

NEWS RELEASES

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Professionals

HAYLEY E. HANSON
KANSAS CITY:
816.983.8377
HAYLEY.HANSON@
HUSCHBLACKWELL.COM

DEREK T. TEETER
KANSAS CITY:
816.983.8331
DEREK.TEETER@
HUSCHBLACKWELL.COM

Husch Blackwell Successfully Defends Former KCMO Superintendent, Establishes Immunity for Teachers and Administrators

The Missouri Supreme Court upheld summary judgment for Husch Blackwell client Dr. Bernard Taylor, former superintendent of the Kansas City, Missouri School District. Dr. Taylor was sued by former student Craig Dydell who alleged that Dr. Taylor failed to protect him from attack by another student with a history of violence. In his complaint, Dydell sought more than \$1 million in damages. The court held that Dr. Taylor was immune from Dydell's claims under the Paul D. Coverdell Teacher Protection Act of 2001, a part of the federal No Child Left Behind Act. With the court's ruling, Dr. Taylor is cleared of all liability.

The court's decision is the first case where the Missouri Supreme Court affirmed summary judgment in favor of a school administrator on the basis of Coverdell Act immunity. The court's grant of immunity for Dr. Taylor under the Coverdell Act was the first time that Missouri courts have applied the Coverdell Act and one of only a handful of cases nationwide that have involved the Act's immunity provisions. This case represents the most comprehensive examination of the Act in any jurisdiction and is likely to have a nationwide impact.

The court's decision affirms that, under the Coverdell Act, individual teachers and administrators are immune from injury claims arising from attempts to discipline students and maintain order in schools. The decision also provides financial protection to school districts, which traditionally pay the costs of defending these types of claims. Plaintiffs' claims of this nature should decrease in Missouri and nationwide as the result of the court's decision.

Husch Blackwell Education attorney Derek Teeter represented Dr. Taylor in summary judgment briefing before the trial court and in briefing and arguing the case to the Missouri Supreme Court. Firm partners Allan Hallquist and Hayley Hanson assisted in other aspects of the case.

To read the court opinion, [click here](#).