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## Large Loss Report 2022

*The Large Loss Report 2022 summarizes 50 publicly reported major damage awards and settlements of more than \$500,000 that affected K-12 schools, colleges, and universities in 2021.*

These summaries are drawn solely from published accounts. Most public K-12 schools and colleges are subject to sunshine laws and therefore their settlements routinely appear in the public domain. However private or independent schools don't typically have the same reporting requirements and, as a result, their unreported claims don't appear in this report.

This year for the first time we're including costs related to ransomware attacks. While these costs aren't a result of settlements or awards in court, ransomware losses are an emerging trend for K-12 and higher ed schools.

While most of the 50 large losses don't involve United Educators (UE) members, these cases demonstrate that losses, in terms of financial and reputational impact, can be significant. Educational institutions have experienced the effects of social inflation, resulting in increased settlements and awards above regular inflation.

# UE Insights

From 2015 to 2020, UE saw the average claim cost double for primary general liability (CGL) and educators legal liability (ELL). Defense costs are contributing significantly to increasing claims costs along with larger awards and settlements.

UE sees both K-12 schools and higher education institutions experiencing the types of losses described in this report. Both higher education institutions and K-12 schools continue to experience losses related to sexual misconduct, with these types of claims accounting for

10% of all claim costs at UE. Other top causes of loss for UE claims include discrimination, accidents and assaults, and mental health.

Disclaimer: The summaries herein are provided for the purpose of informing educational institutions of trends in publicly available data. While some of the losses reported in this report reflect trends UE has seen among its members' education claims, the topics included in this report aren't an indication of the scope of UE coverage, nor should the inclusion of a settlement or award in this report be interpreted as reflecting an opinion by UE or its membership of its reasonableness.

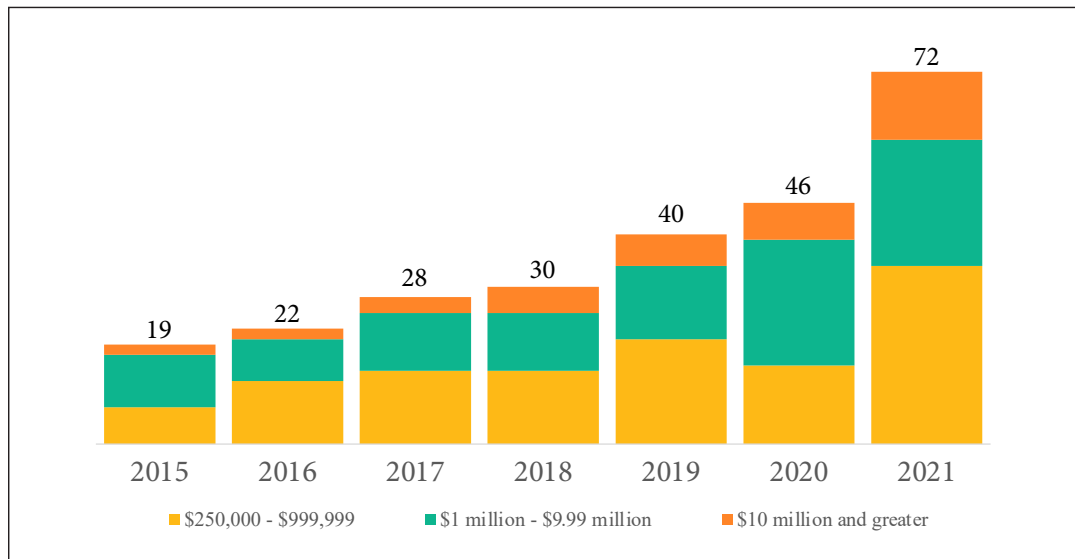
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# Large Loss Report Trends From 2015-21

An analysis of the seven most recent Large Loss Reports, drawn from public information, shows troubling trends for K-12 schools and higher education institutions.

## Damage Awards and Settlement Trends



Of the 50 damage awards, settlements, or ransomware payouts of at least \$500,000 this report includes, 38 exceeded \$1 million, up from 31 in the previous year. The trend offers a grim reminder of the ways that social inflation impacts education claims, with high escalation of settlements and defense costs.

