regularly talked about sex to her. The following year during a school trip, that instructor spent time alone with Doe after curfew and ultimately left her a note asking to be "friends with benefits." The two were later seen emerging from a bathroom together, and further investigation revealed he had sexually abused her. The instructor was sentenced to jail time.
- Causes of Action: Title IX claim for deliberate indifference; constitutional claims under 42 U.S.C. § 1983; intentional infliction of emotional distress.
- Plaintiff's Attorneys: Konrad Kircher and Ryan McGraw of Kircher Law Office (Mason, OH).
- More Information: <https://www.daytondailynews.com/news/crime--law/school-district-pays-225k-sexual-battery-victim/dw2wvou0IliWOkFWw2i7wL/#>

***Doe 1 v. Cleveland Metropolitan School District Board of Education*, 533 F. Supp. 3d 567 (N.D. Ohio 2021)**

- Settlement: \$3.25 million.
- Harassment/Injuries: Child sexual abuse by school employee
- Multiple Plaintiffs.
- Basic Facts: Eight plaintiffs brought suit on the basis of grooming and sexual abuse they experienced by a school dance instructor both on- and off-campus. The sexual abuse took place between 2008 and 2012. Though the school district received reports of the abuser's conduct, it failed to investigate or to take any action to protect students.
- Causes of Action: Title IX Heightened Risk; Title IX Hostile Environment; Negligent, Wanton, & Reckless Conduct; Sexual Assault & Battery; Intentional Infliction of Emotional Distress; Negligent Hiring, Supervision, & Retention.
- Plaintiff's Attorneys: Ryan Fisher, Meghan Connolly, Kyle Melling, Lowe Eklund Wakefield Co., Cleveland, OH.
- More Information: <https://www.cleveland.com/court-justice/2021/11/cleveland-schools-pay-325-million-to-settle-lawsuit-with-8-former-students-who-accused-dance-instructor-of-sexual-abuse.html>

***Fulton v. W. Brown Local School District Board of Education*, No. 15-cv-00053 (S.D. Ohio 2017)**

- Settlement: \$200,000
- Harassment/Injuries: Race-based harassment and bullying.
- Single plaintiff.
- Basic Facts: Plaintiff, a biracial student in a mostly white school, was subjected to ongoing racial harassment and bullying by students and teachers despite repeated requests to administrators and school board for help. The verbal harassment included stereotypical comments about African Americans and racial slurs. Plaintiff and his family reported many of

these incidents, but the school rarely investigated, and when it did, it failed to stop the racial bullying. After enduring years of this pervasive conduct, plaintiff informed the school of his intent to transfer because of the ongoing racial discrimination. Only then did the school initiate an investigation. A support services officer who had no training in identifying racial harassment conducted the investigation, and found that there was no racial harassment or discrimination. A finding of racial harassment would have allowed plaintiff to continue playing basketball with his team after he transferred.

- Causes of Action: Claims under Title VI of the Civil Rights Act; § 1983 claims under the Fourteenth Amendment.
- Plaintiff's Attorneys: Sonia T. Walker of Columbus, OH; Eric A. Jones of Columbus, OH.
- More Information: <http://www.wlwt.com/article/star-athlete-says-he-was-target-of-racial-harassment-in-brown-co-schools/9132755>.

***Galloway v. Chesapeake Union Exempted Village Schools Bd. of Educ. (S.D. Ohio 2014)***

- Settlement: \$322,500
- Injunctive relief: School district must provide mandatory anti-bullying and harassment training to employees; all future bullying complaints are to be directed to the district superintendent; individual school employee defendants fired.
- Harassment/Injuries: Disability-based physical and emotional harassment.
- Single plaintiff.
- Basic Facts: Plaintiff Joseph Galloway was diagnosed with Asperger's, ADHD, and seizure disorder. Students and teachers at two separate schools taunted, abused, and discriminated against Galloway b/c of his disabilities. Teasing included questioning his sexual orientation. Culminated in several sexual assaults by classmates. Teachers and administrators did nothing to stop harassment.
- Causes of Action: Substantive due process claim alleging intentional injury to plaintiff, and pain and suffering to his parents; claim of equal protection violation for disability-based discrimination; claim of ADA violation for disability-based discrimination; claim of Title IX violations for deliberate indifference to gender and sexual orientation-based harassment; § 1983 *Monell* claim for failure to train and supervise school officials; state law tort claims for negligence/gross negligence.
- Plaintiff's Attorney(s): Kenneth Myers of Cleveland, OH.
- More Information: <http://www.herald-dispatch.com/news/x406443740/District-pays-300K-to-settle-case#.VPtpage72S4.email>.

***Jackson v. Bellevue School District (N.D. Ohio 2013)***

- Settlement: \$110,000.
- Multiple Plaintiffs (two)
- Harassment/Injuries: Verbal and physical harassment based on race.
- Basic Facts: Biracial 16 and 17-year-old sisters brought a lawsuit against their school district after enduring racial bullying. During a school assembly, the principal of the school called one of the girls to the front of the auditorium and was told to go to the bathroom to put up her hair because it was a distraction to the school. The girl was later suspended after trying to defend herself when another student threw a pen at her head and called her the N-word. The same student also told the girl, "That's why your grandpa picked cotton for my grandpa." The principal of the school singled out the girl for a drug search, made her take off her socks, and searched her personal belongings in her locker. After a crime was committed in the

neighborhood, a student stood up in front of the girl's class and said, "Of course it'd be a black guy, f\_cking n\_gger!" The teacher pretended not to hear the comment. Although the school district suspended one student for telling the girl to "go back to Africa," she was suspended after making a comment to another student about the incident who said in a text, "we brought em here to work that's all there good for aunt no other need for em at all." Several weeks later, the principal sent the girls' mother an email saying that they were a "distraction to the educational process" and that if they did not "cease and desist" their actions, they may face out of school suspensions.

- Causes of Action: Violation of right to education environment free from racial discrimination, harassment, and intimidation (presumably, under Title VI).
- Plaintiffs' Attorney: Unknown.
- More Information: [http://thebellevuegazette.com/news/home\\_top/50701482/An-uphill-battle](http://thebellevuegazette.com/news/home_top/50701482/An-uphill-battle).

***King v. Union-Scioto Local School District, Ross County (2012)***

- Settlement: \$30,000, plus \$5,000 in attorneys' fees (pre-suit).
- Injunctive Relief: The school district agreed to improve its anti-bullying policies, create a complaint mechanism for students who are bullied, and train staff on "cultural understanding" and harassment of LGBT students.
- Harassment/Injuries: Anti-gay physical harassment.
- Single Plaintiff.
- Basic Facts: King was attacked by a classmate who had previously taunted him for being gay.
- Causes of Action: Unknown.
- Plaintiff's Attorney: ACLU of Ohio.
- More Information: [http://www.dispatch.com/content/stories/local/2012/07/20/Beating-of-gay-student-costs-schools-\\$35x000-in-settlement.html](http://www.dispatch.com/content/stories/local/2012/07/20/Beating-of-gay-student-costs-schools-$35x000-in-settlement.html) ;  
[http://www.glbtc.com/blogs/bullied\\_student\\_reaches\\_settlement\\_with\\_school\\_district.html](http://www.glbtc.com/blogs/bullied_student_reaches_settlement_with_school_district.html).

***Litty v. Carlisle Local School District (S.D. Ohio 2015)***

- Settlement: \$10,000.
- Injunctive relief: Unknown.
- Harassment/Injuries: Verbal anti-gay harassment.
- Single Plaintiff (and parents).
- Basic Facts: Throughout sophomore and junior year of high school, students taunted and harassed Litty based on his sexual orientation. He began skipping school so often that he was prosecuted for truancy. He attempted suicide in January 2011 and received psychiatric treatment. Family moved to Florida to get son away from school environment.
- Cause(s) of Action: Substantive and procedural due process claims for gender-based discrimination; Title IX claim for deliberate indifference to gender-based harassment; § 1983 claim against school district under *Monell* for failure to prevent or stop bullying; state law claims for negligence and gross negligence; bad faith; wanton and reckless conduct (to avoid official immunity defense); failure to train and supervise; and loss of consortium.
- Plaintiff(s) Attorneys: Neal Duiker of Gray & Dunning, Lebanon, OH.
- More Information: <http://www.daytondailynews.com/news/news/local/bullying-lawsuits-increasing/njppD/>.

***Logan v. Sycamore Community School Board of Education*, No. 09-cv-00885, 2012 WL 2011037 (S.D. Ohio June 5, 2012)**

- Settlement: \$154,000 for family; \$66,000 for attorneys' fees.
- Harassment/Injuries: Physical and verbal harassment based on sex, resulting in suicide.
- Single Plaintiff.
- Basic Facts: Female high school student experienced physical and verbal harassment after classmates "sexted" nude images of her. The harassment intensified after she appeared on a television segment regarding sexting. Plaintiff subsequently committed suicide.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation; claim under Title IX for deliberate indifference to sexual harassment.
- Plaintiff's Attorneys: Alphonse Adam Gerhardstein, Jennifer Branch, Cincinnati, OH.
- More Information: <http://www.nydailynews.com/news/national/teen-bullying-victim-family-settlement-article-1.1178783>.

***Meyers v. Cincinnati Board of Education*, No. 1:17-cv-00521-TSB (S.D. Ohio 2017)**

- Settlement: \$3 million.
- Harassment/Injuries: Suicide after bullying.
- Single Plaintiff.
- Basic Facts: Third-grader Gabriel Taye had been punched and hit multiple times at school. A student pushed him into a wall and knocked him unconscious. Two days later, Gabriel took his own life.
- Causes of Action: Unknown.
- Plaintiff's Counsel: Al Gerhardstein, Carla Loon Leader, and Michele Young, Cincinnati, OH.
- More Information: <https://www.cincinnati.com/story/news/2021/06/04/cincinnati-schools-pay-3-million-gabriel-taye-bullying-case/7533101002/> and <https://www.cincinnati.com/story/news/2017/08/07/gabriel-parents-sue-school-blame-bullying-8-year-olds-suicide/543829001/>; Complaint available here: <https://www.scribd.com/document/356448112/Wrongful-death-lawsuit-against-Cincinnati-Public-Schools-for-Gabriel-Taye-suicide-death>.

***Schroeder ex rel. Schroeder v. Maumee Board of Education*, 296 F. Supp. 2d 869 (N.D. Ohio 2003)**

- Settlement: Undisclosed amount.
- Harassment/Injuries: Anti-gay verbal and physical harassment based on perceived sexual orientation.
- Single Plaintiff.
- Basic Facts: High school student experienced physical and verbal anti-gay harassment because he began advocating for gay rights when his older brother came out. The harassment intensified after a girl injured his back and testicles with her knee. Another student slammed plaintiff's head against a urinal, chipping his tooth.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violations; Title IX claim for deliberate indifference to sexual harassment.
- Plaintiff's Attorneys: Jillian S. Davis, Berkman, Gordon, Murray & DeVan, Cleveland, OH; Raymond V. Vasvari, Jr., ACLU of Ohio, Cleveland, OH.

***Shively v. Green Local School District Board of Education, No. 5:11-cv-02398-BYP (N.D. Ohio 2015)***

- Settlement: \$500,000 and injunctive relief.
- Injunctive Relief: Anti-bullying training for all school district staff by U.S. Department of Education Office for Civil Rights (“OCR”) or other third party; review of anti-bullying policies by OCR.
- Harassment/Injuries: Anti-Semitic and gender-based harassment (verbal and physical).
- Single Plaintiff (and parent).
- Basic Facts: Plaintiff endured years of anti-Semitic and gender-based harassment by her peers that escalated in middle and high schools. She was regularly taunted with anti-Semitic and gender-based slurs, harassed on social media where she was listed as a target on a “kill list,” and physically abused, twice to the point of requiring medical treatment. Her and her mother’s repeated complaints to school officials were to no avail. The harassment continued until she transferred to another school district.
- Causes of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation based on religion and substantive due process violation; claim under Title IX for deliberate indifference for gender-based harassment; and state tort law claims.
- Plaintiffs’ Attorneys: Kenneth D. Myers, Law Offices of Kenneth D. Myers, Cleveland, OH; Christopher P. Thorman and Brendan D. Healy, Thorman Petrov Griffin Co., LPA, Cleveland, OH; Adele P. Kimmel, Public Justice, P.C., Washington, DC.
- More information: <http://www.ohio.com/news/break-news/green-school-board-agrees-to-500-000-settlement-to-end-lawsuit-over-bullying-1.598618>.

***Wencho v. Lakewood School District, 177 Ohio Ct. App. 3d 469 (2008)***

- Settlement: Undisclosed
- Harassment/Injuries: Physical and verbal harassment.
- Single Plaintiff.
- Basic Facts: Sixth grade student suffered from a “pattern of violence and threats” that culminated in an attack. Plaintiff alleged that the school district did not discipline the attacker, nor did it assist the plaintiff after the attack.
- Causes of Action: State tort law claims for negligence, negligent infliction of emotional distress, and assault.
- Plaintiff’s Attorneys: John Chambers and James Burke of Cleveland.
- More information: <http://www.leagle.com/decision/In%20OHCO%2020080716361>; [http://blog.cleveland.com/metro/2009/06/michael\\_and\\_kelly\\_wencho\\_of\\_la.html](http://blog.cleveland.com/metro/2009/06/michael_and_kelly_wencho_of_la.html).

## **OKLAHOMA**

***Bryant v. Muskogee School District 8, No. 6:17-cv-00432 (E.D. Okla. 2018)***

- Settlement: \$33,000.
- Harassment/Injuries: retaliation; bullying; physical assault.
- Multiple Plaintiffs (parents individually and on behalf of two children).
- Basic Facts: School revoked two sibling-students’ transfers and parents alleged it was in retaliation for complaining that one of the students was being bullied. Fourteen-year-old student was physically assaulted and called crude and inappropriate names. Student was mocked and threatened by same classmate that stole and broke student’s personal property. Parents claimed school failed to respond to ongoing bullying.

- Causes of Action: Procedural due process; substantive due process; equal protection; retaliation for exercising free speech; negligence.
- Plaintiffs' Attorneys: Bradley J. Brown & Patrick G. Colvin, Jones Gotcher & Bogan, PC, of Tulsa, OK.
- More Information: [https://www.muskogeephoenix.com/news/oktaha-schools-lawsuit-settled/article\\_6a4faa07-8d95-537b-979c-edc1418a1c9c.html](https://www.muskogeephoenix.com/news/oktaha-schools-lawsuit-settled/article_6a4faa07-8d95-537b-979c-edc1418a1c9c.html).

