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Civil Action Filed Against Moraga School District

By Sophie Braccini

Kristen Cunnane decided at the end of last month to file a law suit against the Moraga School District and three individuals who failed to report suspicions of sexual abuse at Joaquin Moraga Intermediate School in the 1990s, which she claims enabled P.E. teacher Julie Correa to pursue her own abuse of Cunnane. Correa was condemned in a criminal court last year and is now in prison, but there is a statute of limitations for those who failed to report, so Cunnane made what she described as a difficult decision and filed a civil case. "They need to be held accountable," she said.

All teachers and school district staff are mandated by law to report immediately to authorities when they have a suspicion of abuse. In Cunnane's case a Contra Costa Times' investigation into Moraga School District archives showed that the middle school vice principal, principal, and possibly the superintendent at the time, had heard claims of abuse but did not report it, causing Correa to feel free to abuse Cunnane for years. "I didn't know there had been a cover up until the journalists found out," said Cunnane. "The School District failed in their responsibility to protect me and they need to be held responsible for not taking action."

Cunnane said that she was touched to receive letters of support from the Moraga Town Council and from many Moraga residents. "People tell me that I did the right thing coming out with the story," she said. "When I feel down I re-read their messages and it helps me." Seeking justice not only for her abuser but for those Cunnane feels enabled the abuse, is part of her healing process.

"Reading what others went through, how they survived and healed helped me," said Cunnane. "I hope that reading my story will help others. They will know that they are not alone."

Cunnane says that she is not very familiar with what the School District has done since last year to improve children's safety, such as implementing additional training for adults and planning a safety curriculum for students, but she thinks that informing children is a good idea. "It is important that every student feels that there is a place where they will be heard," she said. "It's been a taboo issue; empowering children to say something in a safe place is the right thing to do."

The civil complaint was filed in Contra Costa Superior Court against the Moraga School District, a retired Joaquin Moraga Intermediate School principal, assistant principal, and the then-superintendent. The lawsuit claims negligence, fraudulent concealment and intentional infliction of emotional distress, among other charges. It says that the District could and should have prevented the sexual abuse suffered by Cunnane and others. The action seeks to address individual and systemic failure, and to provide some measure of compensation for what Cunnane suffered as a result of their inaction.

The School District would not comment on pending litigation, but current Superintendent Bruce Burns indicated that the District carries insurance through a Joint Powers Agreement, along with several other school districts, and that most of the District's legal fees would be covered by that insurance.

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