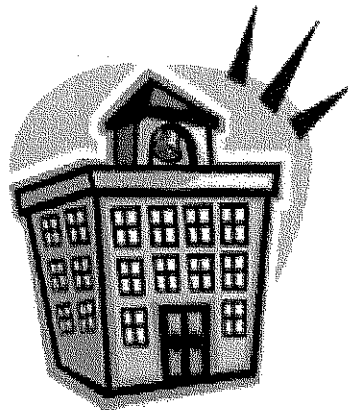


MOLD LAWSUITS FILED AGAINST SCHOOL DISTRICTS



By Jess Andrews

taken from
Sarasota Herald-Tribune

Tuesday, March 2, 2004

Mold lawsuits filed against school districts



STAFF PHOTO / ROD MILLINGTON

Attorney Scott Gelfand, with one of the plaintiffs, Diana Farnan, expects more complaints to surface in Southwest Florida.

SARASOTA — Nearly a dozen people have developed health problems because officials in Sarasota and Charlotte counties allowed dangerous levels of mold to accumulate in two schools, according to lawsuits filed Monday in those counties.

At a press conference, lawyers representing students and parents said they are seeking "major monetary damages" against the school districts and the companies that designed and built the schools, and are demanding changes in the way mold is removed.

The lawsuits were filed in circuit court on behalf of five students and three parents from Glenallen Elementary in North Port, and on behalf of three students at Lemon Bay High in Charlotte County.

The lawsuits claim both schools are poorly constructed and not designed to handle Florida's heavy rainfalls.

Sarasota and Charlotte school officials said they were surprised by the lawsuits, and that they had responded appropriately to complaints over the years. They said there is no mold problem at those schools.

"If we find active mold growth, we deal with it," said John Mello, who conducts mold and air quality inspections for Sarasota's school district. "We don't turn our heads and go the other direction."

But several parents who attended the press conference Monday at the Holiday Inn Airport Marina said they felt their complaints were ignored.

Chantelle DeBejare, a Glenallen parent who said she often volunteered at the school, said officials made her feel she was crazy, telling her the mold levels are safe despite her repeated complaints.

She said her son suffered from rashes, fevers and respiratory infections that disappeared when school ended last summer, then returned when school began in the fall.

"It got to the point where (my son) was crying in the morning, saying it wasn't fair he had to go there and be sick," DeBejare said.

She is now home-schooling her son.

She said she often took her preschooler to Glenallen while volunteering, and he also became sick. DeBejare and the two boys are plaintiffs in the lawsuits.

Robyn Dutil said her 16-year-old daughter, Alyssa, has had chronic fevers and sinus infections since starting at Lemon Bay last year.

After Alyssa dropped five dress sizes, Dutil pulled her from Lemon Bay. She is now teaching her at home.

"It's taking longer and longer for her to get better," Dutil said. "She's been tested for 10 molds, and nine have come back positive. She has no more tolerance to mold at that school. "She's a good student who's going to miss the prom and all those other events with her friends."

For some people, exposure to fungi or microorganisms related to mold can lead to asthma, wheezing, low-grade fever, or persistent coughing, according to the National Institute of Allergy and Infectious Disease.

The three plaintiffs who attended the press conference Monday said their family doctors traced their health problems to mold.

Parents and lawyers claim that neither school has performed adequate tests for mold, a point both school districts dispute.

Charlotte County school officials say inspectors from the state and county health departments found no serious mold problems since initial claims at Lemon Bay High surfaced last year.

FreshAire Solutions of Southwest Florida, an independent contractor hired by the district in October, also concluded that there were no abnormal signs of dirt and no visible signs of mold.

"We have gone to great lengths, taken great measures to make sure there is no mold at that school," said Charlotte Superintendent David Gayler. "And if there were, we've cleaned it up."

In the past five years, Glenallen Elementary has had 22 mold complaints. Testing was done on each occasion, and at no time were dangerous levels of mold detected, according to Sheila Weiss, the district spokeswoman.

The most recent test at Glenallen was Jan. 28, and no dangerous levels were found, officials said.

However, the air-conditioning unit was ordered to be cleaned and sanitized, which will be completed by the end of this week.

"Almost every single time, we'll have the air conditioning inspected and cleaned just in case," said Mello, the district official who tests for mold. "The school district spends a small fortune, at least \$100,000, every year in cleaning these systems."

Barry Dubin, executive director of Sarasota Classified Teacher's Union, has had more complaints from union members at Glenallen than any other school.

January's inspection was prompted by a union member's complaint, he said.

"I was assured by the district it was fine," Dubin said. "This does get me to thinking."

Two of the attorneys who filed the lawsuits, Scott Gelfand of Boca Raton and Joseph Osborne, said parents and students don't fully understand how mold makes people sick, which is why there haven't been more complaints.

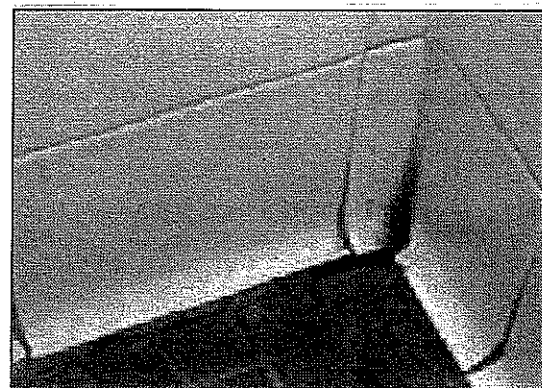
Osborne and Gelfand are from Palm Beach County. They sued Broward County's school district last year on behalf of 20 students and teachers, claiming the district had failed to remove mold, and that construction and design of those schools increased the problems.

Twelve more plaintiffs have since sued. All of the suits are pending.

Gelfand said several of the parents in Sarasota and Charlotte counties heard about the Broward County case and contacted them last November.

The lawyers said they expect more complaints to surface in Sarasota and Charlotte counties, and in Manatee County. For nearly a decade, students in Manatee have complained that their schools are making them sick.

At a meeting to discuss King Middle School's renovation



Parent Chantelle DeBejare provided this photo of mold in the grout in a corner at Glenallen Elementary School in North Port.

COURTESY PHOTO / CHANTELLE DEBEJARE

last year, a group of parents confronted school officials with accusations that mold was causing their children's chronic sore throats and breathing problems.

The school was tested, and its structure deemed so damaged that it will be replaced instead of renovated.

Manatee officials maintain that mold wasn't part of the problem, however.

In the mid-1990s, Wakeland Elementary School was diagnosed as a sick building after mold grew inside its air-conditioning system.

Students were put in portable classrooms and the school was gutted to make it usable again.

The plaintiffs in the Glenallen Elementary lawsuits are DeBejare, parents Heather Duchesney and Frances McCarthy and students Dominic and Luke DeBejare, Hannah Bulicsek, and Patrick and Mark Steiner.

The plaintiffs in the Lemon Bay lawsuits are Alyssa Dutil and Keisha Farnan. The third student's name was not available.

The defendants included the school districts, school superintendents, school board members, and a host of contractors, builders, architects and inspectors.

Staff writers Laura Green and Christina DeNardo and SNN's David Karsh contributed to this report.