

SCHOOL LAW ALERT

Steubenville Superintendent and Others Indicted

On Monday, November 25, 2013, a Jefferson County grand jury returned indictments against the Steubenville City School District Superintendent and three other individuals as the result of an investigation concerning the school personnel's response to the rape charges against two football players last year.

The Superintendent was indicted on felony charges of tampering with evidence and obstruction of justice, as well as a misdemeanor charge of falsification. A volunteer football coach was charged with misdemeanors of allowing underage drinking, obstructing official business, falsification and contributing to the delinquency of a minor. Also indicted were an elementary school principal and a wrestling coach at Steubenville High School on misdemeanor charges of failure to report child abuse. Earlier, the same grand jury indicted the Director of Technology for Steubenville City Schools on felony charges of tampering with evidence, obstruction of justice, obstructing official business and perjury.

In general, these individuals attempted to withhold information and evidence from the original investigation of the rape charges and, in the case of the principal and wrestling coach, failed to report child abuse as required by law.

These incidents make it clear that every public school district must have in place protocols and guidelines to be followed when any information is obtained related to the possible abuse of a minor (regardless of where the minor attends school). In this case, the initial sexual assault victim did not attend the Steubenville Schools and the assailants were players on the Steubenville High School varsity football team.

The existence of reporting procedures is not enough if those professionals who have information regarding the suspected abuse do not report the information to the appropriate authorities (children's services or law enforcement). Additionally, it appears that the school personnel attempted to "cover up" evidence and otherwise impede the efforts of law enforcement to investigate and prosecute the assailants. Now, the school personnel face serious criminal prosecution and potential loss of their respective licenses.

Let this be a signal that professional development in the area of reporting child abuse and/or neglect, as well as bullying, must constantly be offered and documented so that no school administrator, employee or volunteer can say they were unaware of their statutory obligations.

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