

December 18, 2011

Lesson for school officials

Schools are in the business of teaching lessons. Our desire as a community is that they teach kids good lessons -- and by good, we mean teaching kids what's right.

In a very high-profile way, the Pennsbury school board has the opportunity to demonstrate what's right -- and thus, teach kids a good lesson. But board members are flubbing it.

We refer to the case of former high school student Ashley Zauflik, who was struck by a runaway school bus five years ago next month. Ashley's injuries were so severe that her left leg was amputated. "We had to save you," Ashley's mother recalled tearfully telling her daughter when she awoke from the drastic, lifesaving surgery.

A jury last week awarded Ashley \$14 million. Some \$3 million of that amount was to cover past and future medical expenses; the rest was compensation for her terrible pain and unimaginable suffering. Unfortunately, Ashley will never see that money. The assets of local governments, including school districts, are protected by a state law that places a \$500,000 cap on liability awards.

That's not nearly enough to see Ashley through, not to mention compensating her for the pain and suffering.

Clearly, the right thing to do is award Ashley the millions she'll need to cover a lifetime of medical expenses. Pennsbury officials did the right thing by accepting responsibility for the accident, which was attributed to driver error. They did not do the right thing by issuing a carefully worded and compassion-less press release that was clearly written or edited by a lawyer. They also are not doing the right thing by refusing to verbally comment on the case and referring questions to the insurance company's attorney.

That said, we understand that board members have been told to keep their mouths shut. And that they're doing what they believe is in the best interests of the school district. We get it.

What board members apparently don't get is that they're looked to as leaders in the community. And if the community isn't, it should be embarrassed by the leaders' silence.

Particularly embarrassing and a real black eye for the district is that a second insurance policy, a \$10 million umbrella policy, was not revealed until after the civil trial had ended. Whether it matters is debatable, given the state law capping liability awards. Still, it looks bad. And board members make themselves look even worse by refusing to explain why the policy was not revealed, just that the failure to reveal it was not intentional.

The shame is that the board is largely made up of members who were not around when the bus accident occurred. Top-level administrators likewise are relative newcomers; they all inherited this mess. Still, they asked for the jobs and now must do the right thing.

So what's the right thing? We're not lawyers. But from our layman's perspective -- in other words, from our hearts -- we think board members should speak up. In a very public way, they should pressure the insurance company to pay up. Maybe not \$14 million, but enough to cover Ashley's past and future medical expenses and something for her pain and suffering. That might not be a wise business decision, not from a bottom line perspective. But from a moral perspective, it's the right thing to do.

And that's the lesson school board members should teach.