The number of publicly reported awards or settlements of at least \$250,000 has risen each year, from 19 in 2015, to 46 in 2020, and then to 72 in 2021.

The 38 awards or settlements (or costs related specifically to ransomware) of at least \$1 million totaled roughly \$1.1 billion, though one settlement, involving a former University of Southern California gynecologist, was for \$852 million.

Of the publicly reported settlements or awards of at least \$1 million:

- Thirteen involved sexual misconduct (\$1.6 million to \$852 million)
- Three involved accidents or crimes resulting in death (\$2 million to \$25 million)
- Three involved COVID-19 (\$1.25 million to \$12.5 million)
- Two involved retaliation (\$1.4 million and \$2.4 million)
- Two involved heat-related illnesses and death (\$3.5 million to \$39.5 million)
- Two involved retirement plans (\$13 million each)
- Two involved injuries not resulting in death (\$1.55 million and \$2.75 million)
- Two involved discrimination against transgender students (\$1.3 million and \$4 million)

This demonstrates that high liability losses are becoming increasingly common.

Note: Some of the loss outcomes may have changed due to the progress of legal proceedings since they were reported.

*Warning: This report contains references to graphic content related to harm of adults and minors.*



## Accidents and Crimes Resulting in Death

The **School District of Palm Beach County** in West Palm Beach, Fla., reached a **\$2 million** settlement with the family of a 19-year-old student with autism after the student choked on a chicken nugget and died. According to the student's family, he had a form of autism that made him mostly non-verbal and a condition that made him prone to aspiration. An aide was supposed to be assigned only to him, but a video allegedly showed the aide with another student when the choking incident occurred.

**Mid-Pacific Institute**, a Hawaii-based private school, agreed to a **\$7.2 million** settlement with the family of a 5-year-old boy who drowned in 2019 while participating in the school's spring break day camp when a kayak carrying four people capsized. The family contended that Mid-Pacific Institute and its employees participated in reckless and grossly negligent conduct that caused the boy's death. A camp counselor also drowned during the incident. The kayak was designed for two people and wasn't equipped with life vests. Kayaking wasn't in the program's itinerary — it was meant to be a surprise, according to the lawsuit. The child didn't know how to swim.

**Broward County Public Schools** in Fort Lauderdale, Fla., will pay a **\$25 million** settlement to the families and victims of the 2018 school shooting at Marjory Stoneman Douglas High that left 17 dead. This settled 52 of 53 lawsuits filed against the school district for negligence over the shooting. The settlement was reached after the district won a state Supreme Court ruling that would have capped total damages at \$300,000 without approval from Florida's legislature.

## Antitrust

**Duke University** agreed to pay **\$19 million** to settle a class-action antitrust lawsuit alleging that the university had an illegal agreement with the University of North Carolina not to steal faculty from each other. The lawsuit alleged that since at least the 1970s, the universities had agreed to set similar compensation levels to suppress competition for each other's faculty. The lawsuit also contended the universities worked to put in place similar compensation levels for different faculty jobs.



## Bullying

**Cincinnati Public Schools** announced a **\$3 million** proposed settlement agreement with the family of a student who, at age 8, hanged himself after being bullied. His family had filed a federal lawsuit against the district and the school's Principal and Assistant Principal, as well as a school nurse. The family alleged the school hadn't adequately responded to the bullying, and that the school didn't inform them about a bullying incident two days before the student died. In the proposed settlement, the district committed to several anti-bullying measures. The district didn't admit guilt.

## Concussions

A jury found that **Horry County Schools** in Conway, S.C., was grossly negligent in not caring for a middle school football player who suffered a concussion during a game. The student and his mother were awarded **\$850,000**. According to his lawyers, the student had clear signs of a brain injury but wasn't pulled from the game. Now a high school senior, the student has suffered from post-concussion syndrome.

## COVID-19

**Southern New Hampshire University (SNHU)** agreed to pay **\$1.25 million** to settle a purported class action lawsuit brought on behalf of students seeking tuition and fee refunds following COVID-19-related closures. In a complaint, the SNHU student class representative contended the university had breached its contract with its students by not providing in-person instruction during the spring 2020 semester.