***Doe v. Independent School District No. 5 of McClain County a/k/a Washington Public Schools, No. 5:18-cv-00271-JD (W.D. Okla. 2020)***

- Settlement: \$550,000 and non-monetary terms involving systemic reforms.
- Non-monetary reforms: Three years of outside review of district's policies and procedures to ensure Title IX compliance; three years of outside training and professional development assistance on Title IX and the district's harassment, intimidation and bullying (HIB) policies; tracking and documenting all HIB reports; annual climate surveys to address HIB issues; designating and training at least one employee to serve as Title IX Coordinator; publishing HIB policies and contact information for the Title IX Coordinator on the district's website; ensuring a counselor or other qualified professional is available to assist students with mental health concerns as a result of harassment or bullying; and providing three years of annual reports to plaintiffs' counsel demonstrating compliance with settlement agreement.
- Harassment/Injuries: sexual assault; bullying.
- Single Plaintiff (through parents).
- Basic Facts: Oklahoma middle school student was subjected to three sexual assaults by his male peers in an 18-month period, almost daily verbal harassment and bullying, and threats of physical harm and death that went unchecked by officials with authority to stop it. Superintendent and school principal refused to recognize that forcible digital penetration of a student's rectum is sexual assault, regardless of whether the victim is male or female. Instead, they treated this conduct as normal "horseplay" between boys.
- Causes of action: Title IX claim against school district; equal protection claim under 42 U.S.C. § 1983 against school district for failure to train and discrimination against boys who experience sexual assault; and equal protection claims under 42 U.S.C. § 1983 against superintendent and principal for discrimination against boys who experience sexual assault.
- Plaintiff's attorneys: Nathan Richter and Renee Little of The Denton Law Firm, Mustang, OK; Adele Kimmel and Alexandra Brodsky of Public Justice, Washington, DC.
- More information: [https://www.publicjustice.net/case\\_brief/doe-v-washington-public-schools/](https://www.publicjustice.net/case_brief/doe-v-washington-public-schools/).

***M.C. v. Hollis Independent School District, 2015 WL 1544534 (W.D. Okla. 2015)***

- Settlement: \$1 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Former teacher Jennifer Caswell groomed and sexually abused a male student starting when he was 14 years old. Caswell brought plaintiff alone to her classroom, began describing her sex life to him, forced him to submit to fellatio, and then raped him. She then swore him to secrecy. Two other individuals witnessed the assault through the classroom window and reported to administrators. Neither law enforcement nor CPS was notified. Caswell was eventually allowed to resign and maintain her teaching credentials. She then continued to abuse the student under the guise of "mentoring" him even after her resignation. She abducted

and raped him on multiple instances, including in other states. Plaintiff suffers extreme depression as a result of the abuse.

- Plaintiffs' Attorneys: Clinton R. James of the Firm on Baltimore and Robert L. Wyatt IV of Wyatt Law Office.
- More Information: <https://nypost.com/2017/08/14/teacher-who-slept-with-student-ordered-to-pay-him-1m/>

***M.G. v. Independent School District No. 1 of Noble County, No. 5:17-cv-01371-SLP (W.D. Okla. 2018)***

- Judgment: \$3.5 million.
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (16).
- Basic Facts: As of January 2017, more than ten girls at Perry Upper Elementary School had come forward to report that 87-year-old teacher Arnold Cowen had touched them inappropriately during class. The touching ranged from fondling and groping to lengthy hugs. Several girls had come forward to school officials in the past and were called drama queens and liars, were told they were making life miserable for a nice old man, and were silenced. The school's ex-principal, as well as many other faculty and staff members, were aware of the allegations but never took action to investigate them or to report them to authorities. The ex-principal resigned and reached a plea deal with prosecutors, and the teacher was sentenced to ten years in prison on twenty counts of lewd or indecent acts to children and aggravated possession of child pornography.
- Causes of Action: Fourteenth Amendment claims for violation of due process and equal protection under 42 U.S.C. § 1983; claims under Title IX; negligent hiring, retention, training, supervision, and premises liability (state tort law claims); negligence per se (failure to report); claims for violations of article II sections 2 and 7 of the Oklahoma Constitution.
- Plaintiffs' Attorneys: Neil Smith of Nix, Patterson & Roach LLP (Dallas, TX); Cameron Spradling (Oklahoma City, OK); and Daniel P. Markoff and Jeffrey R. Atkins of Atkins & Markoff (Oklahoma City, OK).
- More Information: <https://www.apnews.com/62b4e5ca362a4caa8be137a16a4a335f>

***Wright and Soupene v. Yukon Public Schools (Canadian Cty. Dist. Ct. 2014)***

- Settlement: \$100,000 (school district); \$10,000 (teacher's insurance company).
- Harassment/Injuries: Social isolation.
- Multiple Plaintiffs (two).
- Basic Facts: Plaintiffs, two women acting as whistleblowers, sued the school district after three agricultural instructors and their students began harassing plaintiffs' daughters when the plaintiffs accused instructors of misappropriating funds from a vocational-agricultural high school program. The plaintiffs' daughters were routinely excluded from vocational-agricultural events and misinformed about meeting times. Classmates locked one student outside the classroom while the school guidance counselor told the other student that it would be best if she transferred schools.
- Causes of Action: Unknown.
- Plaintiffs' Attorney: Unknown.
- More Information: <http://newsok.com/yukon-school-district-settles-civil-lawsuit-with-former-vocational-agriculture-students/article/4747207>.

## **OREGON**

### ***Achcar-Winkels v. Lake Oswego School District, No. 3:15-cv-00385 (D. Or. 2015)***

- Jury Verdict: \$70,000.
- Harassment/Injuries: Hazing; sexual harassment.
- Single Plaintiff.
- Basic Facts: Senior members of Lakeridge High School dance team forced junior members to wear humiliating costumes, play sexually explicit games, dance with and for high school boys while wearing bikinis, and engage in other inappropriate activities. When the junior members complained to an assistant coach, the coaches retaliated against the girls by sending threatening messages to both the girls and their parents and removing them from the jazz competition team. The plaintiff was a junior member of the dance team.
- Causes of Action: Claims under §1983 for violating student's due process and free speech rights; Title IX claim for deliberate indifference to sex discrimination; state tort claims.
- Plaintiff's Attorneys: Leta Gorman and Diane Lenkowsky, Jordan Ramis PC, Lake Oswego, OR.
- More Information: <http://www.oregonlive.com/lake-oswego/index.ssf/2017/11/lake-oswego-teen-hazed-during.html>;  
<http://www.oregonlive.com/lake-oswego/index.ssf/2015/03/family-of-former-lakeridge-hig.html>;  
<https://portlandtribune.com/lor/48-news/376626-261642-hazing-lawsuit-against-lake-oswego-school-district-ready-for-trial>.

### ***Bang v. Eugene School District (Lane Cty. Cir. Ct. 2016)***

- Settlement: \$15,000 (from school district).
- Harassment/Injuries: Physical assault of middle school student by four classmates.
- Single Plaintiff.
- Basic Facts: Middle school student intentionally threw a football at the victim's head, and the two got into a physical fight. They separated, but then another boy quickly tackled and punched the victim. Two other boys then joined in the beating, making it four-against-one. The victim suffered bruising on his face, head, neck, and torso, and suffered psychological damage and pain. School allegedly knew that boy's attackers had a history of harassing and assaulting younger students.
- Causes of Action: Claim against school district for negligent supervision; claims against students for assault, battery, and intentional infliction of emotional distress.
- Plaintiff's Attorney: Kevin Brague, Kivel & Howard, LLP, Portland, OR
- More Information: <http://www.thefreelibrary.com/Schools+settle+bullying+lawsuit.-a0446697274>; <http://blog.lawinfo.com/2016/03/24/oregon-father-and-school-district-reach-settlement-over-sons-beating/>.

### ***CK v. Eugene School District, No. 12-CV-1640 (D. Or. 2012)***

- Settlement: \$5,000.
- Harassment/Injuries: Anti-gay verbal and physical harassment based on perceived sexual orientation.
- Single Plaintiff.
- Basic Facts: Middle school student experienced ongoing anti-gay verbal and physical harassment resulting in emotional distress and depression.

- Causes of Action: Title IX claim for deliberate indifference to peer-on-peer harassment; claim under 42 U.S.C. § 1983 alleging equal protection violations; claim under § 504 of the Rehabilitation Act; Oregon tort and statutory claims.
- Plaintiff's Attorney: Kevin C. Brague, Tigard, OR
- More Information: <http://www.registerguard.com/rg/news/local/30890695-110/district-suit-bullying-claimed-lawsuit.html.csp>.

***Harrison v. Clatskanie School District, No. 3:13-cv-01837 (D. Or. 2015)***

- Settlement: \$225,000 (\$75,000 for each of three plaintiffs), and injunctive relief.
- Injunctive Relief: School district changed policies, increasing mental health services available to students, creating programming/training for staff and students about sexual harassment, and prohibiting cell phone use during school hours. The school district also formed a committee of students, parents, staff, and other community members to undertake anti-bullying initiatives.
- Harassment/Injuries: Sexual harassment involving coercion and threats by male students to share naked photos of female students.
- Multiple Plaintiffs (three).
- Basic Facts: Three female middle school students were victims of a “sextortion” scheme by male students who pressured them into sending naked photos of themselves, then threatened them if they refused to send more. The boys collected the photos as part of a competition to see who could get the most naked photos of female students. One of the victims attempted suicide as a result of the harassment. The students reported the incidents to school administrators, who told them to “suck it up” and that “boys will be boys.”
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment, equal protection claim under 42 U.S.C. § 1983; Fourth Amendment claim under 42 U.S.C. § 1983; and state tort claims for intentional infliction of emotional distress, negligent breach of duty in loco parentis, and negligent breach of duty of supervision.
- Plaintiffs' Attorneys: Loren Lunsford, Martinsen, Wright PC, Sacramento, CA; Amber H. Lunsford, Attorney at Law, Sacramento, CA.
- More Information: <http://www.kgw.com/story/news/education/2015/04/09/clatskanie-bullying-lawsuit/25523487/>; [http://www.dailyastorian.com/Local\\_News/20150413/clatskanie-settles-suit-alleging-online-bullying#.VYiXx\\_CX8Qg.mailto](http://www.dailyastorian.com/Local_News/20150413/clatskanie-settles-suit-alleging-online-bullying#.VYiXx_CX8Qg.mailto).

***Duncan v. Eugene School District 4J, No. 6:19-CV-00065-MK (D. Or. 2021)***

- Settlement: \$125,000.
- Harassment/Injuries: Retaliation; failure to accommodate plaintiff's disabilities.
- Single Plaintiff.
- Basic Facts: The defendant high school failed to provide the plaintiff, a student with disabilities, with adequate accommodations. The plaintiff experienced discrimination by one of his teachers, who refused provide district-approved accommodations and said he couldn't enroll in advanced courses because of his disability. The school removed the plaintiff from the teacher's class after he reported the discrimination. The school failed to intervene to stop the teacher's discrimination.
- Causes of Action: Americans with Disabilities Act; Section 504 of the Rehabilitation Act; Oregon state law discrimination claim.
- Plaintiff's Attorneys: Marianne Dugan (Eugene, OR) and Kimberly Sherman, Education, Environmental & Estate Law Group (Eugene, OR).

- More Information: <https://www.registerguard.com/story/news/2021/10/06/eugene-school-district-4-j-settles-bullying-discrimination-lawsuits-south-eugene-high-school/5955409001/>.

***McIntyre v. Eugene School District 4J, No. 6:18-CV-00768 (D. Or. 2021)***

- Settlement: \$125,000
- Harassment/Injuries: Failure to accommodate plaintiff's disabilities.
- Single Plaintiff.
- Basic Facts: The defendant high school failed to provide the plaintiff, a student with disabilities, with adequate accommodations. The plaintiff experienced discrimination by several teachers who refused provide district-approved accommodations.
- Causes of Action: Americans with Disabilities Act; Section 504 of the Rehabilitation Act.
- Plaintiff's Attorneys: Marianne Dugan (Eugene, OR) and Kimberly Sherman, Education, Environmental & Estate Law Group (Eugene, OR).
- More Information: <https://www.registerguard.com/story/news/2021/10/06/eugene-school-district-4-j-settles-bullying-discrimination-lawsuits-south-eugene-high-school/5955409001/>.

***North Bend School District (Oregon Department of Education Complaint)***

- Settlement: Injunctive relief (no money damages sought).
- Injunctive Relief: School principal removed; school district must work with ACLU of Oregon to develop policies and training to prevent LGBTQ discrimination. District will remain under Oregon Department of Education supervision for five years.
- Harassment/Injuries: LGBTQ discrimination/bullying by students and staff.
- Two Complainants.
- Basic Facts: Two LGBTQ students filed a civil rights complaint with the Oregon Department of Education after facing years of harassment at school. The school's principal was particularly hostile to LGBTQ students; he failed to respond to reports of LGBTQ harassment at school and failed to discipline his own son for nearly hitting two students with his car while yelling homophobic slurs. District and high school staff also retaliated against staff members who voiced concerns about the school's treatment of LGBTQ students.
- Causes of Action: State anti-discrimination statutes and regulations (ORS 659.850, OAR 581-021-0045, and OAR 581-029-0049).
- Complainants' Attorneys: ACLU of Oregon (Mat dos Santos and Kelly Simon), Professor Warren Binford (professor leading legal clinic at Willamette Univ. College of Law).
- More Information: <https://www.aclu.org/news/aclu-oregon-reaches-sweeping-settlement-north-bend-school-district-over-lgbtq-discrimination>.

***Telsheva v. Eugene School District (Lane Cty. Cir. Ct. 2017)***

- Settlement: \$24,000.
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic Facts: A high school boy was assaulted twice by a classmate on November 13, 2015, causing the boy to suffer a concussion, chronic headaches, memory loss, and anxiety.
- Cause of Action: Negligent supervision.
- Plaintiff's Attorney: Kevin Brague, Portland, OR.
- More Information: <http://www.registerguard.com/rg/news/local/36405793-75/eugene-school-district-settles-lawsuit-filed-by-parent-of-north-eugene-high-school-student.html.csp>;

<http://www.registerguard.com/rg/news/local/35936390-75/woman-sues-eugene-school-district-and-student-who-allegedly-beat-up-her-son.html.cspl>.

