

## School District Must Pay \$500k for Indifference in Student Bullying

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The School District of Philadelphia must pay \$500,000 to a former student after a court concluded that the district acted with deliberate indifference when responding to student-on-student sexual harassment and gender-based bullying.

The May 30 decision in the Court of Common Pleas of Philadelphia County is unique because the student, through her parent when the student was a minor, brought her claims under the Pennsylvania Human Relations Act. The court noted that the district is a public accommodation under the act, making it illegal for the district to deny a person any of the privileges of public education on the basis of their sex. The court also concluded that student-on-student sexual harassment and bullying based upon gender presentation met with deliberate indifference by school administrators is a violation of the PHRA because it constitutes discrimination based upon sex.

Throughout her educational career, Amanda Wible was subjected to persistent teasing, bullying and harassment related to her gender presentation. She was also physically assaulted by other students on multiple occasions. Despite informing the school district multiple times, and despite multiple transfers to different buildings, the court found the district's efforts to remedy the situation were "non-existent."

The court found the district had no procedure in place to remedy the discrimination and bullying suffered by the student. This lack of procedures rendered the district's policies "worthless" in the eyes of the court. As such, the court found that Wible was denied the accommodations, advantages, facilities and privileges of a student in a public school.

This case demonstrates the importance of immediately and effectively responding to bullying and gender-based harassment in the educational environment. It also seems to open the door for school districts to see more students seeking relief under the PHRA.

If you have any questions about this case, contact any of the attorneys in the [Barley Snyder Education Practice Group](#).