

LAWSUITS TARGET MOLD
IN SCHOOLS



By Jamie Malernee

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Lawsuits target mold in schools

After years of watching her son suffer from severe symptoms — vomiting in class and at home, having to endure 78 allergy injections, 22 prescribed medications, CAT scans and two surgeries to drain his sinuses — Cara Aliseo finally pulled him out of his mold-plagued elementary school.

He's been healthy ever since, she said.

On Friday, Aliseo spoke out about the mold problems as one of 18 parties to file lawsuits against the Broward County School District.

Filed on behalf of 13 students and seven employees, the lawsuits allege Riverside and Indian Trace elementary schools were more than just petri dishes for the "black snow" and sludge that grew inside walls and blew through the air conditioning systems.

They allege the Coral Springs and Weston schools were not only defectively built and maintained, but that officials ignored the problems for years and, when they were finally forced to fix things, remediation efforts were shoddy and in some cases made things worse.

"I was told the School Board would not keep children in a place that was not safe," Aliseo recalls when she first began to question the connection between her son's symptoms and Riverside. "But since the day he left, he has not taken a single antibiotic."

Lawyers for Aliseo and other parents say the 18 lawsuits filed in Broward Circuit Court are only the "first wave" of mold litigation to hit the district following a scathing grand jury report released in May.

The report renounced the district's handling of mold issues and all but invited parents and workers to seek damages for their exposure and concurrent health problems, which include nose bleeds, respiratory infections, rashes, chronic cough and the lost sense of taste.

'MORE PHONE CALLS'

Also named in the suit are Superintendent Frank Till and the School Board, as well as architects, engineers, roofers, contractors, mold remediation experts and clean-up workers associated with the schools.

"Each day that goes by, we receive additional phone calls. We suspect this is a Broward County-wide problem with Broward County-wide ramifications," said Boca Raton attorney Scott Gelfand.

School district officials declined comment on any litigation but acknowledged past bungled attempts to address the mold problems, which are common in Florida's climate.

Spokesman Joe Donzelli said new administrators have put better procedures in place to address concerns, have revamped Riverside Elementary, and are investing millions of dollars to properly clean other campuses and restore parents' trust.

"Unfortunately, we can't turn back time, and we can't make excuses for past district officials who promised things and didn't deliver," Donzelli said. "Now we have to keep moving forward, keep looking to the future."

'VOMITING, MIGRAINES'

But mother Mary Macfie, one of those suing the district, isn't about to let bygones be bygones.

"My 16-year-old had uncontrolled vomiting, swollen eyes and face to the point where she could not see. The migraines would keep her locked up in her room in the dark. We were bringing in my daughter from the emergency room because she was so dehydrated," she said.

Her daughter missed large chunks of school. Macfie says she called school and health officials trying to get help, testing for mold, anything. Instead, she received a letter saying if her child missed any more school, Macfie could be charged with a misdemeanor for failing to get her in class.

Lawyers: Cases are 'first wave' of litigation

Now, Macfie acknowledges, administrators say they want to improve things. Half of Indian Trace Elementary has been shut down this fall for mold remediation, and Superintendent Frank Till came out on the first day of school to eat peanut butter sandwiches with students who were not allowed in the infested cafeteria and had to eat outside.

The media was invited out, shooting video and pictures of Till smiling with the children.

Macfie was not impressed.

"Where was he the last three years when I've been calling him?" she said.

In addition to seeking "major monetary damages" for pain and suffering, medical expenses and future medical monitoring, the lawsuits ask for an injunction against the school district, requiring it to meet all 31 improvement recommendations listed in the scathing grand jury report.

School officials say most of those recommendations have already been met voluntarily. All should be in place by the end of 2004.

PROBLEM ROOF DESIGN

Some of the problems haven't been an issue for years, since the district stopped reusing Riverside's problematic roof design, which included decorative cupolas that sent water pouring into the schools, creating an ideal condition for mold growth. Bad air conditioners added to moist conditions.

At one point, workers cleaned out the mold but did not fix the leaking roof. When it rained, the mold returned. After the roof was replaced,

crews ripped out walls, but didn't cover the area with plastic sheeting, contaminating other areas.

Angry, Till ordered a total do-over. This summer, workers removed 40 percent of the walls, those with bad or even unclear air quality. Although it took years and millions of dollars, officials now use Riverside as an example of their commitment to do better.

"It's night and day. That school, for all intents and purposes, is a new school," Donzelli said. "The way we can rebuild trust [with parents] is to do things the way we've done them at Riverside."

The only problem? There's been plenty of rain lately, and Aliseo has been keeping a close eye on Riverside's roof. "Last week," she said, "it leaked."

Staff Writer Bill Hirschman contributed to this report.

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ONLINE

The grand jury recommendations and the district's response can be read at www.browardschools.com/districtreports/pdf/grandjrev2.pdf



CHALLENGE: Mary Macfie, top left, of Weston, and Cara Aliseo, of Tamarac, look on as their lawyers Joseph A. Osborne, left, and Scott N. Gelfand read some documents from their lawsuits against Broward School District. Photo/Renato Rotolo