**Barry University** agreed to pay **\$2.4 million** to settle a purported class action lawsuit against it involving refunds following closures due to COVID-19. The settlement culminated “one of many novel class actions that arose when colleges nationwide ceased in-person instruction in response to the COVID-19 pandemic without issuing *pro-rata* refunds to students who paid to attend university programs they expected to be solely in-person and on-campus,” according to a court filing.

**Columbia University** reached a preliminary **\$12.5 million** settlement with students who sued the school for failing to refund fees after the university shifted to remote learning in spring 2020. The students’ class action initially sought reimbursement for tuition and fees for the spring semester, but a judge dismissed the request to reimburse tuition. Most of the settlement will be used to refund fees paid for student activities, university health services, and the use of libraries, gyms, and other facilities. The remaining money will be used to avoid “risks of further litigation.”



## Discrimination

The **DeKalb County School District** in Stone Mountain, Ga., will pay **\$750,000** to settle a lawsuit filed by a rejected superintendent candidate who said he was discriminated against because of his race and age. He was 69 when the suit was filed and said board members made ageist remarks to him and to constituents in favor of younger candidates. The suit also named a board member as a defendant and accused her of disparaging him because his late wife was white.

The **Baraboo School District** in Baraboo, Wis., agreed to an **\$862,500** settlement with a former student. The student and her legal team said the district had ignored years of complaints she and her mother made about multiple sexual assaults and a pattern of racial discrimination. Her lawyers said the settlement was one of the largest ever in Wisconsin for a K-12 lawsuit involving Title VI and Title IX. The district didn’t admit liability in the case. Among other things, the student contended she received an anonymous letter in her locker calling her a “slut” and using the N-word. The lawsuit also said administrators had tolerated students flying the Confederate flag and wearing items depicting it.

A **Passaic County school district** in Milford, N.J., reportedly reached a **\$937,500** settlement with a former student who claimed she had been subjected to racial harassment and abuse. The former student had sued the West Milford Board of Education, claiming she had been harassed and discriminated against due to her sex and biracial status. She claimed the alleged abuse began in sixth grade and continued through high school and involved assaults, intimidation, and humiliation — and that some of the incidents were reported to the board of education but action wasn’t taken.

The **Gloucester County School Board** in Gloucester, Va., will pay a transgender student a **\$1.3 million** settlement after refusing to let the student use the boys’ bathroom, according to the American Civil Liberties Union, which represented the student. The lawsuit lasted six years and received national attention. The student argued the decision to not let him use the bathroom violated Title IX and the Equal Protection Clause of the Constitution.



## Freedom of Speech

The **University of Iowa** will pay nearly **\$2 million** in attorneys' fees to a legal group that represented two Christian student groups that sued the university over its decisions to deregister those groups. The university had deregistered one group after it denied a leadership position to a gay student. The university ultimately deregistered 38 other groups that it had found violated the university's human rights policy.

## Heat-Related Illnesses and Death

The **University of Maryland** agreed to a **\$3.5 million** settlement with the parents of a 19-year-old football player, Jordan McNair, who died two weeks after collapsing during an outdoor conditioning practice. The death prompted an investigation, which determined there was a failure to identify increasing symptoms associated with exertional heat illness. Ultimately, the university fired its football coach as a consequence of the incident. As part of the settlement, the university announced a partnership with the Jordan McNair Foundation; the partnership will help with the foundation's ability to educate the public and athletic programs nationwide about heat exhaustion, concussions, and other topics.

The **California State University** system and a former Cal State San Bernardino (CSUSB) student who, during a class run, suffered heatstroke that left her brain damaged, have reached a **\$39.5 million** settlement. The former student was in kinesiology class, running outdoors on a 5K course during a 95-degree day, when she suffered heatstroke and collapsed. She spent months in the hospital. Her lawyers said she suffered severe brain damage, cardiac arrest, and multisystem organ failure. Though a university athletic trainer responded along with other personnel, while awaiting paramedics they didn't give her "rapid whole body cooling" or move her to an air-conditioned arena 20 feet away, according to her lawyers. A release from her counsel indicates "that neither the instructor nor the other CSUSB employees had received required Cal-OSHA training in heat illness prevention and treatment before the incident." As part of the settlement, Cal State officials agreed to implement a systemwide policy for heat illness education, prevention, and protocols.

