

# Bullying lawsuit filed by family

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BERLIN TWP.

For six months, a 13-year-old special education student at a Berlin Township middle school was subjected to repeated emotional, physical and sexual assaults by her peers, according to a lawsuit filed earlier this month against the township school district.

The lawsuit, which seeks unspecified compensation, alleges that educators at the Eisenhower Middle School were aware of the bullying but failed to prevent it and in fact wrongly disciplined the eighth-grader on at least two occasions.

"They knew, didn't act and retaliated," said Cherry Hill attorney Jamie Epstein, who filed the suit March 17 in Superior Court on behalf of the girl's parents, identified only as "M.B." and "J.B." in the suit. The girl, identified as "C.B.," was bullied over six months in the 2005-06 school year until her parents eventually were forced to remove her from the district, according to the lawsuit.

District superintendent Brian Betze said he was surprised by the lawsuit since the district had not heard from the parents in the years since the girl, now 17, was removed from the district.

"We did take, and still do, those things very, very seriously and address it at the highest level possible," Betze said of harassment and bullying complaints.

Betze, who has been at the district for seven years, said he remembers some of the complaints laid out in the suit because they were dealt with by the school board. He declined to speak specifically about the complaints, citing the ongoing litigation.

Epstein said it's not uncommon for a lawsuit to be filed several years after the alleged incidents occurred.

According to the lawsuit, the

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in October 2005 when a male member of the girl's special education class fondled her at a school dance. The girl had been placed in the special education class because of "significant learning disabilities."

Throughout the rest of the month, the male student, identified as "O.S." continued to inappropriately touch the girl at school, even after she complained to three different teachers and a counselor, according to the lawsuit.

The following month, things grew worse for the girl when the male student was given an in-school suspension and his friends joined in the bullying out

of retaliation, the suit alleges. As the bullying — which included name calling and sexual advances — spread, the girl's performance in school dropped, her teacher stopped providing her assistance in class and even refused to let her speak with a counselor, the suit alleges.

By December, the teen had developed "significant mental health disorders" and finally alerted her parents to the sexual harassment, according to the court documents. The girl's father then met with the school principal, the girl's teacher and another staffer.

However, the suit goes on to allege, the bullying continued. The following month the teen was at a

district basketball game when two students approached her and one pulled her pants down to her knees in front of a large crowd of spectators.

When the teen was told to report the incident to the school principal she mixed up which of the boys pulled her pants down and was subsequently suspended for four days and instructed not to tell anyone about the incident, according to the lawsuit. Over the next months the bullying continued to escalate to the point where the teen came home crying every night.

On March 10, 2006, the teen was at a school dance when two other girls handed her a soda bottle that had been filled with alco-

hol, according to the lawsuit. Not realizing the bottle contained alcohol, the teen took a sip and was immediately confronted by the school principal and a chaperone.

The teen's father was eventually called and ordered to take the girl to the hospital for a blood test, according to the lawsuit. Even though the test came back negative for alcohol, all three girls were suspended for 10 days because administrators were unable to determine who brought the alcohol to the dance.

The first day of her suspension, a voice mail was left at the school saying that the teen had committed suicide because of the suspension, according to

the lawsuit. After determining the call was a false report, the teen and her parents were taken to the township police department, where after being interrogated by several officers her father confessed to making the call.

At that point, the girl and another sibling were removed from the district and placed in a private school, according to the lawsuit.

Because of the bullying, Epstein said the girl now has "several disorders" and is receiving treatment.

Epstein said he is awaiting a response from the district.

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