The cases include an $8 million settlement involving allegations that a Catholic high school’s athletic director sexually abused and kidnapped a girl, and a $9.2 million settlement involving school district workers violating federal copyright laws.

These summaries are drawn solely from published accounts. While most do not involve United Educators (UE) members, the summaries below do reflect trends UE has seen among its claims. Complaints involved wrongful terminations, sexual harassment, discrimination, unlawful searches, and sexual abuse and assaults.

Some of the outcomes outlined here may have changed because, for example, of legal proceedings since they were reported. However, all the cases demonstrate that losses, in terms of financial and reputational impact, can be significant. This report can help schools assess their risk management practices and insurance coverage.
Discrimination

The Hesperia Unified School District in Hesperia, Calif., and its Joint Power Authority agreed to pay a $850,000 settlement to a former high school English teacher. The teacher, who had been co-advisor of the school’s Gay Straight Alliance Club, alleged she had been dismissed for supporting LGBTQ students and also because of her sexual identity. The district previously denied the allegations. Note: The teacher’s law firm stated a settlement amount; the district didn’t discuss the amount.

A lawsuit involving a former Head Start facilitator who claimed she was wrongfully dismissed by Las Cruces Public Schools in Las Cruces, N.M., settled for $250,000. The facilitator argued she was told her position was being eliminated but that in reality, the district replaced her with a younger administrator. The teacher was 62, had physical disabilities and medical conditions, and had undergone cancer treatment. In addition to her contending age and handicap discrimination and failure to accommodate her condition under the New Mexico Human Rights Act, she argued she was subjected to a hostile work environment after filing her discrimination claim.

New Haven Public Schools in New Haven, Conn., agreed to a $390,000 settlement in a case involving a teacher’s accessibility to facilities. The teacher, who has multiple sclerosis and requires a wheelchair, claimed in her lawsuit that the school had failed to give her reasonable accommodations.

Sexual abuse, assault, harassment, and misconduct

The supervisory school district representing Allegan County, Mich., agreed to a $450,000 settlement with two teachers who complained that a former principal sexually harassed them. The complaint alleged that the Allegan Area Educational Service Agency (AAESA) discriminated against the teachers when they were subjected to sexual harassment including verbal abuse and unwanted physical touching that escalated to physical assaults, according to the Justice Department. The complaint alleged AAESA didn’t take reasonable steps to prevent the principal’s acts. AAESA is a government agency that provides support, cooperative educational programs, and services to local school districts.

The Anaheim Union High School District in Anaheim, Calif., agreed to pay $7.9 million to settle a lawsuit alleging school and district employees concealed from law enforcement, parents, and students that a high school water polo coach had sexually abused students at the school. According to reports, the school’s athletics director and many other administrators, coaches, and teachers failed to report allegations of sexual misconduct against the coach in 2014 and 2015 to law enforcement or child protective services — something California law requires. In addition, those school leaders didn’t attempt to interview alleged victims, and this allowed the coach to engage in sexual misconduct with other students.
The Archdiocese of Los Angeles agreed to pay $8 million to a teenager who was sexually abused by her high school’s athletic director. The athletic director/health teacher at San Gabriel Mission High School abused a 15-year-old girl and kidnapped her in 2016, taking her to Las Vegas after his wife found evidence on his phone that he had molested the teen, according to reports. Prior to the incident, he had been the subject of several misconduct allegations involving other students.

The Archdiocese of Seattle reached a $300,000 settlement in November 2019 involving a sexual abuse case from 1962. Allegations were made against a former teacher and administrator at O’Dea High School — an Archdiocese of Seattle school — who is now deceased. At the time of the alleged incident, the school was overseen by the Christian Brothers of Ireland; the Christian Brothers was a separate entity from the Archdiocese of Seattle and eventually went bankrupt. The accused teacher/administrator was included in the Archdiocese’s list of clergy members for whom allegations of sexual abuse have been admitted, established, or determined to be credible, according to reports.

The Fremont Unified School District in Fremont, Calif., paid a $375,000 settlement to a former student who was 16 when his gym teacher had sex with him. The lawsuit contended the district and its employees should have more quickly seen warning signs raised by the teacher’s behavior.
Two brothers who were sexually abused by a then-clinical director of a center for at-risk boys received a $6.8 million settlement, according to the victims’ attorney. In June 2019, attorneys for the brothers announced the settlement with Hanna Boys Center and the affiliated Santa Rosa Diocese of the Catholic church. The brothers were molested beginning in 2006 when they were 13 and 15, respectively, reports state. The former clinical director is serving 21 years in prison.

Indianapolis Public Schools settled lawsuits with a student and two former administrators for about $600,000 after an incident in which a school counselor was accused of having sex with students.

The former guidance counselor is accused of having sex with two students. One of the students argued that officials failed to keep him safe and sufficiently train and supervise staff.

The Montgomery County Board of Education in Montgomery County, Md., agreed to pay $500,000 to settle a civil lawsuit stemming from a teacher’s sexual abuse of children. The money will be evenly split among two children who sued, contending the school system had failed to remove a teacher from the classroom despite learning of previous inappropriate behavior. The former third-grade teacher was convicted in June 2017 of sexually abusing four female students over the course of 15 years. He was sentenced to 48 years in prison.
The city of Sacramento, Calif., and the Sacramento City Unified School District will pay $12.5 million to a girl who contended she was molested by an after-school aide at an elementary school. City officials agreed to pay $7.5 million and school officials agreed to pay $5 million. The man was sentenced to 150 years to life in prison for molesting six girls, ages 7 to 13. Within the settlement agreement, employees in the city’s after-school programs must participate in a three-hour minimum training multiple times each year and managers and supervisors must be trained how to recognize, address, and report troubling conduct.