The **Blue Springs school district** in Blue Springs, Mo., will pay a transgender student **\$4 million** after a jury determined the district refused to let the student use the boys' bathroom or locker rooms. The jury determined the district had discriminated against the student. The district has indicated it disagrees with the verdict and will seek "appropriate relief from the trial court and court of appeals if necessary."

## Equal Pay

**Syracuse University** will pay a **\$3.7 million** settlement in a case involving five female faculty members who said they'd been paid less than male counterparts in equivalent positions. The settlement will make female faculty who work full time at Syracuse for at least a calendar year, starting in January 2014, eligible for compensation. Syracuse didn't admit liability or wrongdoing. The university said it has raised the pay of more than 150 female faculty members by about \$2 million since 2017 when it evaluated salaries.

## False Claims Act

The **University of Miami** agreed to pay **\$22 million** to resolve allegations that it violated the False Claims Act. It was alleged that the university had ordered medically unnecessary lab tests and submitted false claims through its lab and off-campus hospital-based facilities, according to the Department of Justice. Among other things, the government alleged the university had billed federal health care programs for unnecessary lab tests for patients who received kidney transplants at the Miami Transplant Institute, a program operated by the university and Jackson Memorial Hospital.



## Inappropriate Fees

A judge granted final approval to a **\$960,000** settlement involving allegations that the **Santa Monica Malibu Unified School District** in Santa Monica, Calif., charged families inappropriate fees for school supplies, field trips, and uniforms. Of the 655 claims that were filed over the course of the suit, 638 will receive some payment. The lawsuit contended the fees the district charged violated the constitutional guarantee to a free education. The district denies any wrongdoing.

## Injuries Not Resulting in Death

The **Cumberland County Board of Education** in Fayetteville, N.C., agreed to a **\$1.55 million** settlement with a woman injured in a 2017 crash with a school district vehicle. In the 2017 crash, the driver of a vehicle that was struck by a school district dump truck that was pulling a trailer suffered a spinal cord injury, shoulder injuries, ankle fracture, and nerve damage. The driver of the school district vehicle was cited for exceeding a safe speed.

The **East Rutherford Board of Education** in East Rutherford, N.J., and other defendants will pay **\$2.75 million** to a pedestrian whose leg was amputated after a school bus accident. The pedestrian was run over by a bus at a crosswalk; the driver was trying to turn left and didn't see him. The 10 students on the bus weren't injured.

## Mental Health

**Brown University** reached a **\$684,000** settlement agreement with the Justice Department and U.S. Attorney's Office for the District of Rhode Island to ensure students with mental health disabilities have equal access to educational programs. The department found Brown had violated Title III of the Americans with Disabilities Act (ADA) by not letting students who took medical leave for mental health reasons return to school even though they were ready to return to campus life. Among other things, the agreement ensures that Brown will modify its policies for students with mental health disabilities who are seeking to return from medical leave. The \$684,000 will help compensate undergraduate students who were harmed.

## Personal Injury and False Advertising

The **University of Missouri** reached a **\$16.2 million** settlement involving personal injury and false advertising claims over knee surgeries. The 22 plaintiffs said "BioJoint" surgeries that were pioneered by two university employees had been sold to them as a way the plaintiffs could avoid having traditional artificial knee replacements. But the plaintiffs said they weren't told the surgery had a very high failure rate — they contend the surgeries were "experimental" and "unproven." Some of the patients needed to have follow-up surgeries and even total knee replacements.

## Ransomware

Officials for **Judson Independent School District** in Live Oak, Texas, paid **\$547,000** to cyberthieves who stole personal information of thousands of teachers and students in June 2020. Paying the thieves, according to the district, protected sensitive identifiable information from being posted.

