

Lawsuit: Student remained in school after sexual assault

HOYT, Kan. (AP) — A Kansas high school student was allowed to remain in school after he was accused of sexually assaulting a female classmate, even though he was facing charges for other sex crimes, according to a federal lawsuit.

The suit alleges that the Royal Valley School District was aware that the male student was a "known danger" and already had been charged with sex crimes in two other cases when the girl reported that she had been raped at school in November 2017, [reports](#) The Kansas City Star. Both students attended Royal Valley High School in Hoyt, about 17 miles (27 kilometers) north of Topeka.

The suit, which was filed Tuesday in federal court by the girl's father, says his daughter was "forced to continue walking the same hallways and be in the same classrooms as the perpetrator who raped her." That led her to transfer to another school "because of the trauma of being raped and because Defendants permitted her assailant to remain in school" and to participate in extracurricular activities, the suit said.

The male student, identified in the suit as W.H., initially was charged with rape and aggravated sexual battery in the school case, but pleaded guilty to a reduced charge of sexual assault, the suit says. No details were released about his sentence.

Superintendent, Aaric Davis, who also is named as a defendant in the suit, said he was "not aware of the lawsuit being filed" and couldn't discuss pending litigation.

Christopher Dove, the plaintiff's attorney, said the school district failed to protect the student and wouldn't provide information to her parents after she was assaulted.

"It becomes a legal matter because the school didn't want to take care of her on the front end and even after it happened didn't want to take steps to make her feel that it was a school she wanted to return to," Dove said.

The suit said that for "a long period of time" before the girl was assaulted, the district knew that her attacker was "sexually assaulting and harassing multiple female students in the School District."

The male student also was charged in March 2016 with multiple counts of sexually soliciting minors, sexual exploitation of minors and making a criminal threat of sexual assault against a minor, according to the suit. The charges stemmed from incidents that occurred during November and December 2015.

In August of 2017, according to the suit, he was charged with aggravated indecent liberties with a child.

His criminal records are filed under seal in juvenile court. The suit provided no details on how the cases were resolved.

The lawsuit claims the district violated its own policy against sexual harassment and bullying and failed to protect students when it chose not to act against W.H. before or after the November 2017 assault

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