PENDING LITIGATION

RE: EDCOE BUS DRIVER

Standard for Filing a Civil or OAH Action

It is important to understand that a lawsuit can be filed in El Dorado County Superior Court, or any other court, by submitting a complaint and paying the filing fee. The court does not review whether the allegations are true when a case is filed. Allegations in a complaint are claims, not findings, and they are tested through the legal process.

The same is true in special education. Under state and federal law, parents may file a due process complaint with the Office of Administrative Hearings (OAH) at no cost. A filing reflects a disagreement that the family is entitled to have heard. It is not a finding that the District did anything wrong.

Case No. 24CV0574 filed 3/19/2024

This matter is the subject of pending litigation and involves student privacy, so the District is limited in what it can share in response to any questions about the pending civil lawsuit. What we can share is:

- The District is aware of the pending criminal charges against a former employee of the El Dorado County Office of Education regarding allegations in relationship to a dependent adult.
- There are NO criminal charges associated with any current or former students of the Buckeye Union Elementary School District.
- It is categorically false to suggest that the District was aware of any investigation regarding the El Dorado County Office of Education employee prior to his arrest by law enforcement.

We want to assure our community that the District has participated fully in the legal process, will continue to do so, and remains confident in its position.

Case No. 25CV1225 filed 5/2/2025

This matter is also the subject of pending litigation and involves student privacy, so the District is limited in what it can share regarding the pending civil lawsuit. What we can share, in addition to the above, is:

- The student identified in this Complaint has never been a student in the Buckeye Union Elementary School District.

Ms. Schraeder Re: OAH and Civil Cases

- Special education is one of the most complex and closely regulated areas of public education, and disagreements between families and districts are a normal part of the system.
- Ms. Schraeder works directly with families to resolve concerns early, takes part in resolution sessions and mediation, in an effort to come to a reasonable resolution, but when a reasonable resolution cannot be reached, she works with legal counsel as the matter moves forward in the process.
- In reviewing the OAH cases that have been filed, it is evident that Ms. Schraeder worked through the legal process appropriately and, in consultation with legal counsel, made sound decisions about how to resolve each matter.
- In reviewing the two civil cases that have been filed, neither pending lawsuit reflects on Ms. Schraeder's performance. One involves the alleged conduct of an employee of another agency, and no concerns about that employee or the services he provided were ever reported to Ms. Schraeder or the District. The other case involves a student who has never attended any school in the District.

To be clear, based on direct observations of Ms. Schraeder's work:

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- We have seen firsthand how Ms. Shraeder handles complex and often difficult situations. She is thorough, knowledgeable, responsive and makes sound decisions.
- We have full faith and confidence in Ms. Schraeder and in the Student Services team she leads on behalf of our students.