## **PENNSYLVANIA**

### ***Bittenbender v. Bangor Area School District*, No. 5:15-cv-06465 (E.D. Pa. 2015).**

- Settlement: \$45,000.
- Harassment/Injuries: Anti-lesbian verbal harassment; physical assault; threats of violence: suicidal ideation.
- Single Plaintiff.
- Basic Facts: Female student faced increasing harassment between fourth and eighth grade based on her perceived sexuality. A group of classmates and older students persistently verbally harassed and physically abused her until she contemplated suicide and ultimately transferred schools.
- Cause of Action: Title IX claim for deliberate indifference to sexual harassment.
- Plaintiff's Attorney: Jason Schiffer, Cohen, Feeley, Altemose & Rambo, P.C., Bethlehem, PA.
- More information: [http://www.lehighvalleylive.com/slate-belt/index.ssf/2017/12/45k\\_payout\\_for\\_alleged\\_bullyin.html](http://www.lehighvalleylive.com/slate-belt/index.ssf/2017/12/45k_payout_for_alleged_bullyin.html); <http://www.mcall.com/news/police/mc-nws-bangor-school-district-settles-bullying-lawsuit-20171214-story.html>; [http://www.theprogressnews.com/news/state/pennsylvania-school-district-settles-bullying-suit-for-k/article\\_a8ed8ab5-0755-534f-9c00-138170923d63.html](http://www.theprogressnews.com/news/state/pennsylvania-school-district-settles-bullying-suit-for-k/article_a8ed8ab5-0755-534f-9c00-138170923d63.html); <http://www.epgn.com/news/local/12655-bangor-student-abuse-case-settled>; <https://www.seattletimes.com/nation-world/pennsylvania-school-district-settles-bullying-suit-for-45k/>.

### ***C.S. v. Southern Columbia Area School District*, No. 4:12-CV-01013-MWB (M.D. Pa 2014)**

- Settlement: \$130,000.
- Harassment/Injuries: Sexual assault.
- Basic Facts: Off-campus sexual assault.
- Single Plaintiff.
- Basic Facts: A member of the high school football team lured a female student off campus so that another member of the team could sexually assault her. After the sexual assault, the female student experienced bullying at school. The principal failed to take any action to address the resulting hostile sexual environment.
- Cause of Action: Title IX claim for deliberate indifference to peer-on-peer harassment, 14th Amendment Equal Protection Claim under 42 U.S.C. § 1983.
- Plaintiff's Attorneys: Benjamin Andreozzi and Heather Verchick of Harrisburg, PA.
- More Information: <http://wnep.com/2014/01/16/southern-columbia-schools-pay-130000-to-settle-lawsuit/>.

### ***Dahle ex rel. Timothy D. v. Titusville Area School District*, 159 F. Supp. 2d 857 (W.D. Pa. 2001)**

- Settlement: \$312,000.
- Harassment/Injuries: Anti-gay harassment, including physical assault; attempted suicide.
- Single Plaintiff.
- Basic Facts: Plaintiff experienced verbal and physical harassment from sixth through tenth grade because of his sexual orientation, which caused him to attempt suicide and drop out of school.

- Cause of Action: Title IX claim for deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection and substantive due process violations; claims under Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act.
- Plaintiff's Attorneys: David C. Long, Oliveburg, PA; Michael L. Rosenfield, Pittsburgh, PA.
- More Information: <http://www.nclrights.org/site/DocServer/15reasons.pdf?docID=1621>.

***Doe v. Scranton School for Deaf & Hard-of-Hearing Children (Lackawanna County Court 2017)***

- Settlement: Unknown/confidential.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: An eight-year-old girl who was a residential student at the Scranton School was sexually abused by a thirteen-year-old girl over the course of six months in 2009-2010. The victim told a dormitory counselor that the perpetrator had kissed her and touched her genital area in October of 2009, but the school did not conduct an investigation or report the conduct to police. In April of 2010, the victim went to the doctor for rectal bleeding. There, she notified the doctor that the perpetrator had touched her numerous times at school.
- Causes of Action: Unknown.
- Plaintiff's Attorney: John M. Elliott, Elliott Greenleaf, Blue Bell, PA.
- More information: <https://www.law.com/thelegalintelligencer/2018/02/27/sex-abuse-lawsuit-against-scranton-school-for-the-deaf-settles-midtrial/>; <http://www.thetimes-tribune.com/news/suit-against-scranton-deaf-school-settles-in-midst-of-trial-1.2307138>.

***Doe v. Southeast Delco School District, 2018 WL 6576590 (E.D. Pa. 2018)***

- Jury Verdict: \$200,000 against perpetrator (\$100,000 per student); \$0 against school district.
- Harassment/Injuries: Sexual assault.
- Two Plaintiffs.
- Basic Facts: Former elementary school teacher Paul Hochschwender inappropriately touched several female students over the course of at least five years. He placed girls' hands in his lap near his penis and placed his hands on parts of the girls' bodies on several occasions. He claimed all of the touching was inadvertent. Two incidents were reported to the school in 2007 and 2011, which led to a finding that the complained-of touching was indeed inadvertent. After two students came forward in 2014 about additional touching, several more victims reported similar experiences.
- Causes of Action: Title IX claims; constitutional claims under 42 U.S.C. § 1983; PA Civil Rights Act; battery.
- Plaintiff's Attorney: Jim Byrne of McNichol, Byrne & Matlawski.
- More information: [http://www.delconewsnetwork.com/news/region/jury-returns-g-verdict-against-child-molesting-teacher/article\\_8bdf0663-354a-5d35-9d7b-8bb1ae083509.html](http://www.delconewsnetwork.com/news/region/jury-returns-g-verdict-against-child-molesting-teacher/article_8bdf0663-354a-5d35-9d7b-8bb1ae083509.html)

***D.S.B. v. Pittsburgh Public Schools, No. 13-CV-1129-JFC (W.D. Pa. 2014)***

- Settlement: School system agreed to create two education funds for two sisters, each worth \$20,000; \$25,000 in attorneys' fees.
- Harassment/Injuries: Physical and verbal sex-based and color-based harassment.
- Multiple Plaintiffs (two).
- Basic Facts: Two African-American sisters, ages 8 and 11, experienced physical and verbal harassment because of their sex and color. One sister was assaulted by another African-American classmate because of her lighter complexion. The sisters experienced verbal taunts

and physical assaults that included having their earrings torn out and their clothes ripped off. The verbal harassment included names such as “blackey,” “crispy,” “nigger,” “black African bush bunny,” “whore,” “bitch,” “cunt,” and “smut.”

- Causes of Action: Claim under Title IX for deliberate indifference to sex-based harassment; claim under Title VI for deliberate indifference to color-based harassment.
- Plaintiffs’ Attorney: Charles Steele, Pittsburgh, PA.
- More Information: <http://triblive.com/news/adminpage/6029342-74/district-settlement-education#axzz343d72Zb6>.

***Enright v. Springfield School District No. 464*, No. 04-cv-1653-JCJ (E.D. Pa. 2006)**

- Jury Verdict: \$400,000.
- Harassment/Injuries: Disability harassment, including sexual assault; and a suicide threat.
- Single Plaintiff.
- Basic Facts: A high school student masturbated in front of a seven-year-old disabled student while another student urged the seven-year old to engage in sexual contact with the masturbating student. The child suffered post traumatic stress disorder and threatened to commit suicide.
- Causes of Action: Claims under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and Americans with Disabilities Act; claim under 42 U.S.C. § 1983 alleging due process violations.
- Plaintiff’s Attorneys: Andrew Erba, Sherri Eyer, Gerald Williams, Philadelphia, PA.
- More Information: <http://www.paed.uscourts.gov/documents/opinions/08d0005p.pdf>.

***Evancho, et. al v. Pine-Richland School District*, No. 2:16-cv-01537 (W.D. Pa. 2016).**

- Settlement: \$135,000 (\$20,000 to each student and \$75,000 in attorneys’ fees), plus injunctive relief.
- Injunctive Relief: School will rescind its discriminatory bathroom policy and update its nondiscrimination policy to include gender identity.
- Multiple Plaintiffs (three).
- Harassment/Injuries: Transgender discrimination.
- Basic Facts: Three transgender high school students sued after the school revised their bathroom policy to require transgender students to use bathrooms associated with their biological sex.
- Causes of Action: Title IX claim for sex discrimination; §1983 claim for discrimination based on sex and transgender status in violation of students’ rights under Equal Protection Clause of Fourteenth Amendment.
- Plaintiffs’ Attorneys: Omar Gonzalez-Pagan, Lambda Legal Defense and Education Fund, Inc., New York, NY; Christopher Clark, Lambda Legal, Chicago, IL; Tracie Palmer and David Williams, Kline and Specter, P.C., Philadelphia, PA.
- More Information: <http://www.post-gazette.com/local/north/2017/03/13/Pine-Richland-transgender-bathroom-lawsuit-legal-experts-say-ruling-will-impact-national-cases/stories/201703090010>; <http://www.post-gazette.com/news/education/2017/08/08/Pine-Richland-School-District-transgender-students-lawsuit-settlement-bathroom-policy/stories/201708080093>; [https://www.washingtonpost.com/news/education/wp/2017/08/09/pennsylvania-school-district-settles-with-transgender-teens-who-alleged-discrimination-over-bathroom-policy/?utm\\_term=.a0fd056e4479](https://www.washingtonpost.com/news/education/wp/2017/08/09/pennsylvania-school-district-settles-with-transgender-teens-who-alleged-discrimination-over-bathroom-policy/?utm_term=.a0fd056e4479).

***Hay v. Somerset Area School District, 2017 WL 2829700 (W.D. Pa. 2017)***

- Settlement: \$5 million.
- Single Plaintiff.
- Harassment/Injuries: Sexual abuse.
- Basic Facts: Teacher Stephen Shaffer began abusing Heather Hay, now 31, when she was fourteen and in the eighth grade. School administrators were aware of allegations of inappropriate conduct by Shaffer against female students as early as 1991, but allowed him to continue teaching and having contact with female students. Shaffer began appearing at Hay's soccer games, had Hay keep her books in his classroom instead of her locker, and insisted that she give him a kiss when she came to retrieve her books. If she refused, he became enraged. Shaffer touched Hay inappropriately at school and at his home where she came to babysit his children. He eventually raped her on the couch in his home while his children were asleep upstairs. He continued contacting her through the internet, sometimes posing as his own daughter, and suggested he would commit suicide if she left him. Years later, in 2008, Shaffer was criminally charged.
- Causes of Action: Title IX claim; constitutional claims under 42 U.S.C. § 1983.
- Plaintiff's Attorney: Joel Feller of Ross Feller Casey LLP (Philadelphia, PA).
- More information: [https://www.dailyamerican.com/entertainment/former-student-somerset-school-district-settle-lawsuit-in-sexual-assault/article\\_15590e60-075f-51a7-97f4-d9e6025de89c.html](https://www.dailyamerican.com/entertainment/former-student-somerset-school-district-settle-lawsuit-in-sexual-assault/article_15590e60-075f-51a7-97f4-d9e6025de89c.html)

***K.E. v. Dover Area School District, 2016 WL 2897614 (M.D. Pa. 2016)***

- Settlement: Unknown (reached during trial).
- Single Plaintiff.
- Harassment/Injuries: Sexual abuse; alcohol and drug addiction; attempted suicide.
- Basic Facts: Former music teacher Matthew Puterbaugh sexually abused a female student over the course of four years beginning when she was eleven, causing her to become pregnant at the age of thirteen. He abused her during music lessons at the school, at his residence, and at her residence while her parents were absent. Puterbaugh accompanied the girl and her mother under the guise of being "a concerned adult" to obtain an abortion for the child. Plaintiff disclosed the abuse to teachers, but the administration never investigated. Instead, they sought her recantation, asserting Puterbaugh was a good teacher and that these allegations would ruin his career. In high school, plaintiff reported again to school officials, who urged her to rescind her claims. Nobody reported the allegations to law enforcement or CPS. Puterbaugh is now in prison on related charges.
- Causes of Action: Claims under 42 U.S.C. § 1983 for violation of Fourth Amendment right to security of person and Fourteenth Amendment rights to due process and equal protection; IDEA claim; Rehabilitation Act claim; Title IX claim; state law claims for assault, battery, and intentional infliction of emotional distress.
- Plaintiff's Attorney: Farley Holt.
- More information: <https://www.ydr.com/story/news/2018/07/11/matthew-puterbaugh-case-ex-teacher-school-district-settle-lawsuit/774599002/>

***MacLean v. Borough of Hellertown, No. 5:17-cv-02085-LKC (E.D. Pa. 2018).***

- Settlement: \$96,500, plus injunctive relief and \$15,000 in annual costs for three years of private or parochial school tuition for one of the plaintiffs.

- Injunctive Relief: School district must continue anti-bullying program, provide anti-bias training for next three years, and post the Safe Schools report on its website for three years.
- Multiple Plaintiffs (two students).
- Harassment/Injuries: Race discrimination and harassment, including racial slurs and threats of violence; sexual harassment.
- Basic Facts: Two African-American brothers experienced pervasive racial harassment and discrimination at Saucon Valley Middle School and High School, including regular verbal abuse and threats of physical violence. The two brothers were called racial epithets like “coon,” “nigger,” and “jungle bunny,” and a group of white students threw a confederate flag around one of the boy’s shoulders and told him to wear it with pride.
- Causes of Action: hostile educational environment based on race under Title VI; race discrimination in violation of Equal Protection under 42 U.S.C. § 1983; intentional infliction of emotional distress; violation of right to bodily integrity under Due Process Clause and § 1 of Pennsylvania’s Constitution; willful misconduct constituting intentional & discriminatory failure to provide adequate or equivalent level of protective services, procedures, and policies in violation of the No Child Left Behind Act of 2001 20 U.S.C. § 6301 *et seq.*, and Pennsylvania’s Safe Schools Act, 24 P.S. § 13-1301 *et seq.*
- Plaintiffs’ Attorneys: Gary Schafkopf of Hopkins Schafkopf, LLC in Bala Cynwyd, PA; Matthew B. Weisberg & David A. Berlin of Weisberg Law PC in Morton, PA.
- More information: <https://www.mcall.com/news/education/mc-nws-saucon-racism-settlement-20181121-story.html>; <https://www.mcall.com/news/local/sauconvalley/mc-saucon-valley-racial-harassment-lawsuit-20170508-story.html>.

