

SUPREME COURT OF RHODE ISLAND

Angela Dextraze et al. v. Timothy Bernard et al.

Supreme Court No. 2020-48-Appeal; PC 13-5786 · No. 2020-48-Appeal; PC 13-5786 · Decided June 28, 2021

SUMMARY

The Rhode Island Supreme Court affirmed a Superior Court judgment for students and their parents in a negligence action arising from a student assault at Ponaganset High School. The Court held that the school district owed a duty to adequately supervise students and that expert testimony was not required where the evidence showed a known, foreseeable danger and a lack of supervision. The Court also upheld the jury's finding of proximate cause and denied the school district's motions for judgment as a matter of law and a new trial.

CASE DETAILS

COURT	Supreme Court of Rhode Island
WRITING FOR THE COURT	Associate Justice Melissa A. Long; Chief Justice Suttell; Justice Goldberg; Justice Robinson; Justice Lynch Prata; Justice Long
JURISDICTION	Rhode Island
DECIDED	June 28, 2021
DOCKET	2020-48-Appeal; PC 13-5786
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Foster-Glocester Regional School District appealed from the Superior Court's denial of its motions for judgment as a matter of law and for a new trial following a jury verdict finding the school district negligent and awarding damages to the plaintiffs.
STANDARD OF REVIEW	Review of a decision on a motion for judgment as a matter of law is de novo, viewing the evidence in the light most favorable to the nonmoving party, without weighing evidence or evaluating witness credibility, and drawing all reasonable inferences for the nonmoving party. Review of a decision on a motion for a new trial is deferential; the trial justice acts as a super juror and the decision will not be disturbed absent overlooking or misconceiving material evidence or clear error.
PRECEDENTIAL VALUE	Published Rhode Island Supreme Court opinion; precedential value is not expressly stated in the text.

PARTIES

Foster-Glocester Regional School District v. Corey Dextraze, Angela Dextraze, Mark Dextraze

TOPICS

negligence

duty of care

standard of care

appellate procedure

standard of review

PRACTICE AREAS

Torts

Education law

Appellate procedure

QUESTIONS PRESENTED

1. Whether the school district was entitled to judgment as a matter of law because the plaintiffs failed to establish the applicable standard of care and deviation from that standard.
2. Whether expert testimony was required to establish the school district's breach of its duty to adequately supervise students.
3. Whether the plaintiffs presented sufficient evidence for a jury to find that the school district's failure to supervise was a proximate cause of the plaintiffs' injuries.
4. Whether the Superior Court properly denied the school district's motion for a new trial.

HOLDINGS

1. Expert testimony is not required where the school district exercises no degree of care in the face of a known and foreseeable danger to students and the failure to act is within the common knowledge of a layperson.
2. The plaintiffs presented sufficient evidence for the jury to find that the school district breached its duty to adequately supervise students.
3. The plaintiffs presented sufficient facts for a jury to find that the school district's failure to act was a substantial cause of the plaintiffs' injuries.
4. The Superior Court properly denied the school district's motions for judgment as a matter of law and for a new trial because the evidence supported the jury's negligence verdict and the trial justice applied the proper standards.

KEY QUOTATIONS

“Although we do not expect schools to be insurers of students’ safety, we do require schools to exercise a degree of care that includes protecting students from reasonably foreseeable harm.” (11-12)

“We therefore conclude that where, as here, there is evidence that the school district exercised no degree of care in the face of a known, foreseeable danger, no expert testimony is required.” (12-13)

“As we have indicated, the record demonstrates that plaintiffs presented sufficient facts upon which a jury could find that the school district’s failure to act was a substantial cause of plaintiffs’ injuries.” (13)

FACTUAL BACKGROUND

Timothy Bernard had a lengthy disciplinary history at Ponaganset High School, including repeated misconduct, a prior fight, and pushing another student in the hallway approximately two months before he assaulted Corey Dextraze. Despite these incidents, the school district did not develop a behavioral plan or provide meaningful supervision or support services before the assault. On January 18, 2012, Bernard followed Dextraze through a hallway while yelling profanities, and no teachers intervened; Bernard then punched Dextraze twice, breaking his jaw and dislocating his teeth. Dextraze required surgery, missed more than two weeks of school, and suffered physical and educational consequences.

PROCEDURAL HISTORY

Corey Dextraze and his parents sued Timothy Bernard and his parents after Bernard assaulted Corey at Ponaganset High School. The Bernards were defaulted, and the plaintiffs later amended the complaint to add the school district. After a four-day jury trial, the jury found the school district negligent and awarded damages. The Superior Court denied the school district's motions for judgment as a matter of law and for a new trial, entered judgment for the plaintiffs, and the school district timely appealed. The Rhode Island Supreme Court summarily decided the appeal after directing the parties to show cause and affirmed, remanding the record to the Superior Court.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The record was remanded to the Superior Court; no further substantive instructions were provided.

CASES CITED

- Daniels v. Fluette, 64 A.3d 302 (R.I. 2013)
- Rhode Island Resource Recovery Corporation v. Restivo Monacelli LLP, 189 A.3d 539 (R.I. 2018)
- Giron v. Bailey, 985 A.2d 1003 (R.I. 2009)
- Filippi v. Filippi, 818 A.2d 608 (R.I. 2003)
- Letizio v. Ritacco, 204 A.3d 597 (R.I. 2019)
- Kemp v. PJC of Rhode Island, Inc., 184 A.3d 712 (R.I. 2018)
- Almonte v. Kurl, 46 A.3d 1 (R.I. 2012)
- Malinou v. Miriam Hospital, 24 A.3d 497 (R.I. 2011)
- Mills v. State Sales, Inc., 824 A.2d 461 (R.I. 2003)
- Medeiros v. Sitrin, 984 A.2d 620 (R.I. 2009)
- Gianquitti v. Atwood Medical Associates, Ltd., 973 A.2d 580 (R.I. 2009)
- Habershaw v. Michaels Stores, Inc., 42 A.3d 1273 (R.I. 2012)
- Martin v. Lawrence, 79 A.3d 1275 (R.I. 2013)

