

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
LOUISIANA

Shawn Prather v. East Baton Rouge Parish School Board and
Richard Day

Prather · No. 23-1349-SDD-RLB · Decided February 9, 2026

SUMMARY

The ruling addresses motions for summary judgment in a civil action arising from the alleged sexual abuse of a student by a teacher in 1985. The court grants Principal Richard Day’s motion, grants the School Board’s motion as to the federal claims, and denies it as to the state-law claims. The opinion discusses qualified immunity, supervisory liability under 42 U.S.C. § 1983, deliberate indifference, and the admissibility of newspaper articles at summary judgment.

CASE DETAILS

COURT	United States District Court for the Middle District of Louisiana
WRITING FOR THE COURT	Shelly D. Dick
JURISDICTION	United States District Court for the Middle District of Louisiana
DECIDED	February 9, 2026
DOCKET	23-1349-SDD-RLB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff opposed separate motions for summary judgment filed by Richard Day and the East Baton Rouge Parish School Board in an action arising from sexual abuse allegedly committed by a school teacher in 1985.
STANDARD OF REVIEW	Summary judgment is proper when there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. The evidence and reasonable inferences are viewed in the light most favorable to the nonmovant, but conclusory allegations, unsupported assertions, and a scintilla of evidence are insufficient. The court applied the qualified-immunity two-step inquiry and Louisiana's duty-risk negligence analysis.
PRECEDENTIAL VALUE	unpublished district court ruling
PARTIES	Shawn Prather v. East Baton Rouge Parish School Board, Richard Day

TOPICS

summary judgment

section 1983

qualified immunity

government liability

civil procedure

PRACTICE AREAS

civil rights

constitutional law

education law

tort law

summary judgment

QUESTIONS PRESENTED

1. Whether Richard Day was entitled to qualified immunity on Prather's § 1983 supervisory-liability claim based on alleged failure to investigate, train, or supervise Davison.
2. Whether the School Board could be held liable under § 1983 for an official policy, custom, failure to adopt a policy, failure to train, or failure to supervise that caused the constitutional violations.
3. Whether genuine disputes of material fact precluded summary judgment on the School Board's Louisiana-law negligent supervision and negligent training claims.
4. Whether the School Board could be vicariously liable under Louisiana law for Davison's intentional sexual assaults committed at school during school hours.

HOLDINGS

1. Day was entitled to qualified immunity because, even viewing disputed facts and inferences in Prather's favor, the evidence did not establish deliberate indifference to an obvious risk of sexual abuse under controlling Fifth Circuit precedent.
2. The School Board was entitled to summary judgment on Prather's § 1983 claims because Prather failed to present competent summary-judgment evidence of an official policy, widespread practice, pattern, or custom that was the moving force behind the constitutional violations.
3. Summary judgment was denied on the School Board's Louisiana-law negligent-supervision claim because a reasonable jury could find that the School Board knew or should have known of a risk posed by Davison and that heightened supervision could have prevented the harm.
4. Summary judgment was denied on the School Board's Louisiana-law negligent-training claim because a reasonable jury could find that Day was inadequately trained and that the lack of training caused Prather's injuries.
5. Summary judgment was denied on the School Board's Louisiana-law vicarious-liability claim because a reasonable jury could find that Davison acted within the course and scope of employment.

KEY QUOTATIONS

“Although the Court finds several genuine disputes of material fact are present in this case, the Court holds that Day is entitled to qualified immunity after applying the overwhelming jurisprudence that mandates this result.” (Section II.B)

“The Court finds that the School Board is entitled to summary judgment on Plaintiff’s Monell claims because Plaintiff has failed to present competent summary judgment evidence that a widespread practice, pattern, or

custom of student sexual abuse by teachers existed within the school system at the relevant time such that the School Board had notice of such a serious risk and the need to develop responsive policies and/or training.” (Section II.C.1)

“It is undisputed that Plaintiff’s sexual abuse by Davison occurred at Southeast, where Davison was employed and where Plaintiff was a student; during school hours; and in a manner that would not have been possible without the authority given to Davison via his employment by the School Board.” (Section II.C.3)

FACTUAL BACKGROUND

Prather was a seventh-grade student at Southeast Middle School in Baton Rouge in May 1985 when teacher Rafe Davison sexually assaulted him on multiple occasions during school hours and on school property. Richard Day was the school's principal. Before the later assaults, law-enforcement officers contacted Day regarding an investigation involving Davison and a child, and the record contained evidence concerning earlier complaints or rumors about Davison's conduct with children. The School Board's evidence concerning training, supervision, reporting policies, and prior incidents was disputed and incomplete.

PROCEDURAL HISTORY

Prather sued Day and the School Board under 42 U.S.C. § 1983 and Louisiana law. Day moved for summary judgment based principally on qualified immunity. The School Board moved for summary judgment on the federal municipal-liability claims and the state-law negligence and vicarious-liability claims. The court granted Day's motion, granted the School Board's motion as to the § 1983 claims and punitive damages, and denied it as to the state-law claims.

DISPOSITION

other

CASES CITED

- James v. Texas Collin County, 535 F.3d 365, 374 (5th Cir. 2008)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323-25 (1986)
- Adickes v. S. H. Kress & Co., 398 U.S. 144, 157 (1970)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Doe v. Taylor Independent School District, 15 F.3d 443, 450-56 (5th Cir. 1994) (en banc)
- Hagan v. Houston Independent School District, 51 F.3d 48, 50-53 (5th Cir. 1995)
- Doe v. Rains County Independent School District, 76 F.3d 666, 667 (5th Cir. 1996)
- Doe ex rel. Doe v. Dallas Independent School District, 153 F.3d 211, 215, 219 (5th Cir. 1998)
- Doe ex rel. Doe v. Dallas Independent School District, 220 F.3d 380, 388 (5th Cir. 2000)
- Monell v. Department of Social Services of the City of New York, 436 U.S. 658, 691 (1978)
- City of Canton v. Harris, 489 U.S. 378, 387, 390, 392 (1989)
- Connick v. Thompson, 563 U.S. 51, 61-62 (2011)

- Gomez v. Galman, 18 F.4th 769, 777, 780 (5th Cir. 2021)
- Robinson v. Midland County, 80 F.4th 704, 710 (5th Cir. 2023), cert. denied, 144 S. Ct. 1010 (2024)
- Jackson v. Valdez, 852 F. App'x 129, 135-36 (5th Cir. 2021)
- Doe v. East Baton Rouge Parish School Board, 978 So. 2d 426, 433 (La. App. 1 Cir. 2007), writ denied, 978 So. 2d 306 (La. 2008)
- T.S. v. Rapides Parish School Board, 11 So. 3d 628 (La. App. 3 Cir. 2009)
- Booth v. Orleans Parish School Board, 49 So. 3d 919, 922 (La. App. 4 Cir. 2010)
- LeBrane v. Lewis, 292 So. 2d 216, 217-18 (La. 1974)
- Benoit v. Capitol Manufacturing Co., 617 So. 2d 477, 479 (La. 1993)
- Miller v. Keating, 349 So. 2d 265, 268 (La. 1977)
- Porter v. Epps, 659 F.3d 440, 445-47 (5th Cir. 2011)

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