***Mary V. v. Pittsburgh Public Schools, No. 09-cv-1082-DWA (W.D. Pa. 2010)***

- Settlement: \$55,000.
- Harassment/Injuries: Harassment based on female student’s weight.
- Single Plaintiff
- Basic Facts: A Frick Middle School student claimed that teasing from fellow students about her weight—and the administration’s failure to halt the abuse—led her to develop anorexia. The harassment often occurred at lunch and would cause the girl to throw away her food instead of eating it in front of the boys.
- Causes of Action: Title IX claim for deliberate indifference to sex discrimination; Title IX claim for retaliation; claim under Pennsylvania Fair Educational Opportunities Act.
- Plaintiff’s Attorney: Edward Olds, Pittsburgh, PA.
- More Information: <http://www.post-gazette.com/stories/local/neighborhoods-city/girls-mother-calls-settlement-with-pittsburgh-public-schools-unfair-258097/>; <http://www.post-gazette.com/stories/local/neighborhoods-city/pittsburgh-public-schools-settle-suit-over-girls-anorexia-taunting-257957/>.

***Price v. Scranton School District, No. 11-cv-0095 (M.D. Pa. 2012)***

- Settlement: \$97,500.
- Harassment/Injuries: Verbal harassment.
- Single Plaintiff.
- Basic Facts: Middle school student endured sex-based harassment and taunts for scratching her genitals due to a yeast infection. Students called the plaintiff names such as “bitch,” “slut,” “skank,” and “whore.” Teachers were aware of bullying, but took no action.

- Cause of Action: Claims under Title IX for deliberate indifference to peer harassment; 42 U.S.C. § 1983 for violation of substantive due process; and state tort law.
- Plaintiff's Attorney: Dave Frankel and Joshua Kershenbaum of Bryn Mawr, PA.
- More Information: <http://thetimes-tribune.com/news/scranton-school-district-settles-bullying-case-1.1344185>; <http://thetimes-tribune.com/news/bullying-federal-lawsuit-suit-lodged-against-scranton-school-district-headed-to-settlement-talks-1.1289388>.

***United States v. School District of Philadelphia, No. 10-cv-7301-SD (E.D. Pa. 2010)***

- Settlement: Injunctive relief only.
- Injunctive Relief: Settlement agreement requires school district to retain an expert consultant on harassment and discrimination based on race, color and/or national origin to review the district's harassment policies and procedures; develop and implement a comprehensive plan for preventing and addressing student-on-student harassment at South Philadelphia High School; conduct training of faculty, staff and students on discrimination and harassment based on race, color and/or national origin and to increase multi-cultural awareness; maintain records of investigations and responses to allegations of harassment; and provide annual compliance reports to the department and the Philadelphia Human Rights Commission, as well as make harassment data publicly available.
- Harassment/Injuries: National origin harassment, including assault.
- Multiple Plaintiffs (United States sued based on harassment of approximately 30 students)
- Basic Facts: Asian-American students were subjected to constant verbal and physical harassment at South Philadelphia High School. In December 2009, approximately 30 Asian-American students were attacked and 13 were sent to the emergency room. The Asian-American Legal Defense and Education Fund filed an administrative complaint and the U.S. Department of Justice investigated and filed suit.
- Causes of Action: Title IV claim for deliberate indifference to discrimination based on race, color and/or national origin; claim under 42 U.S.C. § 1983 alleging equal protection violation.
- Plaintiffs' Attorneys: U.S. Department of Justice (Civil Rights Division).
- More Information: <http://aaldef.org/news/news-story/justice-reaches-pact-with-philadelphia-schools-in-09-attacks-on-asian-american-students---washington.html>.

***Wible v. School District of Philadelphia, No. 15-043169 (Phila. Cty. Ct. of Comm. Pls. 2018)***

- Settlement: \$850,000 (reached after getting \$500,000 verdict).
- Harassment/Injuries: Physical, verbal, and sexual harassment; homophobic slurs; sex discrimination; physical assault; post-traumatic stress disorder and panic attacks.
- Single Plaintiff.
- Basic Facts: Amanda Wible, a sixteen-year old was bullied and harassed in school for several years due to her gender presentation and for failing to conform to gender stereotypes. She suffered a number of physical assaults, dating back to elementary school, including one in which she was attacked by ten students.
- Causes of Action: Sex discrimination claim under the Pennsylvania Human Relations Act.
- Plaintiff's Attorneys: David Berney, Jennifer Y. Sang, and Kevin Golembiewski of Berney & Sang in Philadelphia, Pennsylvania.
- More information: <https://www.phillymag.com/news/2018/06/05/philadelphia-school-district-bullying/>; <https://www.law.com/thelegalintelligencer/2018/06/04/judge-phila-school-district-must-pay-500k-for-failure-to-stop-bullying/>; <https://epgn.com/2020/01/28/philly-school-district-pays-850000-to-settle-bullying-case/>.

## **RHODE ISLAND**

### ***Doe v. St. George's School (2016)***

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual abuse and harassment.
- Multiple Plaintiffs (30 alumni).
- Basic Facts: Over the course of nearly forty years, at least thirty students at St. George's boarding school faced sexual assault, molestation, and rape at the hands of at least twelve different faculty members throughout the 70s, 80s, and 90s. Several survivors reported to school officials, who discounted their experiences, blamed them, and failed to report the information they had received to CPS as legally required.
- Cause of Action: Unknown.
- Plaintiffs' Attorney: Eric MacLeish.
- More information: <https://www.teenvogue.com/story/st-georges-school-sexual-abuse-survivors-settlement>

## **SOUTH CAROLINA**

### ***Doe v. Charleston County School District, No. 2018-CP-10-1602 (Ct. Com. Pl. 2018)***

- Settlement: \$300,000.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: An elementary school boy was repeatedly sexually assaulted by a school employee during the 2015-2016 school year.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Unknown.
- More information: <https://www.live5news.com/story/37998564/ccsd-settles-sexual-assault-of-student-case-for-300000/>

### ***Doe v. Georgetown County School District (D. S.C. 2015)***

- Jury Verdict: \$100,000.
- Harassment/Injuries: Verbal harassment and bullying by coach.
- Single Plaintiff.
- Basic Facts: High school cheerleading coach repeatedly bullied, harassed, and belittled a cheerleader in front of her teammates. This included inappropriate and derogatory comments about the student's body. The school investigated, placing the coach on a brief leave from coaching, but ultimately reinstated her and found she had not violated the school's sexual harassment or anti-bullying policies.
- Causes of Action: 42 U.S.C. § 1983 claim for Fourteenth Amendment substantive due process rights violations; Title IX claim for hostile educational environment; negligence per se; gross negligence; intrusion and invasion of privacy. (At trial, Plaintiff prevailed on theory of gross negligence.)
- Plaintiffs' Attorney: Bill Hopkins.
- More information: [https://www.southstrandnews.com/education-business/georgetown-county-jury-returns-judgment-in-school-bullying-case/article\\_f26b164e-f2e9-11e6-9fba-9b7d41cd4dd0.html](https://www.southstrandnews.com/education-business/georgetown-county-jury-returns-judgment-in-school-bullying-case/article_f26b164e-f2e9-11e6-9fba-9b7d41cd4dd0.html)

***Doe v. Richland County School District 2, No. 3:18-cv-02731 (D.S.C. June 5, 2020)***

- Settlement: \$900,000 (School District paid \$600,000; Sheriff's Department paid \$300,000).
- Harassment/Injuries: Sexual Harassment.
- Single Plaintiff.
- Basic Facts: Doe, a junior at Spring Valley High School, was allegedly the target of unwanted sexual advances from Jamel Bradley, a sheriff's deputy serving as a school resource officer. Doe reported the alleged sexual advances to the school, which passed on the complaint to the Richland County Sheriff's Department. The sheriff's department suspended Bradley for one day, and then he returned to the school. Doe suffered an exacerbation of her preexisting depressive disorder, which required ongoing counseling and treatment. She also spent the remainder of the school year learning from home.
- Causes of Action: Title IX, gross negligence.
- Plaintiff's Counsel: James B. Moore III, Scott C. Evans, and Daniel Boles, all of Charleston, S.C.

***Horry County Schools (2020)***

- Settlement: \$12,500.
- Harassment/Injuries: Bullying.
- Single Plaintiff.
- Basic Facts: Ten-year-old child was constantly bullied to the point of being diagnosed with PTSD. The school district did nothing to separate the child from his perpetrator, even after the parents reported the persistent bullying.
- Causes of Action: Negligence, assault and battery, premises liability, and intentional infliction of emotion distress.
- Plaintiff's Attorney: Samantha Albrecht.
- More information: <https://www.wmbfnews.com/2020/08/25/horry-county-schools-family-reach-settlement-bullying-case/>

***Jones v. McCray, No. 22-C1000 (Georgetown Cty. Ct. 2017)***

- Jury Verdict: \$100,000.
- Harassment/Injuries: Verbal harassment and bullying by a coach.
- Single Plaintiff.
- Basic Facts: Student was bullied by a high school cheerleading coach. Coach made derogatory comments about plaintiff's "private body parts" in front of other students. Coach also belittled the plaintiff in front of students and parents. Plaintiff and her mother reported incidents to the school, but the school failed to investigate or reprimand the coach.
- Causes of Action: State law claims for negligence and intentional infliction of emotional distress.
- Plaintiffs' Attorney: Bill Hopkins of Pawleys Island, SC.
- More information: [http://www.southstrandnews.com/education-business/georgetown-county-jury-returns-judgment-in-school-bullying-case/article\\_f26b164e-f2e9-11e6-9fba-9b7d41cd4dd0.html](http://www.southstrandnews.com/education-business/georgetown-county-jury-returns-judgment-in-school-bullying-case/article_f26b164e-f2e9-11e6-9fba-9b7d41cd4dd0.html).

**TENNESSEE**

***Belcher v. Robertson County, Tenn., No. 3-13-0161, 2014 WL 6686741 (M.D. Tenn. Nov. 26, 2014)***

- Judgment: Unspecified damages.

- Harassment/Injuries: Sexual harassment.
- Multiple Plaintiffs (three students).
- Basic Facts: Three elementary school students sued after experiencing unwanted touching and sexual harassment from a male classmate. That classmate had inappropriately touched other students throughout kindergarten, first and second grades, had faced multiple disciplinary consequences, and was kept on close watch. However, the parents of the children he victimized were never notified explicitly of the incidents. One day, a computer lab teacher left the room for one or two minutes, and the student attempted to lick a girl's vagina over her pants in front of the class. The teacher had left the room despite a safety plan devised to address the student's sexually inappropriate behavior.
- Causes of Action: Title IX claims; failure to train claim under 42 U.S.C. § 1983; negligence under the Tennessee Governmental Liability Act.
- Plaintiffs' Attorneys: William Gary Blackburn of the Blackburn Firm; John R. Clemmons of Chaffin & Burnsed (Nashville, TN).
- More information: <https://www.tennessean.com/story/news/local/robertson/2014/11/29/robertson-schools-ruled-liable-east-robertson-elementary-sex-abuse-case/19677003/>

***Doe v. Hamilton County Schools, No. 1:16-cv-00979 (E.D. Tenn. 2018)***

- Settlement: Undisclosed.
- Harassment/Injuries: sexual assault; mental and emotional distress.
- Single plaintiff.
- Basic Facts: As a freshman on his high school basketball team, Doe was subjected to constant hazing and abuse from older teammates. During a trip for a high school basketball tournament, older teammates held Doe down, while another used a pool cue to forcibly penetrate Doe's rectum through two layers of clothing.
- Causes of Action: Title IX claim; failure-to-train claim under § 1983; negligence claims under the Tennessee Governmental Tort Liability Act.
- Plaintiffs' Attorney(s): Monica Beck & Douglas Fierberg, The Fierberg National Law Group, PLLC, Traverse City, MI; Justin Gilbert, Gilbert McWherter Scott & Bobbitt, Chattanooga, TN; Edmund J. Schmidt III, Law Offices of Edmund J. Schmidt III, Nashville, TN.
- More information: <https://www.timesfreepress.com/news/breakingnews/story/2018/sep/27/hamilton-county-schools-settles/479954/>.

***Holland v. LaLevee, No. 3:13-cv-00373 (M.D. Tenn. 2015)***

- Judgment: \$150,000 and injunction prohibiting use of plaintiff's photo.
- Harassment/Injuries: mental and emotional distress from online bullying.
- Single plaintiff (and his parents).
- Basic Facts: Photo of boy with Down syndrome taken at school was copied and reposted on internet sites by several unrelated individuals with offensive and derogatory words superimposed (e.g. "retard," "sick").
- Causes of Action: State invasion of privacy, misappropriation of likeness, defamation, intentional infliction of emotional distress, and Tenn. Personal Rights Protection Act claims.
- Plaintiffs' Attorney(s): Larry L. Crain, Crain, Shuette & Associates, LLC, Brentwood, TN.
- More information: <http://www.newschannel5.com/news/local-news/family-wins-150k-in-online-bullying-lawsuit>.

***Jones v. Robertson County Board of Education*, No. 3:16-cv-00614 (M.D. Tenn. 2016)**

- Settlement: Unknown/confidential.
- Harassment/Injuries: Racial slurs/harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff joined his high school baseball team in the fall of 2012. White upperclassmen began using racial slurs and epithets, including telling the victim to “run like the KKK is after you.” The victim’s mother later informed the coach of the harassment, but he did nothing. She then reported the bullying to the high school’s principal. Plaintiff was then cited for a minor infraction and suspended; when he protested the punishment, he was sent to the principal. The principal grabbed plaintiff by the neck and threw him into a concrete wall. Plaintiff and his mother then met with the principal and other administrators about the altercation. When they raised the harassment that plaintiff had faced, the administrators denied any knowledge and informed plaintiff that they were sending him to another school. Ultimately, plaintiff returned to the baseball team, where the coach retaliated against him for reporting harassment by benching him and making him run over thirty miles over the course of several games.
- Cause of Action: Title VI claim.
- Plaintiff’s Attorney: Larry L. Crain, Crain, Schuette & Associates, LLC, Brentwood, TN.
- More Information:  
[https://www.tennessean.com/story/news/local/robertson/2018/01/26/settlement-reached-springfield-high-racial-bullying-case/1067253001/;](https://www.tennessean.com/story/news/local/robertson/2018/01/26/settlement-reached-springfield-high-racial-bullying-case/1067253001/)  
[https://www.robertsoncountyconnection.com/news/education/school-board-settles-civil-rights-case-out-of-court/article\\_c4413c86-0557-11e8-9e07-9f5c6b552fb6.html](https://www.robertsoncountyconnection.com/news/education/school-board-settles-civil-rights-case-out-of-court/article_c4413c86-0557-11e8-9e07-9f5c6b552fb6.html).