**Baltimore County Public Schools** officials believe the ongoing recovery from a 2020 ransomware attack will cost the system nearly **\$9.7 million**. The costs include programs, trainings, services, and licenses associated with responding to and recovering from the attack. The district has previously said no personal information was stolen in the attack; it hasn't disclosed ransom demands or details about the extent of the attack.

**Buffalo's school district** is spending about **\$10 million** to respond to a 2021 ransomware attack. This includes cost to bolster network security. It doesn't include paying a ransom, as no ransom was ever demanded. The district alerted about 110,000 current and former teachers, other employees, current and former students, and vendors that information on file with the district may have been compromised during the attack. About 1,500 people took advantage of a year of free fraud monitoring services from a district cybersecurity consultant. An attorney for the district said it's not clear how much information was exposed and it's not clear what, if any, data was lost.

# Retaliation

**Los Lunas Schools** in Los Lunas, N.M, reached a **\$600,000** settlement — covering lost wages and other damages — with a former superintendent. In her lawsuit against the now-permanently suspended Los Lunas Board of Education, the former superintendent complained that three then-board members engaged in improper employment practices and retaliation against her for her refusal to use her position to fulfill “personal desires and/or vendettas” against district employees.

The **University of Utah** will pay a former university autism researcher **\$760,000** following a jury trial. The researcher contended that the university breached its contract with her by terminating her contract in retaliation for reporting research misconduct. She says she told multiple administrators about employees obtaining unauthorized access to sensitive health data; she was terminated a year later. In the case, a default judgment as to liability was entered against the university as a consequence of a discovery violation, and so the jury considered only appropriate damages. The award consisted of \$135,000 in emotional distress damages and \$630,000 in contract damages.

**Des Moines Area Community College** must pay an IT worker nearly **\$1.4 million** in back pay and damages, according to a jury. The employee contended she was paid significantly less than a male colleague despite having the same title and greater responsibilities. After asking superiors about the pay difference, the college refused to consider her application for promotion, which led to a claim of retaliation, court filings show. The jury sided with the employee and the college was ordered to pay more than \$223,500 in back wages and more than \$986,000 for past and future emotional distress, plus interest.

**American University of Health Sciences**, a small Christian nursing school, will pay **\$2.4 million** to two professors who contended they were fired in retaliation for launching an investigation into sexual harassment claims against the school’s founder. The former employees accused the university and its founder of violating Title IX and the Fair Employment and Housing Act, a California statute that prohibits harassment or retaliation based on protected



characteristics including gender. The former employees said the founder had fostered an overly sexualized, hostile work environment and that his role as Title IX coordinator created a conflict after students raised allegations of sexually inappropriate comments and unwanted touching. Attorneys for the founder and the university said the employees were fired because of a supposed involvement in plans to start a competing school and an alleged failure to cooperate with a university investigation into that plan.



# Retirement Plans

**Columbia University** agreed to pay **\$13 million** to settle a lawsuit alleging that fiduciaries of two university retirement plans breached the Employee Retirement Income Security Act of 1974 (ERISA). The plaintiffs alleged that Columbia and its fiduciaries had charged unreasonable record-keeping fees and kept low-performing investments in two 403(b) retirement plans. In the agreement, Columbia denied liability for the claims and contended it was without fault or liability. Several similar lawsuits against other universities already have been settled.

The **University of Pennsylvania** agreed to pay **\$13 million** to settle a proposed class action lawsuit challenging its retirement plan's fees and investment options. Current and former participants in the plan had alleged that fiduciaries of a university 403(b) plan had violated guidelines involving ERISA in managing the plan.

# Sexual Misconduct

**Boston Public Schools** will pay a **\$650,000** settlement to five families who alleged that Mission Hill K-8 School improperly responded to a student's sexual assaults of fellow students; the families believed this allowed their children to be victimized. Boston Public Schools admitted no wrongdoing. According to the families, the school failed to protect their 4- or 5-year-old children from a boy's repeated unwanted kissing, sexual touching, and exposing of genitals.

