

Bullied Teacher Wins \$225,000
Bully Principal and District Supporters Costs Employer Over \$545,000 Total!

Teacher Settles Lawsuit with VCUSD for \$225,000

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A Vallejo (CA) High School teacher who sued **State Administrator Richard Damelio** and other district officials for alleged harassment, discrimination and retaliation has agreed to an out-of-court settlement.

In a court document signed Dec. 2, the Vallejo City Unified School District agreed to pay veteran teacher Vernetta Northcutt \$225,000 stemming from emotional distress damages associated with the civil lawsuit.

The settlement was obtained through a written request to the school district.

The district also agreed to pay her regular salary through June 30, and pay on her behalf 10 years and six months of service to the California State Teachers' Retirement System. A 20-year teacher earns a base salary of \$66,757, and a 23-year teacher, \$68,528. The district pays 8.825 percent of her salary annually for retirement.

Further, the district agreed to pay Northcutt's health and welfare benefits for 10 years. Under the new health benefit cap that went into effect for employee groups this year, the district pays 80 percent of costs, which comes to \$4,400 for a teacher with single coverage.

For her part, Northcutt agreed to be placed on paid administrative leave Dec. 17, and resign from her job. Under the settlement terms, she cannot seek employment in the school district. A confidentiality agreement prevents Northcutt and district officials from talking about the settlement. The confidentiality portion of the agreement allows the district to seek fines of \$15,000 against Northcutt should she breach the clause. The agreement also restricts district officials from what they can say about why Northcutt left her position.

The settlement brings to an end a 3 1/2-year legal battle which has cost the school district \$104,956 in legal fees, according to district records. Those legal fees are in addition to the December \$225,000 settlement, plus \$119,197 Northcutt received as a result of a 2004 arbitration award.

In her October civil lawsuit, Northcutt alleged district officials failed to honor a previous arbitration award and punished her for complaining.

She was seeking compensation for emotional distress and back wages denied when her sick leave was cut off, as well as punitive damages, civil penalties, and injunctions against harassment, discrimination and retaliation.

In February 2004, an arbitrator found that Vallejo High School **Principal Phil Saroyan** racially discriminated against Northcutt when he transferred her to another classroom. She received \$70,000 for emotional distress, \$41,322 in attorneys' fees and \$7,875 in back pay. She was also reinstated to her previous teaching assignment.

The district appealed the award to the Solano County Superior Court where judges sided with Northcutt. An appeal of that ruling was pending in the state Court of Appeal when the settlement was signed.

Besides Damelio and Saroyan, the recent suit also named Assistant Superintendent of **Human Resources Rose Peppin**, and **Director of Compliance and Community Services Karen Hansen**. In 2004, when the arbitrator originally ruled in Northcutt's favor, **Assistant Superintendent Kevin Hanks** told the *Times-Herald* that the arbitrator "overstepped her bounds," and that claims of racial discrimination by Saroyan were "unfounded."

In June 2002, Saroyan reassigned Northcutt, a 20-year district veteran with tenure, from 12th grade government and English to 10th grade world history, a grade and subject she had never taught before. The move violated the district's collective bargaining agreement. Northcutt alleged it was racially motivated.

In a 2004 interview with the *Times-Herald*, Northcutt said Saroyan gave her reasons for the original reassignment, including a high student failure rate. However, the arbitrator found her class had the second lowest failure rate in her department.

In the 2004 interview, Hanks acknowledged "there were concerns regarding complaints and the number of transfers in and out of her classroom." He added that Northcutt wasn't the only Vallejo High teacher reassigned that year.

Rather than uphold the arbitrator's award, Northcutt alleged that the district tried to demote her to a substitute teacher, and singled her out for her pursuit of discrimination claims.

Times-Herald reporter Matthias Gafni contributed to this report.

From WBI: Do the math to see how much the bullying principal, two assistant district superintendents (including the HR person) and compliance director cost the district.

\$119,957 -- 2004 arbitration won by Northcutt
\$225,000 -- 2005 settlement won by Northcutt
\$60,475 (est.) 10 years district contribution to her retirement
\$35,200 (est.) 10 years health and welfare benefits for Northcutt
\$104,956 -- district legal expenses, all designed to enable bullying without consequences

\$545,588 the total expense for ONE bully principal and 3 supportive district personnel !!!

How much harm and expense does a bully have to inflict before the wise employer

decides to end the bullying? It's not only the right thing to do, it's the fiscally responsible thing to do. There are likely other cases just like this in the District. The Vallejo School Board should demand accountability for these losses or lose their elected seats themselves.

While some state laws require schools to curb bullying among students, all states currently allow unscrupulous bullying administrators to attack teachers with impunity. Stopping student bullying stands no chance until the work environment in which student learning ostensibly takes place is purged of abusers.

There are ways to correct and prevent expensive bullies. See the **Work Doctor Blueprint Workplace Bullying Prevention**. Teachers and staff deserve a safe and healthy workplace, too.