

# Educators' lawyers seek end of suits

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**Jan. 20, 2001** - Attorneys for Columbine High School principal Frank DeAngelis, six teachers and the Jefferson County School District have asked that lawsuits against their clients be dismissed because a federal appeals court has ruled that public schools aren't required to protect students from each other.

Attorney W. Stuart Stuller wrote, in papers filed Friday in U.S. District Court in Denver, that the complaints filed by relatives of Columbine victims must contain specific allegations that the conduct of the teachers and administrators "violated the federal constitution or was a willful or wanton infliction of injury."

The most recent complaint against the defendants brings up two theories:

The Red Flag theory, which says educators must watch for any behavior that raises a red flag and that those incidents must be shared with all the other educators at the school.

The Lord of the Flies theory, based on the popular book by William Golding, that states that violence can be caused by a harsh psychological environment, such as berating and intimidation by physically superior athletes or other students.

Stuller, in his motion, wrote that both theories "are variations on the premise that educators have a constitutional duty to protect students from each other."  
But he argued that there is no constitutional duty to protect students.

The Lord of the Flies theory is a theme that killers Eric Harris and Dylan Klebold "were motivated in their attack by feelings of resentment created by harassment and bullying tolerated by the faculty" and others, he said.

But recent opinions from the 10th Circuit Court of Appeals don't support that theory, he wrote, arguing that it can be shown that not only were Columbine educators not required to protect students from Harris and Klebold, but they also were not required to protect Harris and Klebold from the students at Columbine.

Quoting the 10th Circuit Court, Stuller wrote: "Defendant school districts neither entered into a custodial relationship with their students nor did they create or augment the danger posed by the aggressors."