A boy who was molested by a California High School wrestling coach who also served as his church’s youth group leader reached a $1.55 million settlement with the church and the San Ramon Valley Unified School District in Danville, Calif. The district and the church had failed to report abuse allegations. In September 2014, a boy’s parents reported to school officials incriminating texts from the coach on their son’s phone. The school conducted its own investigation; it took a year for the coach to be arrested. Ultimately the coach pleaded guilty to eight felony counts of lewd acts on children between the ages of 14 and 15 and other related charges involving three boys. He was sentenced to 10 years and eight months in prison. The district agreed to a $699,000 settlement. The church’s insurance company agreed to a $849,000 settlement.

Scottsbluff Public Schools in Scottsbluff, Neb., agreed to settle a federal lawsuit involving a golf coach who was convicted of sexually assaulting a teenage student. The school district settled the lawsuit for $2.75 million. The lawsuit alleged the district allowed abuse to continue for years so the coach could be protected. The coach was sentenced to 24 to 32 years on four counts of sexual assault involving the student and another teen victim.
A roughly $370,000 settlement involving St. John’s Military School in Salina, Kan., and its endowment fund, occurred following an alleged sexual assault of an 11-year-old boy in his dormitory room. The arbitration award was made public in January 2019. A lawsuit filed in 2016 contended the child was sexually assaulted by a classmate who the school should have known posed a danger to other children. Reports indicated the classmate used to glare in the shower at the alleged victim and his behavior was reported to the staff but despite complaints, he remained with other students. The school announced in February 2019 that it would close at the end of that school year, saying it had unfairly become a target for litigation and a negative portrayal from the media.

The Torrance Unified School District in Torrance, Calif., will pay $1.3 million to settle a lawsuit stemming from a teenager being sexually abused by her former assistant wrestling coach. The student and her parents accused the district of failing to monitor and supervise the coach. The lawsuit contends the district knew the coach had prior sexual contact with minors but didn’t disclose that to parents or authorities.

Wrongful termination
The Burbank Unified School District in Burbank, Calif., settled a wrongful termination lawsuit with a former special education director for $300,000 plus attorney fees. Although the director had received positive reviews, that changed in 2015 when she got a new supervisor who asked her repeatedly to break special-education compliance laws and she refused. She said district leaders worked to get rid of her and she eventually went on stress or medical leave several times before she resigned. Her resignation came after being reassigned to a different role — with a roughly $50,000 annual salary decrease.
Montebello Unified School District in Montebello, Calif., will pay its former superintendent $4.9 million to settle its appeal of her wrongful termination lawsuit; a jury had awarded her and her attorneys about $6 million in damages and attorney fees. The lawsuit alleged that the superintendent and the district’s chief financial and operations officer were whistleblowers who lost their jobs after alleging misconduct against the district’s then-school board and chief business officer. The district fired the latter man after it discovered he fabricated much of the employment history on his resume.

Accidents
A former high school student received nearly $60 million in damages after a jury found the New York City Department of Education and the student’s former teacher were liable for an accident that resulted in significant burns. The student was burned when the teacher conducted an experiment to show how salts change color when exposed to methanol. Weeks before the incident, a federal agency — the United States Chemical Safety Board — had issued a warning about the potential dangers of such an experiment.

A lawsuit following the death of a 7-year-old girl who was run over by a school bus was settled for a reported $450,000. An attorney for the family stated that settlement amount; the superintendent for the Springville-Griffith Institute Central School District in Springville, N.Y., wouldn’t confirm the amount to the media. In 2016, the child got off the bus and walked in front of it, and the bus rolled over the child. The bus didn’t have an aide to escort students and didn’t have an optional crossing arm that would have forced students farther in front of the bus.
Defamation, libel and copyright disputes
A federal jury ruled that the Houston Independent School District must pay an Austin, Texas, company $9.2 million as a result of district workers violating federal copyright laws. DynaStudy alleged that school district employees misused DynaStudy’s guides by cropping out the company’s logo, hiding copyright violation warnings, and distributing the study guides.

Unlawful search
Midland Public Schools in Midland, Mich., agreed to a $275,000 settlement involving a high school principal’s improper search of a locked folder on a student’s cell phone. The district won’t have out-of-pocket costs; the settlement will be covered by insurance, according to media reports.

United Educators (UE), a reciprocal risk retention group, is a licensed insurance company owned and governed by more than 1,600 members representing thousands of schools, colleges, and universities throughout the United States. Our members range from small independent schools to multicampus public universities. UE was created in 1987 on the recommendation of a national task force organized by the National Association of College and University Business Officers. Our mandate is to provide schools, colleges, and universities with a long-term, stable alternative to commercial liability insurance.

EduRisk™ from United Educators provides members with risk management resources to help prevent incidents that put people and institutions at risk. And, when claims do occur, UE protects our schools, colleges, and universities with education-specific coverage and an experienced claims management team. This prevention and protection philosophy enables UE to reduce the overall cost of risk for our policyholders.

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