

Edgecombe school board settles lawsuit for \$190K

By AMELIA HARPER Staff Writer

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A long-standing lawsuit against the Edgecombe County Board of Education and several other parties connected to the school district has been settled for \$190,000, Edgecombe County school board attorney Deborah Stagner announced at Monday's meeting of the school board.

The settlement came about in response to the lawsuit "L.B. v. Edgecombe County Bd. of Educ. et al," which was filed in November 2016.

A May 2016 field trip incident allegedly involving sex, drugs and alcohol led to the filing of the federal lawsuit against the school board and nine school district employees.

The original 37-page lawsuit alleged 12 causes of action arising out of disciplinary actions taken against a female student for alleged sexual harassment by two male students during a field trip to Washington, D.C., on May 12, 2016.

The lawsuit further alleged that the school district violated Title IX regulations, the N.C. Whistleblower Act and other constitutional rights. It also accused the school district and some of its employees of negligence, infliction of emotional distress, defamation and libel related to the field trip incident and cited the disciplinary decisions of the school district and perceived intimidation of the plaintiffs for filing appeals.

The plaintiff was a former student at SouthWest Edgecombe High School, who was only identified by the initials L.B. Her mother, identified in court documents as Kimberly Biggs, also was part of the suit filed after the alleged chain of incidents occurred.

Biggs was employed as an elementary school teacher by the school district at the time the lawsuit was filed.

Biggs and her daughter filed the suit seeking at least \$120,000 in redress from the school board, former superintendent John Farrelly, four teachers who were acting as chaperones on the field trip to Washington, D.C., and four other staff members of the school district.

The lawsuit stated that the incident occurred during a school-sponsored, four-day field trip to the nation's capital. The trip reportedly involved 36 members of the SouthWest Edgecombe High School History Club.

The suit alleged that the female student was sexually assaulted in a hotel room by three male students who reportedly had been drinking and smoking marijuana. Two of the boys allegedly assaulted her while another reportedly recorded the incident and shared it on Snapchat.

The lawsuit also alleged that school officials accused her of sexual harassment and suspended her for 10 days. According to the plaintiff, the school also took away several honors, including the opportunity to attend the governor's school, to serve as a junior marshal and to participate in several elite clubs at the school.

The young men involved in the incident were never disciplined for their actions, the suit alleged.

The school district never commented publicly on the disciplinary actions taken, citing federal and state privacy laws.

Stagner said in a statement issued Tuesday that by settling the lawsuit, the Edgecombe County Board of Education does not admit to any wrongdoing.

"The lawsuit captioned L.B. v. Edgecombe County Bd. of Educ. et al., Case #4:16-cv-00271-D (E.D.N.C.), has been settled by the parties for a total of \$190,000 paid by or on behalf of all defendants in exchange for a full dismissal of the lawsuit," Stagner said. "The Board of Education does not admit the plaintiff's allegations in the lawsuit or any wrongdoing and has settled this matter to avoid the time, expense and uncertainty of further litigation."

A copy of the settlement agreement will be maintained in the school board's records, Stagner said.