

LOS ANGELES

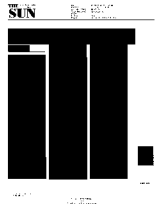
LA schools settle teacher lewdness claims for \$27M

The Los Angeles school district will pay about \$27.2 million to settle dozens of legal actions stemming from an abuse case in which a former teacher is charged with lewd acts on students over five years, lawyers in the cases said Tuesday.

District officials did not reveal the amount of the settlement, but attorney Raymond Boucher, who represents several Miramonte Elementary School students, said each claimant will receive \$470,000.

District General Counsel David Holmquist said the settlement covers 58 of the 191 claims and lawsuits filed by students and parents against the district after the January 2012 arrest of former third-grade teacher Mark Berndt on 23 charges of lewd behavior at Miramonte.

The 58 people involved in the settlement are all students, he said.



LAUSD Settles Dozens of Miramonte Elementary School Abuse Claims

By Fred Shuster
City News Service

LOS ANGELES (CNS) - The Los Angeles Unified School District has announced it has settled 58 legal claims alleging sexual abuse of students at Miramonte Elementary School in South Los Angeles.

On Tuesday, March 12, the district described the settlements as a multimillion-dollar deal, but declined to provide an exact figure until the amounts were approved in court.

NBC4 reported that the settlements ranged from about \$400,000 to \$500,000 for each plaintiff.

The announced settlements resolve only a portion of the roughly 190 lawsuits and legal claims against the district stemming from abuse allegations at Miramonte.

LAUSD General Counsel David Holmquist said the district arrived at the settlements "to restore healing in the community and provide for the students."

A Los Angeles Superior Court judge will have to review and approve each settlement before the money flows, he said. According to state law, plaintiffs' attorneys can take no more than 25 percent of the settlements, Holmquist said.

"The district does not want to prolong this," said Thomas Delaney, an Irvine attorney working with LAUSD.

Former Miramonte teacher

Mark Berndt is accused of carrying out most of the abuse. He is awaiting trial on nearly two dozen counts of lewd acts with children. He allegedly took photos of children with semen-tainted spoons or cookies held to their mouths.

Another former Miramonte teacher, Martin Springer, is awaiting trial on three felony counts of lewd acts with a child.

Gregory McNair, LAUSD's chief business and compliance counsel, said the most difficult part of the settlement process has been the "emotional" aspect of "dealing with the kids."

Some attorneys representing former students and Miramonte parents are continuing to press their legal actions against the district.

Attorney Luis Carrillo said the district has not made any "fair" settlement offers to his clients. He noted that a forensic psychologist for the plaintiffs has opined the children will need about \$576,000 just to cover the cost of treatment for post-traumatic stress disorder and eating disorders. Carrillo also said the district has not responded to 11 proposals for improving the safety of children.

District officials had said previously they were working to settle the cases. While those talks were continuing, a hold had been put on pending lawsuits, but a Superior Court judge in December lifted the stay after attorneys com-

plained that the district was not making realistic offers to settle the cases.

Former state Supreme Court Judge Cruz Reynoso was acting as a mediator in the settlement talks.

The alleged abuses by teacher Mark Berndt occurred from 2002-11, and LAUSD officials knew as early as the 1990-91 school year that he was involved in sexual misconduct, according to the lawsuits.

District officials, while not commenting on specific lawsuits, have repeatedly insisted that it was committed to providing a safe environment for students and conducted a major review of how it handles abuse allegations.

"Appropriately addressing misconduct continues to remain a top priority," Holmquist said in January. "That is why we have continually engaged in extensive internal and external reviews of our policies and practices, including actively participating in the comprehensive state audit of the school district's policies and practices that was released in 2012."

In preparing to negotiate the settlements, Holmquist said his office sought to research any cases similar to Miramonte.

"We are not aware of any similar circumstances anywhere in the country," he said.

Holmquist said that while the district has a legal fund, about a dozen insurance companies are involved in the settlements.