The **Torrance Unified School District** in Torrance, Calif., will pay a **\$725,000** settlement to the family of a former elementary school student who was sexually assaulted on campus by a registered sex offender. The lawsuit alleged the man — a two-time convicted sex offender who was on parole — walked through an unsupervised gate and into the kindergarten area at the elementary school. Yard duty staff witnessed him and thought he might be a parent; one approached but was distracted by a student, according to the lawsuit. The sex offender then exposed himself to a student and sexually assaulted her before leaving. The district now has closed campuses at all its elementary schools, and gates are locked from the morning bell until end-of-day dismissal.

**Santa Ana Unified School District** in Santa Ana, Calif., paid nearly **\$2.2 million** to settle a lawsuit filed by families of six boys who claimed they were harassed and sexually abused from 2013 to 2015 by a former part-time high school baseball coach. The settlement occurred in October 2020 but wasn't reported by the media until February 2021. The lawsuit alleged that the school was negligent in hiring and supervising the coach and other part-time coaches — and that officials tried to protect the school's reputation by failing to report the coach's abuse to authorities. The former coach pleaded guilty to 16 felony counts involving 10 victims; he was sentenced to two years in prison. He was one of three coaches from the high school who were accused of sexual misconduct during an 18-month period.

The **New Haven Unified School District** in Union City, Calif., reached a **\$2.25 million** settlement with three girls who were sexually abused by their then-third-grade teacher. The girls' attorneys say the abuse could have been prevented if the district and its employees had taken multiple prior complaints about him more seriously. The teacher was arrested in 2013 after being accused of fondling and molesting 10 of his female minor students. He reportedly pleaded no contest to multiple charges of lewd acts with a child in 2015.

**Barstow Unified School District** in Barstow, Calif., reached a **\$2.4 million** settlement with a former student who said a high school had allowed a longtime teacher to sexually abuse her. She said the school was used as a "hunting ground" for the teacher to groom and sexually abuse students. Her lawyer said the accused teacher — who died in 2021 — was protected by "a culture of intimidation, silence (and) cover-ups" for nearly 20 years. Her lawyer has seven other active suits against the district on behalf of 10 other alleged victims. The victims say they were sexually abused as students in the K-12 system within the past two decades. School workers said in court filings that they tried to report abuse they witnessed but that they were ignored by higher-ups.

The **Rhode Island School of Design** must pay a former student and sexual assault survivor **\$2.5 million**, according to a verdict filed in United States District Court for the District of Rhode Island. According to the court's ruling following a bench trial, the school failed to secure her study abroad living quarters, and she was raped in 2016 by a fellow student during a three-week program based in Ireland. She and the other student lived in the same house during the program, and they were not provided keys for the bedroom doors. She reportedly awoke in her bedroom to him sexually assaulting her.

The **Cleveland Metropolitan School District** agreed to pay **\$3.25 million** to eight alleged victims of sexual abuse. The alleged abuser, a former dance instructor, worked for the district for about 15 years. The alleged cases of sexual abuse occurred from 2002 until 2019. The former instructor was indicted in September 2020 on 74 sex-related charges,

**San José State University** reached a **\$3.3 million** settlement with 15 former student-athletes who said they had been sexually harassed by a longtime sports trainer. The settlement occurred following a federal civil rights investigation that found the university hadn't taken adequate action when responding to the athletes' reports, and that the university had retaliated against employees who raised concerns about the trainer. The Justice Department has said university administrators' actions in letting the trainer continue working a decade after the initial reports of abuse occurred violated Title IX. As part of the settlement of the federal investigation, San José State agreed to revamp its Title IX office, overhaul its process of responding to sexual harassment complaints, and pay **\$1.6 million** to 13 female athletes.

The **Lower Kuskokwim School District** in western Alaska agreed to pay **\$3.8 million** to two children abused by a former Principal. The man previously pleaded guilty to several charges including sexual abuse of a minor; he's serving a 15-year prison sentence. He contended that district leaders had been "well aware of my problems with young girls" for years, according to media reports.

