

# Ex-student's parents file suit against Otsego

By Sentinel-Tribune Staff | Posted: Wednesday, March 22, 2017 9:41 am

The parents of a former student are suing the Otsego Local School District, alleging, in part, that their daughter was “sexually harassed and assaulted” in a 2013 incident on a district bus.

The lawsuit was filed Monday in U.S. District Court, Northern District of Toledo.

According to the complaint filed in the suit, the girl, now 11, was a second-grader at Otsego Elementary when she was assigned to sit on the bus by two boys, who were second- and third-graders at the time.

The boys reportedly called her a derogatory name and incidents escalated to further name calling and physical assaults at recess.

“On a regular basis at recess (the boys) would chase and harass (her) calling her obscene names and hitting her.”

Incidents were reported but continued nonetheless, the suit claims, and the girl was still required to sit in her assigned seat near the boys on the bus.

The suit claims that, at one point, the girl's mother reported the incident to the school principal who told her “that ‘boys will be boys.’”

As the incidents continued, the girl's “performance and mood in the classroom continued to demonstrably deteriorate” and her teacher “communicated with (her) mother that (she) would sometimes break into tears and cry in class.”

The suit claims that on April 18, 2013, the girl “was sexually harassed and assaulted on the bus” by at least one of the boys, with one of them “taking her to the ground, holding her down, pulling her pants down, exposing her genitals, and spanking her bottom in front of the entire bus.”

The suit claims the district did not report the incident to the girl's parents, and didn't inform authorities until approximately April 22, 2013.

The parents later learned the district had a video camera on the bus that had captured “some or all of the incident. However, after showing (the girl's) parents the video, the school district destroyed the recording.”

The harassment of the girl continued and she was still required to sit near the boys, the suit claims, with one of them reportedly attempting to touch her inappropriately multiple times.



Otsego High School

File photo. Otsego High School.

The suit alleges the district “disregarded the complaints (made by the mother) and/or failed to take any preventive measures.”

The girl’s behavior and school performance continued to deteriorate, the suit claims, even after the last of the boys had moved on to the junior high.

The girl subsequently withdrew from the district and transferred to another school.

The suit alleges six counts against the district, claiming Title IX violations and violation’s of the girl’s 14th amendment rights, and additionally alleging negligence, among other claims.

It seeks a judgment in the girl’s favor against the school “in amounts to be established by the evidence at trial.”

Otsego Superintendent Adam Koch said the school district is aware of the lawsuit.

“It’s the policy of Otsego to not discuss litigation,” he said this morning.

He added that it’s important to the district to provide a safe environment for students.

“We do take these allegations very seriously,” Koch said. “We take school safety very seriously.”