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BSMS parents settle district suit

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A lawsuit filed by the parents of three former Bell Street Middle School students against School District 56 was settled last week, according to the two attorneys representing the parents.

Lionel S. Lofton of Lofton and Lofton in Charleston and W. Townes Jones IV of Greenwood said the decision was reached by a Greenville attorney who served as mediator. The settlement was reached following a full day of mediation, the attorneys said.

Both Lofton and Jones said part of the settlement agreement included a confidentiality clause and they couldn't discuss the terms.

Jones said the agreed-upon settlement included a financial settlement.

The lawsuit was filed in June 2008 on behalf of three mothers of three former Bell Street students and stemmed from the sexual assault by former Bell Street teacher Allenna Ward. Ward was sentenced to six years in prison after pleading guilty to six counts of sexual acts against minors.

She pleaded guilty on Sept. 6, 2007, after being arrested the preceding February. She was originally charged with six counts of committing or attempting a lewd act upon a child under 16 and five counts of second-degree criminal sexual conduct. She pleaded guilty to three counts of each charge and the remaining five charges were dropped.

Lofton and Jones both said the parents are "very pleased with the settlement" reached last week.

"The mediation process took an entire day," Jones said. "We made presentations as to facts and (the district's attorney, Duke Highfield of Charleston) presented defenses."

Lofton said after the two sides made presentations, the plaintiffs and defendants were separated into two rooms and the mediator went "back and forth" between the rooms to discuss terms of the settlement.

Lofton said a number of people were deposed prior to the mediation. "It was a pretty extensive discovery process," he said.

The lawsuit listed three causes of action: gross negligence; negligent supervision, hiring, retention; and thirdly, breach of fiduciary duty.

"We traced red flags for the school district to be put on notice in the fall of 2005," Lofton said Monday. "In May 2006, four female students reported inappropriate conduct in and around Mrs. Ward's classroom."

Greenville attorney Karl B. Allen filed a second lawsuit Aug. 25, 2008, on behalf of a fourth parent and her minor son. That suit was not be resolved.

Lofton said his firm has settled three cases involving eight students in the last five months - the case with three students in District 56, a case with four students in Greenwood County and a third case in Ware Shoals.

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