

The Large Loss report is a review of major damage awards and settlements of \$250,000 or more. The descriptions listed below are a sample of public accounts that reflect trends in claims involving k-12 schools in 2015 and do not involve SORSA members.



Abuse of Special Education Students

- › Separate settlements totaling **\$5.3 million** have been reached with five of the six families that filed suit against the Rocklin Unified School District in California claiming a special education teacher abused students. According to the lawsuit, administrators at the school knew about the incidents through reports from classroom aides but did nothing to stop them. An anonymous caller contacted the police, who notified the parents.
- › A jury awarded **\$2.2 million** in damages to the mother of a severely disabled student who was repeatedly placed in a secure-restraint desk in a Pueblo City Schools kindergarten class in Colorado. Jurors concluded intentional discrimination.

Athletics Injuries

- › A jury awarded **\$1.03 million** to a former high school baseball player who sued Davenport Assumption High School in Iowa after a foul ball shattered his skull while he was in a dugout playing for the visiting team. He suffered brain swelling that required hospitalization, had to learn to walk and talk again, and must take anti seizure medication, his attorney said.
- › A jury awarded nearly **\$1 million** to a former Bedford High School (Iowa) football player for a head injury that left him in a wheelchair. The injury exacerbated a pre-existing condition, cavernous malformation, and the student later underwent surgery to remove a blood clot near the brain stem. Jurors said the district failed to notify the coaches about his potential concussion or brain injury and he was allowed to continue to practice and play.

Employment

- › The Catholic Church in Sacramento has agreed to pay **\$4 million** to settle a former high school football coach's wrongful termination lawsuit. That settlement is in addition to \$900,000 a jury ordered the church to pay the coach, who was fired after reporting that older players were sexually hazing younger teammates at St. Patrick-St. Vincent High School.

Free Speech

- › The Elk River School District in Minnesota will pay **\$325,000** to settle a lawsuit by a former Rogers High School student related to his suspension over a tweet about making out with a teacher, which was meant to be sarcastic. The police department was also named in the

suit, will pay \$100,000. The chief had been quoted in news reports saying the student "could face felony charges" for committing a "crime".

Sexual Molestation and Assault

- › A federal jury awarded **\$4.5 million** to a former student of the South San Antonio Independent School District. The student, who is now an adult, claimed he was sexually molested by his elementary school principal as a child. In 2011, the principal was sentenced to 20 years in state prison. The suit claims the district violated Title IX, but the parties stipulated that no one other than the bad actor knew of the abuse until it was discovered in 2008. The case is currently on appeal to the Fifth Circuit and raises important questions about the scope of liability under Title IX.

Wrongful Death

- › A jury awarded **\$20 million** to the mother of a 15-year-old boy killed while crossing five lanes of highway traffic to an illegal school bus stop. The court found Chaffey Joint Union High School District in California liable during a pretrial sanctions hearing after evidence revealed that the school district concealed emails and other documents pertaining to the illegal bus stop for nearly five years. The jury exonerated the deceased student and the driver who struck him.
- › A jury awarded **\$10 million** to the family of a 9-year-old boy who was killed in a school bus crash. The child was sitting in the back of a St. Lucie School District bus when it was hit by a sod truck. The lawsuit claims that bus driver, who admitted to pulling out in front of the truck, was negligent. The Florida school district was found to be 87 percent responsible for the crash. The family settled with the trucking, company, which the jury found liable for 13 percent of the damages.

In Ohio

- › A judge approved Ohio University's **\$1 million** settlement in the wrongful death lawsuit filed by the father of a student who died of bacterial meningitis. The lawsuit claimed six students were diagnosed in the previous year, including one a week earlier. The university health center is charged with negligence, wrongful death, and breach of standard care after the student was told to drink water and rest. She died two days later in a local hospital.