

# Brentwood school district to pay \$8 million in child abuse settlement

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BRENTWOOD -- School district leaders announced Wednesday that Brentwood Union School District has settled a second child abuse lawsuit with an \$8 million payout.

Trustee Heather Partida made the statement following a closed session meeting in which she and fellow board members unanimously approved the settlement.

"We have learned painful, necessary lessons about the culture we must have in place if we are to be worthy of the trust parents place in us," Superintendent Dana Eaton said after the settlement was announced.

The district's insurance will pay the families of eight special needs children who were physically and verbally abused by the same teacher at Loma Vista and Krey elementary schools.

Filed in August, the federal lawsuit names the instructor, Dina Holder, as well as former Loma Vista Elementary Principal Lauri James, former Superintendent Merrill Grant, Assistant Superintendent of Human Resources, Margaret Kruse, Director of Special Education Margo Olson, and former Director of Special Education Jean Anthony.

The suit claimed that Holder violated the children's Constitutional rights by using "unjustified and unreasonable force" against them.

It also alleged that five district administrators were indifferent to the students' plight and, by deliberately withholding information about what was happening in Holder's classroom, interfered with parents' right to comfort their children.

In addition, the district was accused of violating the Americans with Disabilities Act; by subjecting them to a hostile environment, the complaint said it failed to give the youngsters the same education as every other child.

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Holder was at the center of an earlier lawsuit that the district settled in December 2012 for \$950,000. That complaint involved similar accusations of abuse 2½ years earlier in which Holder pulled a disabled 5-year-old boy out of his chair, forcefully kicked him, and called him a foul name when he did not follow her instructions.

She subsequently pleaded no contest to a charge of child cruelty, and the settlement called for her resignation.

But the damage Holder had done was not over.

School district officials including the former superintendent and former principal of Loma Vista Elementary where Holder initially worked were well aware of her violent behavior yet did not report it to police as state law requires, according to the lawsuit. And instead of disciplining or terminating her, they transferred Holder to Krey Elementary, where the abuse continued.

What's more, this handful of administrators never told the parents of Holder's other students at Loma Vista and Krey about the criminal charges the county District Attorney had filed against her, the complaint alleges.

Families only discovered that their children also had been mistreated when the news media reported the settlement of the first lawsuit in January 2013.

The complaint they eventually filed noted that the children in her care were either too young to report Holder's behavior or lacked the language skills because of their disabilities.

According to court records, Holder violently shook one boy, slapped another, berated those who struggled to talk and routinely used profane language to refer to her students.

One girl sustained bruises, deep scratches and a cut on her chin that has left a permanent scar. Another boy began hiding under a table in the classroom. Some children began withdrawing; others became aggressive.

In an effort to prevent history from repeating itself, the district for months has been hammering home a renewed zero-tolerance stance toward abusive conduct.

It used to be that new hires simply signed an acknowledgment that they are mandated reporters and principals would remind their staff of the same at the start of each school year, Eaton said.

Following the first lawsuit, however, every Brentwood Union employee -- part-time workers and substitute teachers included -- has taken an online course spelling out their

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responsibility to notify law enforcement or the county's Child Protective Services Department.

In addition, the district last spring engaged the Child Abuse Prevention Council of Contra Costa County to provide ongoing in-person training for everyone except substitute teachers.

From now on, all employees will receive one of these two forms of training each year.

"I think everybody is absolutely clear that their responsibility is to protect the children," Eaton said.

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