

Post navigation

‘Most famous’ teacher plans class action suit over LAUSD’s ‘teacher jail’

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If opponents of LA Unified’s controversial disciplinary process known as “teacher jail” were looking for an ideal case to fight it, both in a court of law and in the court of public opinion, they may get it.

High-profile attorney **Mark Geragos**, representing one of the most famous active teachers in the country, **Rafe Esquith**, told the **Los Angeles Times** he intends to file a class action lawsuit on behalf of “scores” of district teachers who say they have been denied due process rights. Geragos said he had filed a legal claim on Monday, which is a precursor to a lawsuit.

The lawsuit could have enormous implications for the district, given the public stature of Esquith, who is a best-selling author, and Geragos, who has represented numerous celebrities and high-profile clients, including **Michael Jackson**, **Winona Ryder** and convicted killer **Scott Peterson**.

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Geragos did not state how many teachers may be a part of the possible suit and did not respond to a request for comment. LA Unified General Counsel **David Holmquist** said in an email to **LA School Report** that “you would have to talk to [Esquith’s] attorney about his plans for a class action suit to determine if he believes it is a precursor.”

The district has not publicly released any information on the case so far, other than Superintendent **Ramon Cortines**’ saying the investigation had raised “serious issues.”

Esquith told the Times that he was put under investigation in April and removed from the classroom for making a joke that referenced a passage from the novel “Huckleberry Finn.” He said he told his class they may have to perform nude like a character in the story if he wasn’t able to raise enough funds, and that another teacher complained about it.

Esquith acknowledged making the joke, and Geragos said that was the extent of the original complaint against him but the district’s investigation expanded to focus on Esquith’s nonprofit, the **Hobart Shakespeareans**, including its process of permission slips, chaperons and whether it makes clear it is not affiliated with the district, the Times reported.

Esquith is an author of several books on teaching and has worked at **Hobart Avenue Elementary School** for decades. He has received national recognition for his work with his nonprofit, which raises money for his students to put on Shakespeare plays. His work has been profiled by PBS, the CBS Evening News, Time, People and other national outlets. Washington Post education columnist **Valerie Strauss** **described** him as “the most famous teacher in the world.”

Esquith’s case is thrusting the issue of “teacher jail” into the spotlight once again, where it has been numerous times since the Miramonte Elementary sex abuse scandal broke in 2011 and former teacher **Mark Berndt** was ultimately convicted of multiple counts of committing lewd

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acts on his students. The Miramonte case also led to the district's **record-breaking** \$170 million in civil lawsuit payouts. In the aftermath of the scandal, the LA teachers union, **UTLA**, complained that the district began investigating teachers at a much higher rate. Hundreds of teachers, sometimes more than 300, have been reported to be barred from the classroom at a time in recent years.

Teachers can fall under investigation for anything from serious accusation of sexual misconduct to a simple violation of district policies. The district used to house all teachers under investigation in administrative offices during working hours, and they were often given nothing to do, which gave rise to the "teacher jail" term. In 2014, the district switched policy and began sending most of the teachers home, but the term has come to often apply to any teacher that is barred from the classroom with pay while the district investigates them. The investigations can take months, and teachers are often **not informed** of the accusations against them. UTLA made the district's disciplinary process an issue in its negotiations for a new contract agreement, reached in April, that calls for the district to give teachers under investigation more rights.

"The teacher jail issues, which ballooned under Deasy, was a huge part of our contract negotiations and we got first-time contract language, making sure due process is followed, and time limits are followed in investigations," UTLA President **Alex Caputo-Pearl** told **LA School Report**. "So we want to make sure that the district is following those very common sense guidelines that are now contractual language. We want to make sure that they're following them in this case of Rafe Esquith."

Caputo-Pearl did say that the speed of teacher investigations has improved under new Superintendent **Ramon Cortines**.

"Cortines, to his credit, has worked with us on a number of different cases where we were able to cut through some red tape," Caputo-Pearl said.

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Vanessa Romo contributed reporting to this story.