



For Immediate Release

Contact: Carole Gorney, APR, Fellow PRSA
610-250-9101 (office)
610-905-0644 (cell)
c.gorney@rcn.com
John Freund, ASD Solicitor
610-332-0390
jef@kingspry.com

**ASD OFFICIALS COMMENT ON JUNIOR DOE LAWSUIT
AT PRESS CONFERENCE**

September 24, 2007, Allentown, PA—Today Judge Thomas M. Golden of the United States District Court for Eastern Pennsylvania dismissed 7 of the 8 counts in the Junior Doe lawsuit against the Allentown School District. Of the 8 counts he is allowing only Count 1, the Due Process claim, to proceed to discovery.

Allentown School District Solicitor John Freund said, “This does not mean that the plaintiffs’ allegations are true, nor does it mean that Judge Golden is convinced of the merits of the plaintiffs’ allegation. In his ruling, Judge Golden noted that ‘In deciding a motion to dismiss, a court is required to accept all of the plaintiff’s factual allegations as true.’ In fact, Judge Golden specifically said in the ruling, ‘The court does not determine that the defendants did cover up the abuses at CES, or that their actions prevented help from reaching Junior Doe.’

“It is clear from Judge Golden’s opinion that the plaintiffs’ complaint survived only because of the legal requirements on the court to give the plaintiffs the benefit of the doubt. We are convinced that after discovery, Count 1 will be dismissed as well,” Freund said.

The Due Process claim involves the so-called State-created Danger Theory. In allowing this claim to proceed to discovery, Judge Golden noted that “plaintiffs’ counsel must focus on discovering what actions the defendants took, rather than on what actions they failed to take, if they intend their claims to survive a motion for summary judgment—that is, dismissal.”

Freund told the media, “Evidence of those actions will not be found because they just did not happen.”

ASD Superintendent Dr. Karen S. Angello told reporters, “The Allentown School District will continue its commitment to make its schools as safe for their students as is humanly possible. “It is important for everyone to understand that we have a very dedicated group of teachers, support staff and administrators that are very committed to our students. A safe and quality learning environment is important to all of us.

“Furthermore, we wish to clearly state that everyone in the Allentown School District has as its #1 priority the duty to protect its students. Safety of students is a moral and ethical responsibility and linked directly to learning. We will continue our commitment to make our schools safe learning environments.”

ASD Board President Jeff Glazier said, “The community’s heightened awareness and increased involvement in addressing safety issues and the need of the ASD board and staff leadership to communicate more openly are important outcomes from this process.

“We understand that this has been a stressful time for the community, and we commend everyone who took a proactive interest in sharing their concerns. We hope they will continue working with us to keep our schools safe and secure for learning.”

“We are confident that once the facts of this case are known, they will show that the district acted appropriately and with sensitivity to all parties involved.”

About Allentown School District

Founded in 1866, Allentown School District has grown 12.4 percent, from 16,467 students to 18,504 students in the last five years. .With 22 early childhood, elementary, middle and high

schools located throughout the City of Allentown, PA, Allentown School District is the fourth largest school district out of 501 Commonwealth districts. Allentown School District employs approximately 1,300 teachers and 2,100 employees overall. www.allentownsd.org 484-765-4000.

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