

THURSDAY, JULY 14, 2005

Ex-pupil sues school district

HE SAYS TEACHER
MOLESTED HIM

By Dana Hull

Mercury News

An 18-year-old man who claims he was molested in 1998 by a teacher at Ocala Middle School has sued the Alum Rock Union Elementary School District, charging that it was negligent in hiring and supervising the teacher.

The plaintiff, who recently turned 18, was a special-education seventh-grader in 1998. His attorney said that the former student felt confident he could pursue the case now that he is an adult and wanted to do so before the statute of limitations ran out. The suit claims that former teacher Marc Kardos fondled the student outside one of the buildings on campus.

The suit, filed Friday in Santa Clara County Superior Court, seeks unspecified compensation from Alum Rock for

sexual abuse, negligent hiring and supervision, and failure to warn the student and his family.

The student's attorney, Jeffrey Janoff, said he has evidence other teachers at the school complained about Kardos' behavior to administrators but that little if any action was taken. Any police records regarding Kardos are probably sealed because the victim would have been a juvenile at the time.

The Mercury News is not identifying the plaintiff because he was a minor at the time of the alleged assault.

"Our investigation so far has uncovered the fact that there were teachers at the school who complained to the administration about his behavior, and nothing was done," said Janoff, who declined to make his client available for comment.

Alum Rock officials declined to comment on the lawsuit Wednesday.

Contact Dana Hull at
dhull@mercurynews.com or
(408) 920-2706.