

## Teacher convicted of child abuse resigns

### Auditor general reported concerns about RCSD hiring practices around time man got job

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Rochester Democrat and Chronicle USA TODAY NETWORK

James Doran, a special education teacher hired by the Rochester City School District in September, has resigned following a *Democrat and Chronicle* report that he was convicted of battery for striking children at a previous teaching job in Nevada.

The Las Vegas-area Clark County School District paid \$1.2 million earlier this year to settle claims from parents who said Doran physically assaulted their children in his job as a special education teacher. At least two of the children are mostly nonverbal and have autism.

Doran was also convicted of misdemeanor battery, but somehow got hired in Rochester in September to work at Dr. Charles T. Lunsford School 19.



**Doran**

He was put on leave Wednesday morning, then submitted his resignation hours later.

In a statement, district spokesman Carlos Garcia said he could release no further details about Doran but wrote: “The district takes the employment of all its teachers very seriously. As always, the safety and well-being of our students is our top priority.”

Doran was first certified to teach in New York in 2013, at which point he would have been fingerprinted and subjected to a criminal background check. He received an additional certification for special education in April 2018.

Doran was the subject of a 2016 federal lawsuit settled in January. The Clark County School District agreed to pay \$1.2 million plus attorney’s fees to families who accused him of “a litany of physical and verbal abuses” of three children, including mostly nonverbal students with autism.

Doran was also charged with three counts of misdemeanor battery and ultimately convicted of one count.

Parents of three children at Forbuss Elementary School in Las Vegas said their children were physically and

noted by Distinguished Educator Jaime Aquino in his report.

In 2012 and again in 2014, Henry-Wheeler issued comprehensive audits of the department, repeatedly pointing to a lack of effective oversight, according to documents obtained by the *Democrat and Chronicle* via Freedom of Information request. Among other things, she found, the district did not check references that job applicants provided and did not always perform drug-testing as required.

She also found that employees’ personnel records were often missing crucial information, including results of fingerprinting and background checks. The department has been headed since 2014 by Harry Kennedy.

The district policy on criminal background checks reads in part: “Individuals shall be cleared for employment when the district has received notification from SED that the individual has been cleared and may legally work in the district.”

In response to a Freedom of Information request, RCSD provided a document from the state Education Department showing that Doran was fingerprinted and “cleared for employment in your school” in June 2018.

verbally abused by Doran during the 2014-15 school year. According to their lawsuit, one of the children “was subjected to a variety of unconscionable abuses, including being pushed and grabbed, having his hands forcefully slapped and hit, and being thrown into classroom furniture.”

As a result, the parents said, two of the students began to harm themselves and demonstrate psychological distress. The children suffered various physical injuries, including one instance in which one student injured an arm so severely it required a cast, the lawsuit said. Doran was given a suspended six-month jail sentence and told to complete community service and “impulse control counseling, according to Nevada court records.

His lawyer at the time told the *Las Vegas Review-Journal* the case was “extremely blown out of proportion,” and that the children hadn’t actually been injured.

Doran then was a first-year teacher and mildly autistic himself, according to the lawyer, and intended to resume his teaching career elsewhere.

### **Inadequate hiring process**

Three times in the last seven years, RCSD’s own auditor general has pointed to shortcomings in practices and procedures within the human resources office, including loose hiring processes and a failure to monitor for violations.

Last September — the same month Doran was hired at School 19 — Auditor General Anissa Henry-Wheeler reported concerns with the district’s hiring practices and monitoring and said, “Systems and practices need improvement.” Those concerns were

That is not the same thing, however, as saying Doran had a clear criminal record, something the state notes specifically on its website.

In fact, less than a year after his misdemeanor plea, Nevada court records show Doran also was convicted of misdemeanor driving under the influence.

The state Education Department did not immediately respond Wednesday to a request for detail on the checks it did on Doran and whether it followed its own procedures accurately. A second criminal background check in 2018, when Doran returned to New York and got certified for special education, would have turned up the 2015 conviction.

Background checks of teacher-hires, particularly across state lines, have repeatedly been proven a challenge for districts across the country. A 2016 investigation by the USA Today Network uncovered numerous instances in which people were hired to work with children despite major red flags in their history.

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