***Mathis v. Wayne County Board of Education*, No. 09-cv-0034 (M.D. Tenn. 2009)**

- Jury Verdict: \$200,000 (divided equally between two plaintiffs).
- Harassment/Injuries: Sexual harassment, including assault.
- Two Plaintiffs.
- Basic Facts: An eighth grade student sexually assaulted two seventh grade students in the locker room. One plaintiff was held down by three students while another sodomized him with a felt-tipped marker. The other plaintiff was tricked into doing a blindfolded sit-up while a classmate stood above his face with his pants down.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment; claim under 42 U.S.C. § 1983 alleging equal protection and due process violations.
- Plaintiffs’ Attorney: Edmund J. Schmidt III, Nashville, TN.
- More Information: <http://www.insurancejournal.com/news/southeast/2011/06/13/202320.htm>.  
[http://blogs.edweek.org/edweek/school\\_law/2012/08/jury\\_award\\_upheld\\_against\\_dist.html?qs=jury+verdict](http://blogs.edweek.org/edweek/school_law/2012/08/jury_award_upheld_against_dist.html?qs=jury+verdict).

***Phillips ex rel. Gentry v. Robertson County Board of Education*, No. M2012-00401-COA-R3-CV, 2012 WL 3984637 (Tenn. Ct. App. Sept. 11, 2012)**

- Judgment: \$300,000.
- Harassment/Injuries: Physical assault on disabled student with Asperger's syndrome.
- Single Plaintiff.
- Basic Facts: A classmate hit disabled student in the eye with a book while the teacher was out of the room. The injury required four surgeries and left the student legally blind in one eye. Plaintiff and his mother had reported prior incidents of bullying and teasing.
- Cause of Action: State tort law claim for negligence.
- Plaintiff's Attorney: Jonathan A. Street of Nashville, TN.
- More Information: [http://www.tsba.net/getdoc/d0faf055-9183-4e0a-9c93-a98ef152df89/SLQ\\_Sept\\_12.aspx](http://www.tsba.net/getdoc/d0faf055-9183-4e0a-9c93-a98ef152df89/SLQ_Sept_12.aspx).

***Richards v. Williamson County Board of Education*, No. 3:14-cv-0730 (M.D. Tenn. 2015)**

- Judgment: \$100,000 (plaintiff accepted Rule 68 offer of judgment).
- Harassment/Injuries: Sexual harassment and assault of female student by male student.
- Single Plaintiff.
- Basic Facts: Female high school student was sexually harassed and assaulted by male student with known history of violence and sexual misconduct. School did nothing in response to her first complaint of harassment. After plaintiff was sexually assaulted in front of multiple witnesses, the school suspended her attacker for a short period of time, but the harassment continued when he returned to school. Plaintiff transferred to another high school to ensure her safety.
- Cause of Action: Title IX claim for deliberate indifference to sexual harassment; plaintiff also filed separate state court action asserting tort claims.
- Plaintiff's Attorneys: Larry L. Crain, Crain, Shuette & Associates, LLC, Brentwood, TN; Adele P. Kimmel, Public Justice, P.C., Washington, DC; Brian Coleman, Drinker Biddle & Reath LLP, Washington, DC; Richard Lomuscio, Drinker Biddle & Reath LLP, New York, NY.

***Roe v. Hamilton County Department of Education*, No. 1:16-cv-00497 (E.D. Tenn. 2018)**

- Settlement: Undisclosed.
- Harassment/Injuries: sexual assault; mental and emotional distress.
- Single Plaintiff.
- Basic Facts: As a freshman on his high school basketball team, Roe was subjected to hazing and abuse from older teammates. During a trip for a high school basketball tournament, the older teammates attacked Roe and other freshman with pool sticks. Roe was held down by one student while another forced a pool stick between his buttocks over his clothes.
- Causes of Action: Deliberate indifference and retaliation under Title IX; equal protection; failure-to-train under § 1983; negligence, negligent supervision, negligent failure to train, negligence per se, and tolerance of false imprisonment under the Tennessee Governmental Tort Liability Act.
- Plaintiffs' Attorneys: Eric J. Oliver, Lewis & Oliver, Chattanooga, TN; Justin S. Gilbert, Gilbert McWherter Scott & Bobbitt, Chattanooga, TN.
- More Information: <https://www.timesfreepress.com/news/breakingnews/story/2018/dec/03/second-student-settles/484214/>.

***S.C. v. Metropolitan Government of Nashville and Davidson County, Tennessee, No. 3:17-cv-01209, 2020 WL 5797978 (M.D. Tenn. Sept. 25, 2020)***

- Verdict: \$75,000.
- Harassment/Injuries: Sexual assault; nonconsensual pornography; verbal sexual harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff, a high school student, was pulled into an empty classroom where she was sexually assaulted by one student while another filmed. The video of the attack was then circulated throughout the student body, and as a result, the plaintiff faced severe bullying, harassment, and threats from other students.
- Causes of Action: Title IX.
- Plaintiff's Attorneys: Mary A. Parker and Stephen Crofford, Parker & Crofford, Brentwood, TN.

**TEXAS**

***Doe v. Episcopal School of Dallas, Inc., No. 3:11-CV-1058-L, 2011 WL 2601506 (N.D. Tex. June 30, 2011)***

- Settlement: Undisclosed. After an initial jury verdict of \$9.2 million (\$8.5 million in compensatory damages—\$1 million to daughter for loss of enjoyment of life in the future, \$750,000 to parents for past mental anguish, and \$250,000 to parents for future mental anguish—and \$700,000 in punitive damages), the school appealed. Both sides agreed the correct amount was closer to \$6 million because of duplications in the jury award. The settlement ended the appeals process.
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (student and her two parents).
- Basic Facts: A 34-year-old world history teacher at a private school romantically and sexually pursued his 16-year-old student. He sexually abused her in school vehicles, at her home, and in hotels that he reserved using his school credit card. He also manipulated her into believing she would be kicked out of school if the school found out. A police officer encountered the two in an empty parking lot one evening and reported it to the school, which called CPS and investigated, slowly uncovering the facts. After the teacher resigned, the student was harassed by many students and a few teachers, and was ultimately told she needed to leave the school.
- Cause of Action: Assault; negligence; negligence per se; negligent undertaking; breach of fiduciary duty; fraud; intentional infliction of emotional distress; defamation; securing the execution of a document by deception; gross negligence.
- Plaintiffs' Attorney: Charla Aldous and Brent Walker of Aldous Law Firm (Dallas, TX).
- More Information: <https://www.dmagazine.com/publications/d-magazine/2011/october/episcopal-school-of-dallas-sex-scandal/2/> ; <https://www.dallasnews.com/news/2012/03/17/episcopal-school-of-dallas-family-reach-settlement-in-lawsuit/>

***Doe v. Springtown ISD (2019)***

- Settlement: Undisclosed.
- Harassment/Injuries: Sexual abuses.
- Single Plaintiff.
- Basic Facts: Springtown ISD school resource officer and local police officer Frank Carroll sexually molested a 14-year-old high school student. Multiple students testified about incidents of sexual harassment by Carroll. Carroll is now serving twelve years in prison on indecency with

a child. Prior to Carroll's hiring as an SRO, Springtown had received complaints about his sexual misconduct. While at the school, Carroll called Doe out of class to her office several times to sexually abuse her.

- Cause of Action: Negligent hiring and retention policies; claim for failure to train and supervise under 42 U.S.C. § 1983; Title IX claim.
- Plaintiff's Attorney: Cynthia Maragoudakis.
- More Information: [https://www.weatherforddemocrat.com/news/local\\_news/sisd-settles-on-jane-doe-litigation/article\\_8358c5df-e7d2-59ee-a179-6f340b505a4c.html](https://www.weatherforddemocrat.com/news/local_news/sisd-settles-on-jane-doe-litigation/article_8358c5df-e7d2-59ee-a179-6f340b505a4c.html)

***Gable v. Killeen Independent School District*, No. 6:16-cv-00038 (W.D. Tex. 2016).**

- Settlement: Confidential.
- Harassment/Injuries: Sexual harassment.
- Single Plaintiff.
- Basic Facts: Female middle school student was sexually harassed for three years by male students. One perpetrator would daily slap the victim's buttocks and touch her breasts. In another assault, the victim collar bone was broken. Male students would routinely restrain girls in the hallway and "hump" them as part of a game. The victim's father reported the harassment to the administration on at least six occasions, but the activity was dismissed as typical male behavior.
- Cause of Action: Title IX claim for sex discrimination.
- Plaintiff's Attorney: Cirkiel & Associates, P.C., Round-Rock, TX.
- More Information: [http://kdhnews.com/news/education/father-files-federal-lawsuit-against-killeen-school-district/article\\_c306a8c6-dbe5-11e5-9673-9faca57a4945.html](http://kdhnews.com/news/education/father-files-federal-lawsuit-against-killeen-school-district/article_c306a8c6-dbe5-11e5-9673-9faca57a4945.html);  
[http://kdhnews.com/news/education/kisd-school-board-votes-to-settle-litigation-details-scarce/article\\_e24fb31c-98f4-11e7-985c-87aa85c4e460.html](http://kdhnews.com/news/education/kisd-school-board-votes-to-settle-litigation-details-scarce/article_e24fb31c-98f4-11e7-985c-87aa85c4e460.html).

***K.P. v. Live Oak Classical School (250th Dist. Ct. in Travis Cty. 2018)***

- Verdict: \$68,000 (\$55,000 for pain and mental anguish, \$10,000 for disfigurement, and \$3,000 for medical expenses).
- Harassment/Injuries: Physical bullying, racial harassment, and rope burns around neck.
- Single Plaintiff.
- Basic Facts: K.P., an African-American sixth grader at a predominantly white private school, was pushed and kicked by fellow classmates. On a school field trip, three boys wrapped the end of a rope swing around K.P.'s neck and she was violently jerked to the ground.
- Cause of Action: Negligence; gross negligence; intentional infliction of emotional distress; premises liability.
- Plaintiff's Attorney: Levi G. McCathern of McCathern Law in Dallas, Texas.
- More information: <https://www.thedailybeast.com/texas-school-ordered-to-pay-dollar68k-to-black-girl-who-was-allegedly-dragged-by-rope-around-her-neck>;  
[https://www.wacotrib.com/read-the-civil-rights-lawsuit-filed-against-live-oak/pdf\\_3bbcf6f6-31ce-11e6-aded-236a166c6dbd.html](https://www.wacotrib.com/read-the-civil-rights-lawsuit-filed-against-live-oak/pdf_3bbcf6f6-31ce-11e6-aded-236a166c6dbd.html).

***Mitchell v. Georgetown Independent School District*, No. 09-CV-0568-LY (W.D. Tex. 2010)**

- Settlement: Undisclosed amount.
- Injunctive Relief: School will work with the Anti-Defamation League's anti-bullying program and will provide faculty and students with anti-harassment training.

- Harassment/Injuries: Physical and verbal anti-gay harassment.
- Single Plaintiff.
- Basic Facts: Gay student was spit on, knocked unconscious, had his books thrown in the trash and his fingers broken because of his sexual orientation. He was called “gay” and “faggot” on a daily basis.
- Cause of Action: Title IX action for peer-on-peer harassment.
- Plaintiff’s Attorney: Jim Harrington and Todd Batson of the Texas Civil Rights Project in Austin, TX.
- More Information: <http://www.texascivilrightsproject.org/2525/georgetown-isd-harassment-lawsuit-settled-brought-forth-by-youths-mother/>.

***Wyatt v. Kilgore Independent School District (Tex. 2010)***

- Settlement: \$77,500.
- Injunctive Relief: Training session on sexual orientation and privacy policies. Update to student/teacher handbook that includes language about the district’s anti-discrimination policy for sexual orientation.
- Single Plaintiff.
- Basic Facts: A 16-year-old high school sophomore was cornered in the locker room by her softball coaches who refused to let her leave until she admitted that she was a lesbian. They then called her mother and told her about her daughter’s sexuality. After the girl’s mother filed a lawsuit against the school district, counsel for the district obtained sworn affidavits from the girl’s classmates attacking her character and integrity.
- Cause of Action: Constitutional privacy violations; unspecified violations of the 14<sup>th</sup> amendment.
- Plaintiff’s Attorney: Paula Hinton, Vinson & Elkins; Jennifer Doan, Texas Civil Rights Project
- More Information: <http://dallas.culturemap.com/news/city-life/02-28-14-kilgore-school-district-outing-lesbian-student-gay-discrimination-lawsuit-skye-wyatt-settlement/>.

**UTAH**

***Cox v. South Sanpete School District, No. 4:18-cv-00070-DN (2018)***

- Settlement: \$48,000 (\$30,000 in attorneys’ fees and \$18,000 to plaintiff).
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: 14-year-old boy was sexually assaulted by three members of his high school football team. Two held him down while a third rubbed his genitals in the victim’s face. School officials knew the assailants had an extensive two-year history of harassment, but they did nothing to address it. After the victim came forward, more than 12 other boys spoke out saying the same assailant had also sexually abused them.
- Cause of Action: Title IX.
- Plaintiff’s Attorney: Bob Sykes and Alyson C. McAllister.
- More Information: <https://www.sltrib.com/news/2019/12/17/utah-school-district-pay/>.

***Mayes v. Davis School District, No. 1:19-cv-00040 (D. Utah 2019)***

- Settlement: \$62,500.
- Harassment/Injuries: Race discrimination; physical assault.
- Single Plaintiff.