The **Issaquah School District** in Issaquah, Wash., agreed to pay **\$4.25 million** to settle a negligence lawsuit involving a former teacher who was later convicted of child molestation. The teacher taught at Issaquah Middle School from 1992 to 2000; the lawsuit contends school administration played down parents' concerns and complaints. According to the

lawsuit, the teacher began grooming a girl when she was 12 and that when she was 17 and in a relationship with him, he molested her 10-year-old sister. He was later arrested and convicted of child molestation. Teachers and parents allegedly noticed his inappropriate behavior long before and complained to administrators, but the administrators allegedly disregarded the complaints.

The **Miami-Dade School Board** was ordered by a federal jury to pay **\$6 million** to a former student of a former teacher accused of sexually abusing and harassing multiple female students. Jurors said the district did nothing to stop the teacher, even though it had received several warnings. A separate lawsuit filed involving the same teacher previously resulted in a **\$1.1 million** settlement.

A federal jury ordered **Charlotte-Mecklenburg (N.C.) Schools** to pay **\$7.5 million** and a former high school band director to pay \$3 million to a former student who had been victimized by sexual harassment and sexual assault. A 2017 complaint says the band director groomed and pursued the student, called the student at home, and urged him to engage in sex acts. When the student refused, according to the complaint, the band director threatened him and tried keeping him from graduating. The band director sexually assaulted the then-sophomore in 2011 in the school's auditorium, the complaint states. Following the court ruling, an attorney for the district said it plans to file motions and appeals.



Seven former students reached a **\$7.75 million** settlement with the **Puyallup School District** in Puyallup, Wash., after they alleged that the district failed to prevent a teacher from “repeated acts of grooming and sexual abuse” from 1991 to 2004. The students came forward about the alleged abuse after seeing a TV news report about claims another former student had made — those claims reportedly resulted in a separate \$1.5 million settlement.

The **Redlands Unified School District** in Redlands, Calif., will pay an **\$11 million** settlement to seven victims and alleged victims of a former teacher who is serving 74 years in prison for sexual abuse. The settlements resolve four separate lawsuits involving the former middle school English teacher, who was sentenced to prison for molesting three students.

The **University of Southern California (USC)** agreed to pay **\$852 million** to a group of 710 women suing the university. The settlement includes former patients of Dr. George Tyndall, a USC gynecologist who has been accused of sexual misconduct involving hundreds of patients during his decades-long tenure. USC previously agreed to a separate \$215 million settlement in a class-action lawsuit brought on behalf of Tyndall’s former patients. The combined settlement of \$1.1 billion is reportedly the largest sex abuse payout in the history of higher education. Tyndall was the sole full-time gynecologist at the USC student health clinic from 1989 to 2016.

### Risk Management Resources:

UE member institutions can draw upon our deep library of education-specific risk management resources, online learning, claims studies, and webinars as well as risk advisors to help plan enterprise risk management (ERM) efforts. Our consultants are here to assist in providing personalized risk management guidance. Contact us at [risk@ue.org](mailto:risk@ue.org) if there’s anything we can do to help with your ERM planning.



To learn more, please visit [www.ue.org](http://www.ue.org) or call **(301) 907-4908**.

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## Sexual Harassment

**Oregon Health and Science University (OHSU)** reached a **\$585,000** settlement with an employee at a medical center. The employee accused a doctor of repeated harassment and on one occasion of attempting to force himself on her while at work. Court documents from additional women indicated an alleged pattern of sexual assault and harassment, according to reports. The lawsuit claimed that OHSU managers were made aware of alleged harassment and assault but didn’t take appropriate action against the doctor.

## Wrongful Termination

A former high school custodian who contended he was wrongfully terminated will receive **\$1.28 million** from **Porterville Unified School District** in Porterville, Calif., as determined by a jury. The district’s superintendent said the district would appeal. According to the former employee’s attorney, the custodian was on medical leave due to complications from diabetes when he visited his brother in Nicaragua. The district allegedly took exception to his making the trip while on leave and considered him absent without leave and forced him to accept an automatic resignation. The jury award included \$242,000 in past earnings and other benefits, \$78,000 in future lost earnings, \$576,000 for past non-economic loss and mental anguish, and \$384,000 for future mental anguish.

