

Attacks ignored, lawsuit claims

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By Pete McCarthy

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WOODBURY HEIGHTS During the four years that a former Gateway student attended the regional high school, she says she was attacked more than 10 times by fellow students and the district failed to protect her.

She is disabled, according to a lawsuit filed against the school board.

Identified in court documents only by the initials R.S., the alleged victim is now 20 years old and living in Westville.

From 2001 to 2005, R.S. attended the school and was subjected to "systematic and pervasive bullying consisting of emotional, physical and sexual harassment; assault and battery; and infliction of emotional distress resulting in severe and permanent injury," which the Gateway Regional Board of Education allowed to persist, according to the lawsuit.

Classmates were able to "bully, tease, belittle, degrade, humiliate, threaten and/or harass R.S.," the lawsuit alleges.

On Friday, both sides declined to comment on the allegations.

The lawsuit comes just days after the New Jersey Supreme Court made a landmark ruling that extends anti-discrimination protections to school children subjected to bullying, and holds school districts responsible for stopping bias-based harassment.

That case spawned from allegations made by a former student in the Toms River Regional School District who complained that he was repeatedly struck and taunted by students who thought he was gay.

The state Division of Civil Rights ordered the district to pay \$50,000 to the student.

Although the Supreme Court has ruled, the case in Toms River is not done. The high court ruling sends the case back for further review.

"They did decide that the school district could be held liable under the same law against discrimination that protects employees in the workplace," said Mike Yaple, a spokesman for the New Jersey School Boards Association.

In light of the ruling, school districts around the state are "probably taking a very close look at their policies and procedures."

Since Toms River had policies in place against bullying, "If that wasn't enough, what should have been done?" Yapple asked.

Gateway has a policy in place, according to Phil Bevilacqua, vice principal of the middle school.

There are workshops, assemblies and presentations, he said.

"When a situation comes up, we work on educating first," Bevilacqua said.

If a student commits a serious offense, however, disciplinary action is taken.

There is an immediate call to the parents for the first offense, detention follows and, depending on the severity, there could be suspension. For the second offense, there is a two-day suspension and mandatory meeting with the affirmative action officer. Anything else could lead to alternative placement.

"It's not tolerated at all," Bevilacqua said. "As soon as it's brought to our attention, it's dealt with."

Calls to Gateway Superintendent Joyce Stumpo and school board President Angelo Natoli were not returned on Friday. The lawyer who filed the lawsuit on behalf of R.S. declined comment.

R.S. claims she suffered from post-traumatic stress disorder, depression, fractures, muscle sprains and strains, migraine headaches and contusions as a result of the abuse.

The lawsuit seeks compensatory damages, attorney's fees, expert witness fees, costs of suit and all other relief recoverable by law.