- Basic facts: Plaintiff's son was getting off his junior high school bus when the bus driver intentionally closed the door on his backpack. Plaintiff's son is biracial and alleges racial animus, pointing to a history of racial harassment and bullying by the driver toward her son and other students. The boy was pinned to the outside of the door as the bus drove about 150 feet but was not seriously injured.
- Cause of action: Constitutional claim under 42 U.S.C. § 1983.
- Plaintiff's Attorney: Alyson McAllister, Christopher Sorensen, and Robert Sykes of Sykes McAllister Law Offices (Salt Lake City, UT).
- More Information: <https://www.usatoday.com/story/news/nation/2019/07/19/school-bus-dragging-case-utah-family-wins-settlement-district/1776915001/> ; <https://www.courtlistener.com/docket/15065136/mayes-v-davis-school-district/>

### ***Phan v. Granite School District, DOE (2013)***

- Settlement: Undisclosed amount and injunctive relief (pre-suit).
- Injunctive Relief: Expanded definition of what gender harassment means, among other assurances to combat bullying.
- Single Plaintiff.
- Harassment/Injuries: Anti-gay harassment, suicide.
- Basic Facts: 14-year-old gay teen shot himself in front of other students near school because he had been bullied. He had been released from school early that day but returned to commit suicide. School previously looked into reports of the student's bullying and had determined that he was doing well but had issues at home.
- Causes of Action: Not applicable.
- Plaintiff's Attorney: Unknown.
- More Information: <http://www.lgbtqnation.com/2014/09/settlement-reached-in-case-of-bullied-gay-teen-who-committed-suicide/>.

## **VERMONT**

### ***Atkins v. City of Burlington School District, No. S0463-11 CnC (Vt. Sup. Ct. Chittenden Civil Div. 2012)***

- Settlement: \$25,000 and injunctive relief.
- Injunctive Relief: School district's equity director will work with bullying victim to make presentations to students about bullying and harassment; district will update anti-bullying policy; and school board will consider establishing other anti-bullying resources.
- Harassment/Injuries: Physical assault and verbal harassment.
- Single Plaintiff.
- Basic Facts: Student was taunted throughout his first year in middle school. The school made some accommodations after complaints by his mother, but the student was later assaulted on the school bus by a girl with a history of altercations with other students, especially on the bus. He ended up with a broken arm after the assault.
- Cause of action: State tort law.
- Plaintiff's Attorney: Unknown.
- More Information: <http://www.burlingtonfreepress.com/article/20121219/NEWS02/312190023/Family-settles-bullying-lawsuit-against-Burlington-School-District>.

### ***Doe v. Milton High School (2020)***

- Verdict: \$280,000.
- Harassment/Injuries: Anal penetration.
- Single Plaintiff.
- Basic Facts: Several members of the high school football team penetrated a freshman boy's rectum with a pool cue at a team dinner hosted at a private residence the night before a game. The school allegedly knew of other incidents of homophobic bullying but did nothing to intervene.
- Cause of Action: Negligence.
- Plaintiff's Attorney: Jeffrey O'Neill.
- More information: <https://vtdigger.org/2019/11/22/milton-student-wins-280000-in-negligence-lawsuit-against-school-district/>.

## **VIRGINIA**

### ***Doe v. Fairfax County School Board, No 1:18-cv-614 (E.D. Va. 2019)***

- Jury Verdict: Verdict for school board; reversed on appeal.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Jane Doe was sexually assaulted at age 16 by an older classmate on a bus during the first night of a five-day Oakton High School band trip. Although at least two students reported the sexual assault to school administrators and employees soon after it happened, the school board ignored these reports during the remainder of the trip and never once checked in with Jane Doe to offer or provide assistance, explain her rights and options, or ensure that she and other students on the trip were safe. Jane Doe and her mother reported the sexual assault after the trip. School officials conducted a slipshod investigation, asked Jane Doe victim-blaming questions, threatened her with punishment, and never informed her or her parents of the investigation's result. After an eight-day trial, a jury found Doe was sexually harassed and that the experience deprived her of educational access, but it found the school board was not liable because it lacked "actual knowledge" of what had occurred. Because the jury did not find "actual knowledge," it did not address whether the school board acted with "deliberate indifference" to Doe's harassment. The U.S. Court of Appeals for the Fourth Circuit vacated the jury verdict and remanded for a new trial. The school board filed a cert. petition with the Supreme Court.
- Cause of Action: Title IX claim.
- Plaintiff's Attorneys: Linda Correia and Lauren Khouri of Correia & Puth (Washington, DC); Adele Kimmel and Alexandra Brodsky of Public Justice (Washington, DC); John Ates of The Ates Law Firm (VA).
- More Information: [https://www.publicjustice.net/case\\_brief/doe-v-fairfax-county-school-board/](https://www.publicjustice.net/case_brief/doe-v-fairfax-county-school-board/); [https://www.washingtonpost.com/local/public-safety/jury-sides-with-fairfax-schools-in-case-of-alleged-sexual-assault-on-band-trip/2019/08/09/e03d963c-b9e7-11e9-a091-6a96e67d9cce\\_story.html](https://www.washingtonpost.com/local/public-safety/jury-sides-with-fairfax-schools-in-case-of-alleged-sexual-assault-on-band-trip/2019/08/09/e03d963c-b9e7-11e9-a091-6a96e67d9cce_story.html); [http://www.fairfaxtimes.com/articles/fairfax\\_county/fcps-prevails-in-sexual-harassment-lawsuit/article\\_b4a80a1e-c065-11e9-b06b-5b5bc5ab87c1.html](http://www.fairfaxtimes.com/articles/fairfax_county/fcps-prevails-in-sexual-harassment-lawsuit/article_b4a80a1e-c065-11e9-b06b-5b5bc5ab87c1.html)

## **WASHINGTON**

### ***A.K. v. Shoreline School District No. 412, No. 11-cv-01521-JLR (W.D. Wa. 2011)***

- Settlement: \$160,000.

- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Five-year-old girl was forced to inappropriately touch two classmates and was later expelled.
- Cause of Action: Claim under state tort law.
- Plaintiff's Attorneys: Judith A. Lonnquist, Susan B. Mindenbergs of Seattle, WA.
- More Information: <http://www.lexisnexis.com/legalnewsroom/litigation/b/jverdicts/archive/2013/05/08/failure-to-prevent-bullying-can-prove-costly-to-school-districts.aspx>

***A.L. v. Seattle Public Schools (King Cnty. Sup. Ct. Filed Dec. 31, 2020)***

- Settlement: \$3,000,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff, a high school student, was routinely sexually abused by a school soccer and basketball coach over three years. The defendant school district knew that the assailant in question had a history of inappropriate and boundary-crossing interactions with students when the defendant school district hired her.
- Cause of Action: Unknown.
- Plaintiff's Attorneys: Unknown.
- More Information: <https://www.seattletimes.com/education/lab/seattle-schools-settles-sexual-abuse-lawsuit-for-3-million/>; <https://www.kiro7.com/news/local/seattle-public-schools-settles-sexual-abuse-lawsuit-3-million/NGXHC6MJABFRPL2EUB3HXGFKHQ/>.

***A.M. v. Enumclaw School District (King Cty. Sup. Ct. 2016)***

- Settlement: \$295,000.
- Harassment/Injuries: Verbal and physical harassment.
- Single Plaintiff.
- Basic Facts: Middle school student was harassed by other students for two years, with little intervention by school officials. He endured regular name-calling, shoving, hitting, and assault. During a social event at school, a group of students surrounded the victim, then kicked him and hit him in the mouth while another student videotaped it. The victim suffered a bloody nose, bruised ribs, and broken braces in the assault.
- Cause of Action: Unknown, but appear to under state tort law.
- Plaintiff's Attorney: Yvonne Kinoshita Ward, Auburn, WA.
- More Information: <http://www.courierherald.com/news/369833401.html>; <http://komonews.com/news/local/bullied-teen-sues-enumclaw-school-district-for-12m>.

***Berg ex rel. C.K.M. v. Bethel School District, No. C18-5345, 2022 WL 1591286 (W.D. Wash. May 19, 2022)***

- Jury Verdict: \$500,000 plus \$964,464 in attorney fees and costs.
- Harassment/Injuries: Sexual harassment and sexual assault.
- Single Plaintiff.
- Basic Facts: C.K.M, a disabled high school student, was sexually abused by a disabled classmate. This classmate had a known history of sexually abusing other disabled students. Though school staff knew that the classmate had attempted to kiss C.K.M and take her into the

bathroom, they kept the two students in the same class, where the classmate took advantage of her proximity to C.K.M. to sexually harass and assault her.

- Causes of Action: Negligence, Violation of Washington’s Law Against Discrimination, 42 U.S.C. § 1983 state-created danger claim, 42 U.S.C. § 1983 Equal Protection Clause claim, 42 U.S.C. § 1983 claim for violation of Title IX.
- Plaintiff’s Attorneys: Loren A. Cochran and Nicholas B. Douglas of Cochran Douglas in Tacoma, Washington
- More information: <https://www.king5.com/article/news/local/jury-awards-500000-to-bethel-high-school-special-education-student-who-was-abused-by-classmate/281-bff461c2-5a09-46ac-960d-a26bcb8582ec>

***C.D. v. Issaquah School District No. 411, No. 20-2-07550-7-SEA (Wash. Super. Ct. 2021)***

- Settlement: \$4.25 million.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Drama teacher groomed and repeatedly sexually assaulted plaintiff.
- Causes of Action: Negligence, gross negligence, outrage, and strict liability for gender-based public accommodation discrimination under Washington Law Against Discrimination, RCW § 49.60.215.
- Plaintiff’s Attorneys: Darrell L. Cochran, Kevin M. Hastings, and Michael D. McNeil of Pfau Cochran Vertetis Amala, Tacoma, WA.
- More information: <https://www.seattletimes.com/seattle-news/issaquah-school-district-agrees-to-massive-4-25-million-sexual-assault-settlement/>.

***Dickerson v. Aberdeen School District No. 5, No. 10-cv-05886-BHS (W.D. Wa. 2010)***

- Settlement: \$100,000 for plaintiff; \$35,000 for attorneys’ fees.
- Harassment/Injuries: Racial harassment; anti-gay sexual harassment.
- Single Plaintiff.
- Basic Facts: A student faced severe and pervasive harassment during middle and high school because of his race and perceived sexual orientation. Fellow students created a website impersonating and mocking plaintiff and posting harassing and racist comments about him, including a threat to lynch him. In a separate incident, students modified a photograph of plaintiff to make it look as if he were kissing another man. The photo was posted in the school locker room and transmitted between students through their cell-phones. Students hurled a litany of gay slurs and variations of the “N” word at him, taping the derogatory words to his back, backpack and locker. Students also pushed him, spit on his lunch tray, and smashed a raw egg on his head.
- Causes of Action: Title VI claim for deliberate indifference to racial harassment; Title IX claim for deliberate indifference to sexual harassment; claim under Washington Law Against Discrimination; state tort claims.
- Plaintiff’s Attorneys: Sarah A. Dunne and M. Rose Spidell, ACLU of Washington; Michael R. Scott; Joseph A.G. Sakay, Alexander Wu, Seattle, WA.
- More Information: <http://www.aclu-wa.org/sites/default/files/attachments/2010-12-07--Complaint%20Against%20Def%20Aberdeen%20SD.pdf>;  
[http://seattletimes.com/html/localnews/2017346456\\_bullied27m.html](http://seattletimes.com/html/localnews/2017346456_bullied27m.html).

***Doe v. Franklin Pierce School District (King Cty. Super. Ct. 2018)***

- Settlement: \$2.45 million (\$1.5 million from Seattle Archdiocese; \$950,000 from Franklin Pierce School District).
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually abused by a former teacher at his elementary school in the early 1980s. The archdiocese allegedly knew the teacher had abused students in their private school system before he moved to the public school system, but failed to report him despite state law. Franklin Pierce School District received multiple reports that this teacher was abusing students, but failed to remove him or report him to law enforcement.
- Causes of Action: Title IX claim; state tort claim.
- Plaintiff's Attorney: Michael Pfau.
- More information: <https://komonews.com/news/local/sex-abuse-victim-reaches-24-million-settlement-with-archdiocese-school-district>

***Doe v. Marysville School District (Snohomish Cnty. Sup. Ct. Filed 2021)***

- Settlement: \$3.5 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually abused by a middle school teacher in the 1980s. The abuse derailed her academic performance in high school. The plaintiff further alleged that the perpetrator sexually abused other students as well.
- Causes of Action: Washington state Law Against Discrimination, possibly others.
- Plaintiff's Attorney: Ashton K. Dennis
- More information: <https://www.heraldnet.com/news/longtime-marysville-teacher-accused-of-sex-abuse-in-1980s/>; <https://www.insurancejournal.com/news/west/2021/03/26/606487.htm>; <https://www.heraldnet.com/news/judge-sex-abuse-of-former-marysville-student-violated-law/>; <https://www.heraldnet.com/news/marysville-to-pay-3-5m-to-former-students-for-alleged-sex-abuse/>.

***Doe v. Marysville School District (Snohomish Cnty. Sup. Ct. 2021)***

- Settlement: \$1 million.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: Plaintiff was sexually abused by a middle school teacher in the 1980s. The abuse derailed his academic performance in high school. The case, filed decades after the abuse, was able to proceed because of Washington law which allows for victims of childhood sexual abuse to seek compensation when they discover the abuse caused injury. Marysville School District has faced a number of similar suits for abuse by the same longtime art teacher.
- Causes of Action: Unknown.
- Plaintiff's Attorney: Ashton K. Dennis of Washington Law Center in Tacoma, Washington.
- More information: <https://www.heraldnet.com/news/marysville-to-pay-1m-to-another-former-student-for-alleged-sex-abuse/>

***Doe v. Puyallup School District (Pierce Cty. Super. Ct. 2019)***

- Settlement: \$1.5 million.
- Harassment/Injuries: Sexual abuse.

- Single Plaintiff.
- Basic facts: A seventh-grade student at Kalles Junior High School during the 1995-96 school year was invited, along with other young boys, to spend the night at the gym teacher's home. The teacher sent love letters to and repeatedly abused multiple boys, including the plaintiff, over several years, despite at least one report by plaintiff's father. After that report, the teacher was ordered not to have one-on-one contact with plaintiff, but was later allowed to chaperone his out-of-town school trip.
- Cause of action: Unknown.
- Plaintiff's Attorney: Julie Kays of Connelly Law Offices (Tacoma, WA).
- More Information: <https://www.thenewstribune.com/news/local/article233173306.html>

***Doe v. Renton School District (2020)***

- Settlement: \$325,000.
- Harassment/Injuries: Verbal harassment; physical assault.
- Single Plaintiff.
- Basic Facts: 11-year old girl with disability bullied by male peer with a history of violent behavior. Despite reports and complaints from the victim, her parent, other students, and staff, the school failed to take appropriate action to protect the victim. The harassment escalated until the bullying escalated to physical assault that resulted in six fractured teeth and a concussion.
- Plaintiff's Attorney: Jinju Park.
- Causes of Action: Negligence, claims under Washington Law Against Discrimination and Equal Educational Opportunity Law for deliberate indifference to a hostile educational environment.

***Doe v. Seattle Public Schools (U.S. Dep't of Educ. Office for Civil Rights, Seattle Regional Office, 2014)***

- Settlement: \$700,000.
- Harassment/Injuries: Sexual violence (rape).
- Single Plaintiff.
- Basic Facts: High school sophomore alleged that she was raped by classmate during an overnight school field trip. She immediately reported the rape to school officials. Police investigated but did not pursue criminal charges. Parents filed complaint with OCR in Seattle alleging that school district's failure to follow proper investigatory and disciplinary procedures violated Title IX.
- Cause of Action: Sex-based discrimination under Title IX. (The family also filed a separate tort claim against the school district.)
- Plaintiff's Attorney: Jeffrey R. Caffee of Van Sicien Stocks Firkins in Auburn, WA (represented family on tort claim).
- More information: <http://www.seattletimes.com/seattle-news/700000-settlement-reached-in-garfield-high-field-trip-case/>; <http://stopsexualassaultinschools.org/wp-content/uploads/2015/03/OCR-Complaint-opened-June-2014-sept-24.pdf>.

***J.N., et al. v. University Place School District, 2021 WL 5167204 (filed in 2021)***

- Settlement: \$4.2 million.
- Harassment/Injuries: Sexual abuse.
- Multiple Plaintiffs (six).
- Basic Facts: The school hired a wrestling coach who had previously been convicted of two counts of molesting minors. The wrestling coach ended up abusing six victims at this school. The lawsuit alleged that the school did not properly vet him before hiring.

- Causes of Action: Negligence, Washington Law Against Discrimination.
- Plaintiffs' Attorneys: Michael Pfau, Vincent Nappo, and Benjamin Watson of PCVA Law; Ashton Dennis of Washington Law Center.
- More Information: <https://www.kiro7.com/news/local/university-place-school-district-pays-42m-sexual-abuse-lawsuits/3SEU9WEJ6YNEVHI5UFQ2UKBSM2Q/>

***Doe v. Walla Walla School District (Filed 2021)***

- Settlement: \$333,000.
- Harassment/Injuries: Sexual abuse.
- Single Plaintiff.
- Basic Facts: A 12-year-old middle school student was sexually abused by her band teacher. Several years before the plaintiff attended the school, the abusive teacher had been accused of “inappropriate touching” by another student. The suit settled when the plaintiff accepted an offer of judgment.
- Plaintiff's Attorney: Darrell L. Cochran of Tacoma, Washington.
- Causes of Action: Unknown.
- More Information: [https://www.union-bulletin.com/news/local/courts\\_and\\_crime/walla-walla-school-district-to-pay-333k-in-lawsuit-alleging-it-failed-to-protect-student/article\\_e1d81f7c-0525-11ec-a292-bffdbdc13e0e.html](https://www.union-bulletin.com/news/local/courts_and_crime/walla-walla-school-district-to-pay-333k-in-lawsuit-alleging-it-failed-to-protect-student/article_e1d81f7c-0525-11ec-a292-bffdbdc13e0e.html); [https://www.union-bulletin.com/news/courts\\_and\\_crime/lawsuit-alleges-walla-walla-school-district-failed-to-protect-student-from-sexual-harassment/article\\_60b599f4-e3f8-11eb-94da-df0aa61150f7.html](https://www.union-bulletin.com/news/courts_and_crime/lawsuit-alleges-walla-walla-school-district-failed-to-protect-student-from-sexual-harassment/article_60b599f4-e3f8-11eb-94da-df0aa61150f7.html).

***I.V. v. Wenatchee School District No. 246, No. 17-cv-00118 (E.D. Wa. 2018)***

- Settlement: \$37,500 (\$17,000 to attorney).
- Harassment/Injuries: Bullying; physical assaults; eating disorder.
- Single Plaintiff (and parents).
- Basic Facts: Twelve-year-old boy was subjected to constant taunts, physical assaults, and emotional abuse from fellow middle school student, which led boy to develop an eating disorder, causing him to suffer catastrophic organ damage.
- Cause of Action: Title IX claim; equal protection claim under § 1983; negligence.
- Plaintiff's Attorney: Scott Andrew Volyn, Volyn Law Firm, Wenatchee, WA.
- More Information: [http://www.ifiberone.com/columbia\\_basin/wenatchee-schools-to-pay-to-victim-of-long-term-bullying/article\\_af90f1f6-0d2a-11e9-bd8e-279ab1093207.html](http://www.ifiberone.com/columbia_basin/wenatchee-schools-to-pay-to-victim-of-long-term-bullying/article_af90f1f6-0d2a-11e9-bd8e-279ab1093207.html).

***Iversen v. Kent School District, No. 97-cv-01194-WLD (W.D. Wa. 1997)***

- Settlement: \$40,000 and injunctive relief.
- Injunctive relief: School district required to enforce its anti-harassment policies; train teachers and administrators about student-on –student harassment and discrimination based on sexual orientation.
- Harassment/Injuries: Anti-gay verbal and physical harassment.
- Single Plaintiff.
- Basic Facts: High school student suffered ongoing verbal and physical harassment because of his perceived sexual orientation. Eight classmates severely beat him while yelling “faggot” and “queer.” Although approximately thirty students watched the beating, none intervened. One teacher allegedly told plaintiff, “I already have 20 girls in my class. I don’t need another.” Another teacher publicly questioned whether he was qualified to give blood, based on the perception that he was gay.

- Cause of Action: Claim under 42 U.S.C. § 1983 alleging equal protection violation.
- Plaintiff's Attorney: ACLU–Washington.
- More Information: <http://aclu-wa.org/news/settlement-reached-harassment-gay-student>.

***J.R. & S.R. v. Mt. Adams School District No. 209, No. 1620281739 (Yakima Cty. Super. Ct. 2019)***

- Jury Verdict: \$12,500 (for emotional trauma of one plaintiff).
- Harassment/Injuries: Sexual harassment; physical assault.
- Two Plaintiffs.
- Basic facts: Two brothers were repeatedly verbally harassed with sexualized comments over the course of at least one year. The school failed to intervene or to notify the boys' parents of the verbal harassment, which escalated to physical assault on more than one occasion. One of the boys received a death threat from another student. The principal made excuses for one of the perpetrators, refusing to investigate one report because it would have "spoil[ed] his Friday."
- Cause of action: State tort and statutory claims, including negligence. (Verdict in favor of one plaintiff on negligence claim only.)
- Plaintiff's Attorney: Yvonne Kinoshita Ward (Auburn, WA).
- More Information: [https://www.yakimaherald.com/news/crime\\_and\\_courts/jurors-find-mt-adams-school-district-negligent-in-handling-bullying/article\\_cb771854-e10f-5ca0-9a14-fc3a3d99ff48.html](https://www.yakimaherald.com/news/crime_and_courts/jurors-find-mt-adams-school-district-negligent-in-handling-bullying/article_cb771854-e10f-5ca0-9a14-fc3a3d99ff48.html)

***Keenan v. Central Valley School District (2016)***

- Settlement: \$2.5 million.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic facts: Plaintiff was raped by her sixth grade teacher several times after school. She did not report the rapes immediately, but when he snapped her bra strap in class one day, she reported that out of fear it meant another assault was coming. The teacher was placed on paid leave and issued a formal reprimand but then continued to teach. He had faced reprimand several times for violent outbursts and for giving inappropriate attention to girls in his class. Plaintiff reported the rapes three years later.
- Cause of action: Unknown.
- Plaintiff's Attorney: Richard Eymann.
- More Information: <https://www.spokesman.com/stories/2016/apr/07/former-central-valley-student-awarded-25-million-f/>

***Menefee v. Tacoma School District No. 10, No. 18-2-07020-7 (Pierce Cty. Super. Ct. 2018)***

- Settlement: \$1.2 million.
- Harassment/Injuries: Sexually inappropriate touching; sexual assault.
- Single Plaintiff.
- Basic Facts: Kindergartener was repeatedly sexually abused by a classmate both in the classroom and at recess. Teacher found student undressed with sexually aggressive student, but didn't inform her parents.
- Causes of Action: Negligence, negligent infliction of emotional distress, outrage, failure to report
- Plaintiff's Attorney: Darrell L. Cochran of Pfau Cochran Vertetis Amala Attorneys at Law in Seattle, WA.
- More Information: <https://www.thenewstribune.com/news/local/article212610129.html>.

***R.P. v. Seattle School District, No. C13-2218 MJP, 2015 WL 418001 (W.D. Wash., 2015)***

- Settlement: \$249,999.
- Harassment/Injuries: Sexual harassment and assault.
- Single Plaintiff.
- Basic Facts: While plaintiff was a sixth grade student at Eckstein Middle School, her computer teacher made inappropriate comments about her body on several occasions, stared inappropriately at her in class, and reportedly requested she stay after school. Plaintiff reported her discomfort and the conduct to school administrators, who engaged in a cursory investigation and took no remedial action. The teacher physically restrained Plaintiff against a wall, pressing his body up against hers. Plaintiff struggled in school due to the hostile environment, especially given administrators kept her in the teacher's class.
- Causes of Action: Title IX claim; negligence claim; negligent infliction of emotional distress claim.
- Plaintiff's Attorneys: Damisi Velasquez and Lincoln Beauregard.
- More Information: <https://www.seattletimes.com/seattle-news/seattle-schools-settles-sex-abuse-case-for-nearly-250k/>

***S.H. v. Vashon Island School District, No. 2:16-cv-00567 (W.D. Wash. 2016)***

- Settlement: \$340,000, including attorney's fees.
- Harassment/Injuries: Sexual harassment; harassment based on sexual orientation; disability-based harassment.
- Multiple Plaintiffs (two).
- Basic Facts: Two middle school girls with disabilities were subjected to constant verbal sexual harassment and threats by male students. One of the girls was also harassed by students, teachers, and administrators for being openly gay.
- Causes of Action: Title IX claim for sex discrimination; claims for disability discrimination under Americans with Disabilities Act and §504 of Rehabilitation Act; §1983 claim of sex discrimination for violating Equal Protection Clause of Fourteenth Amendment.
- Plaintiffs' Attorney: Jeannette Cohen, Bellevue, WA.
- More Information: <http://www.vashonbeachcomber.com/news/vashon-school-district-settles-with-families-who-filed-harassment-lawsuit/>.

***Webster v. Bainbridge Island School District, No. 10-2-00346-2 (Kitsap Cty. Sup. Ct. 2013)***

- Judgment: \$300,000.
- Harassment/Injuries: Sexual assault and harassment.
- Single Plaintiff.
- Basic Facts: Over a five-month period, four upperclassmen exposed their genitals approximately 75 times to a severely developmentally delayed 14-year-old student with Asperger's Syndrome. The upperclassmen rubbed and thrust their genitals against the student, chased him with their genitals exposed when he resisted, and made lewd sexual comments to the plaintiff. The school took little action to end the harassment even after the student's mother complained to school officials between 10 and 12 times.
- Causes of Action: Title IX claim for deliberate indifference to peer-on-peer harassment; state tort law claim.
- Plaintiff's Attorneys: Tom Vertetis and Elizabeth Calora, Tacoma, Washington.

- More Information: <http://www.insidebainbridge.com/2013/10/29/bainbridge-school-district-found-guilty-of-negligence-in-student-sexual-bullying-case/>; <http://www.bisd303.org/Page/8564>.

***W.H. v. Olympia Sch. Dist., C16-5273 BHS, 2021 WL 11775413 (W.D. Wash. Nov. 10, 2021)***

- Judgment: \$7.5 million.
- Harassment/Injuries: Staff-on-student sexual abuse.
- Multiple plaintiffs (three students).
- Basic Facts: Complaint accused the district and former officials of hiring a bus driver without a proper background check. The bus driver began to “ride along” on bus rides that were not his own, to sit with young girls and children with special needs. The bus driver sexually abused dozens of young students along his routes. The school knew about these “ride alongs” but did not investigate further. After learning about the molestations, the school took no steps to identify which students had been abused or provide any support to them.
- Causes of Action: § 1983, Title IX, state law claims of negligence, negligent infliction of emotional distress, outrage, and loss of consortium, Washington Law Against Discrimination
- Plaintiffs’ Attorneys: Darrell Cochran of Pfau Cochran Vertetis Amala of Tacoma and Seattle, WA.
- More Information: <https://www.theolympian.com/news/local/article270527872.html>

## **WEST VIRGINIA**

***B.S.B. ex rel. Z.B. v. Kanawha County Board of Education, No. 12-C-2097 (Kanawha Cty. Cir. Ct. 2019)***

- Settlement: \$27,500.
- Harassment/Injuries: Physical assault.
- Single Plaintiff.
- Basic facts: A Kanawha County student was physically assaulted in a 2017 school bus bullying incident that resulted in her losing her two front teeth.
- Cause of action: Negligence.
- Plaintiff’s Attorney: Unknown.
- More Information: <https://wchstv.com/news/local/school-board-settles-with-student-over-bullying-incident>

## **WISCONSIN**

***A.W. v. Kiel Area School District, No. 1:22-cv-1178 (E.D. Wis. 2022)***

- Settlement: Unknown monetary settlement. Injunctive relief included district hiring outside consultant to educate staff and students about responding to racism and harassment.
- Harassment/Injuries: Racial harassment.
- Single Plaintiff.
- Basic Facts: Plaintiff, who is Black, experienced race-based verbal harassment from teammates in a rural Wisconsin school. For example, his teammates called him a “criminal” because he was Black, and multiple classmates called him the n-word. The lawsuit alleged the school failed to implement a corrective action plan, as well as failing to intervene or respond in any other reasonable way.
- Cause of Action: Title VI.

- Plaintiff's Attorneys: Elisabeth Lambert, ACLU of Wisconsin
- More Information: [https://captimes.com/news/attack-on-critical-race-theory-ignores-bullying-of-black-student/article\\_48687408-d843-5549-b1af-97d7a39e9d9d.html](https://captimes.com/news/attack-on-critical-race-theory-ignores-bullying-of-black-student/article_48687408-d843-5549-b1af-97d7a39e9d9d.html).

***Banks v. Baraboo School District, No. 3:20-cv-36 (D. Wis. 2020)***

- Settlement: \$862,500.
- Harassment/Injuries: Verbal race- and sex-based harassment, including assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, who is Black, experienced race-based verbal harassment – including other students prominently displaying Confederate flags – starting in the first grade. In middle school, students continued to verbally harass the plaintiff, including by calling her the n-word. In one incident, the plaintiff received a letter in her gym locker threatening her, calling her the n-word and calling her a “slut.” The school did not take any steps in response to this incident. Later, a white male student physically shoved the plaintiff in school hallways multiple times, and the verbal race-based harassment from other students continued throughout the plaintiff's high school experience, causing the plaintiff to experience mental health issues, including an eating disorder.
- Cause of Action: Title IX; Title VI.
- Plaintiff's Attorneys: Paul A. Kinne and Mark L. Thomsen, Gringas Thomsen & Wachs LLP, Madison, WI.
- More Information: <https://apnews.com/article/wisconsin-education-lawsuits-discrimination-race-and-ethnicity-6e054e52573861d5c59fe7a6142e82d4>  
[https://www.wiscnews.com/news/local/education/local\\_schools/baraboo-school-district-settles-for-862-500-with-former-student-alleging-racism-sexual-assaults/article\\_c0051bd4-e342-5434-9ba4-3053401a0310.html?utm\\_medium=social&utm\\_source=undefined\\_BDCitizen](https://www.wiscnews.com/news/local/education/local_schools/baraboo-school-district-settles-for-862-500-with-former-student-alleging-racism-sexual-assaults/article_c0051bd4-e342-5434-9ba4-3053401a0310.html?utm_medium=social&utm_source=undefined_BDCitizen)

***Hardy v. Racine Unified School District (Racine Cty. Cir. Ct. 2012)***

- Settlement: \$15,000.
- Harassment/Injuries: Physical and verbal harassment.
- Single Plaintiff.
- Basic Facts: Classmates verbally and physically harassed kindergarten student. The boy was punched in the stomach and nose, pushed under tables, spit on, and strangled to the point where he could not breathe. Parents complained to the school, but the school took no action. Parents withdrew the boy from school and home-schooled him for the rest of the year.
- Cause of Action: Unknown.
- Plaintiff's Attorney: Timothy S. Knur of Racine, WI.
- More Information: <http://fox6now.com/2012/03/27/family-receives-bullying-settlement-from-racine-school-district/> ; [http://journaltimes.com/news/local/family-files-bullying-suit-against-racine-unified/article\\_2b35ce8a-e95c-11e0-9f90-001cc4c002e0.html](http://journaltimes.com/news/local/family-files-bullying-suit-against-racine-unified/article_2b35ce8a-e95c-11e0-9f90-001cc4c002e0.html).

***Kleist v. Wisconsin Rapids Public School District, No. 13-CV-00094-BBC (W.D. Wis. 2014)***

- Settlement: \$100,000.
- Harassment/Injuries: Sexual and verbal abuse because of a student's disability.
- Single Plaintiff.
- Basic Facts: Student with physical and cognitive disabilities, including 20/200 vision, deafness, developmental delays, and tremors experienced sexual and verbal abuse by members of the high school wrestling team. School officials did not take any steps to address the harassment.

- Causes of Action: Unspecified violations of the 14th Amendment; violations under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
- Plaintiff's Attorneys: Christine Muggli, Wausau, WI; Paul Gagliardi, Salem, WI.
- More Information: <http://www.waow.com/story/25868850/2014/06/25/wisconsin-rapids-bullying-lawsuit-settled>.

***Nabozny v. Podlesny*, 92 F.3d 446 (7th Cir. 1996)**

- Settlement: \$962,000 (after jury found school officials liable, but before it determined amount of damages).
- Harassment/Injuries: Anti-gay harassment, including assaults; plaintiff hospitalized and attempted suicide.
- Single Plaintiff.
- Basic Facts: Student subjected to relentless anti-gay physical and verbal abuse by fellow middle and high school students for years. Students urinated on him, pretended to rape him during class, and when they found him alone kicked him so many times in the stomach that he required surgery. Although they knew of the abuse, school officials said at one point that plaintiff should expect it if he's gay. Plaintiff attempted suicide several times, dropped out of school, and ultimately ran away from home.
- Causes of Action: Claims under 42 U.S.C. § 1983, alleging equal protection and due process violations. (Note: This was the first legal challenge to anti-gay violence in public schools.)
- Plaintiff's Attorneys: Lambda Legal Defense and Education Fund (Patricia Logue, David Buckel); cooperating counsel from Skadden, Arps in Chicago (David Springer)
- More Information: <http://www.lambdalegal.org/in-court/cases/nabozny-v-podlesny>.

***Whitaker v. Kenosha Unified School District*, 858 F.3d 1034 (7th Cir. 2017).**

- Settlement: \$800,000 (\$650,000 in attorneys' fees).
- Harassment/Injuries: Sex discrimination against transgender boy.
- Single Plaintiff.
- Basic Facts: Ashton Whitaker, a transgender boy, requested during his sophomore year at George Nelson Tremper High School that he be permitted to use the boys' bathroom at school. The school rejected his request, telling him instead that he could use either the girls' bathroom or the gender-neutral bathroom in the school's office. Ashton suffers from vasovagal syncope, a condition that makes Ashton susceptible to fainting and seizures if dehydrated. Because he felt that using the girls' bathroom would undermine his transition and using the gender-neutral bathroom would draw attention to his status as a transgender student, Ashton restricted his water intake so he would not have to use the bathroom at all at school. Ashton began to contemplate suicide and feared for his safety as the controversy drew more attention to his transgender status.
- Causes of Action: Title IX claim; equal protection claim under § 1983.
- Plaintiff's Attorneys: Robert Theine Pledl of Pledl & Cohn, Milwaukee, WI; Joseph John Wardenski, and Sasha Samberg-Champion of Relman, Dane & Colfax PLLC, Washington, D.C.; Shawn Meerkamber and Ilona M. Turner of Transgender Law Center, Oakland, CA.
- More Information: <http://www.newsweek.com/transgender-student-won-800000-his-school-banning-him-boys-bathroom-777443>; <https://www.hercampus.com/news/wisconsin-high-school-settling-discrimination-lawsuit-after-allegedly-monitoring-trans-students>; Complaint at 2016 WL 10951088.

## **WYOMING**

### ***Doe v. Teton County School District No 1 Board of Trustees, No. 1:20-CV-00110 (D. Wyo. 2020)***

- Settlement: \$270,000.
- Harassment/Injuries: Sexual assault, verbal sexual harassment, and retaliation.
- Single Plaintiff.
- Basic Facts: Plaintiff, a high school student, was raped by another student. The plaintiff then fell into a deep depression and began cutting herself and experiencing suicidal ideation. During this time, another male student harassed and bullied plaintiff at school on the basis of her sex. After plaintiff reported her rape to the school, her rapist and his friends began to sexually harass plaintiff by “taunting her and spreading sexualized rumors about her.” These students also falsely reported to school administrators that the plaintiff had committed various disciplinary infractions, and as a result, school administrators investigated and punished plaintiff based on the false allegations.
- Causes of Action: Title IX Post-Report Deliberate Indifference; Title IX Retaliation; Section 1983 Sex-Based Disparate Treatment and Impact; Section 1983 Failure to Train.
- Plaintiff’s Attorneys: Kaden Canfield and Jack D. Edwards, Edwards Law Office, Etna, WY.
- More Information: [https://trib.com/news/state-and-regional/crime-and-courts/teton-county-schools-pay-quarter-million-dollar-settlement-in-mishandled-sexual-assault-lawsuit/article\\_85f75518-47e6-5ef1-991a-6869e3ad50dd.html](https://trib.com/news/state-and-regional/crime-and-courts/teton-county-schools-pay-quarter-million-dollar-settlement-in-mishandled-sexual-assault-lawsuit/article_85f75518-47e6-5ef1-991a-6869e3ad50dd.html)  
[https://www.jhnewsandguide.com/news/cops\\_courts/school-district-settles-case-over-title-ix-violations-and-its-handling-of-reported-rapes/article\\_15b645ea-8e93-5f7b-adcf-0c8a111b70dd.html](https://www.jhnewsandguide.com/news/cops_courts/school-district-settles-case-over-title-ix-violations-and-its-handling-of-reported-rapes/article_15b645ea-8e93-5f7b-adcf-0c8a111b70dd.html)

### ***E.G. v. Laramie County School District #1, No. 14-cv-00220-SWS (D. Wyo. 2016)***

- Settlement: Unknown.
- Harassment/Injuries: Sexual assault; subsequent verbal harassment and physical assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, a female high school student, was raped at school by an older male student. She reported the rape the next day to the school’s vice principal, but he failed to properly investigate. The perpetrating student told school officials he had sex and smoking marijuana with plaintiff. The school suspended plaintiff for using marijuana, without any substantiation other than the perpetrator’s word, and expelled the perpetrator for drug use. It did little to investigate the rape allegations and encouraged plaintiff not to press criminal charges because of the impact it would have on the accused student. Plaintiff was subsequently bullied by others who accused her of making false allegations. She was publicly admonished by a teacher, verbally abused by other students, and physically assaulted by a student, causing two broken ribs. The school took no action to prevent or address this subsequent bullying and retaliation.
- Causes of Action: Title IX claim for deliberate indifference to sexual harassment and retaliation; claims under 42 U.S.C. § 1983 for violations of Equal Protection and Due Process Clauses.
- Plaintiff’s Attorneys: Robert J. Reese of Green River, WY.
- More Information: [http://www.wyomingnews.com/news/cheyenne-south-student-s-rape-lawsuit-settles-out-of-court/article\\_7cd86be0-173c-11e6-bf48-478f5f9572e7.html](http://www.wyomingnews.com/news/cheyenne-south-student-s-rape-lawsuit-settles-out-of-court/article_7cd86be0-173c-11e6-bf48-478f5f9572e7.html).

### ***Gray v. Natrona County School District No. 1, No. 10-cv-0099-NDF (D. Wyo. 2011)***

- Settlement: \$60,000.
- Harassment/Injuries: Physical and verbal harassment.

- Single Plaintiff.
- Basic Facts: Second-grade girl was verbally and physically harassed for months by a male classmate with a known history of assaulting others. The bully forced the girl to look at his underwear, punched her in the face, threw rocks at her, and pushed her off the monkey bars.
- Causes of Action: Claims under Title IX for deliberate indifference to peer harassment; 42 U.S.C. § 1983 for violation of Equal Protection Clause.
- Plaintiff's Attorneys: Frank Chapman and John H. Robinson of Casper, WY
- More Information: [http://trib.com/news/local/casper/parents-plan-to-donate-settlement-money-to-anti-bullying-effort/article\\_1c8d8187-a7e0-5786-b8af-b0ac646b25ab.html](http://trib.com/news/local/casper/parents-plan-to-donate-settlement-money-to-anti-bullying-effort/article_1c8d8187-a7e0-5786-b8af-b0ac646b25ab.html).

***Larose v. Lincoln County School District No 2, No. 15-cv-00158 (D. Wyo. 2017)***

- Settlement: Confidential.
- Harassment/Injuries: Sexual assault.
- Single Plaintiff.
- Basic Facts: Plaintiff, a male high school athlete, was sexually assaulted by another male athlete on several occasions. In addition to verbal bullying that included gay slurs, the attacker placed his genitals on the plaintiff while the plaintiff was sleeping on a bus, and similarly assaulted plaintiff in the locker room. The school was aware of the attacker's sexual bullying, harassment, and inappropriate touching, but did nothing to stop it prior to the plaintiff's assault. Plaintiff subsequently quit the football team because the school failed to do anything to protect him. The attacker was eventually suspended the following year, but only after repeated assaults on other students.
- Causes of Action: § 1983 claim under Fourteenth Amendment; state negligence claim.
- Plaintiff's Attorneys: John H. Robinson of Jackson, WY; Jack D. Edwards of Etna, WY.
- More Information: <http://k2radio.com/wyoming-school-district-settles-sexual-assault-bullying-claims/>.

***Roe v. Teton County School District No 1 Board of Trustees, 0:20-CV-00249 (D. Wyo. 2020)***

- Settlement: \$295,000.
- Harassment/Injuries: Multiple sexual assaults.
- Single Plaintiff.
- Basic Facts: Another student, S.W., sexually assaulted the plaintiff twice, once raping her at his home, and once forcing his hands down her pants and into her underwear on school property. S.W. then began to spread sexualized rumors about plaintiff. After the plaintiff reported the assault to the school, the school provided no accommodations beyond offering for the plaintiff meet with the school's guidance counselor. Soon after, the plaintiff attempted suicide. The following year, the plaintiff was raped by another student. The school responded with a superficial, undocumented investigation.
- Causes of Action: Title IX Post-Report Deliberate Indifference; Title IX Retaliation; Section 1983 Sex-based Disparate Treatment and Impact; Section 1983 Failure to Train.
- Plaintiff's Attorneys: Kaden Canfield and Jack D. Edwards, Edwards Law Office, Etna, WY.
- More Information: [https://www.jhnewsandguide.com/the\\_hole\\_scroll/teton-county-school-sexual-assault-lawsuit-settled-for-295k/article\\_c3784256-2e13-5e35-bb5a-a988596225ba.html](https://www.jhnewsandguide.com/the_hole_scroll/teton-county-school-sexual-assault-lawsuit-settled-for-295k/article_c3784256-2e13-5e35-bb5a-a988596225ba.html)  
[https://www.jhnewsandguide.com/news/cops\\_courts/school-district-settles-case-over-title-ix-violations-and-its-handling-of-reported-rapes/article\\_15b645ea-8e93-5f7b-adcf-0c8a111b70dd.html](https://www.jhnewsandguide.com/news/cops_courts/school-district-settles-case-over-title-ix-violations-and-its-handling-of-reported-rapes/article_15b645ea-8e93-5f7b-adcf-0c8a111b70dd.html)