

6th-grader's parents sue LTUSD, TVES



Crystal Aguilar is at the center of a lawsuit against Lake Tahoe Unified School District. Photo/Provided

By Kathryn Reed

Lake Tahoe Unified School District faces a lawsuit stemming from an incident at Tahoe Valley Elementary School that nearly killed a student.

Todd and Marisela Aguilar on behalf of their daughter, Crystal, who is now a sixth-grader at South Tahoe Middle School, are suing the district, TVES and Grace Magnussen. Magnussen was a physical education and special education teacher at TVES at the time of the April incident. She has since left the district.

“For us we would like the school to take more responsibility with these types of children and their needs,” Todd Aguilar told *Lake Tahoe News*.

Crystal was born with a crushed aortic valve and three holes in her heart. Two were repaired within days of her birth. She has had health issues ever since as well as learning

disabilities. Each year her parents explain to school officials what their daughter's limitations are.

On April 15 Crystal was told to run laps with the other kids; this in turn caused her to have a heart attack, her father said.

It is what happened that day that has led to the lawsuit. A claim was filed with the district in May and it was rejected in June. A court date has been set for February.

"We are working on it together," Superintendent Jim Tarwater said of the lawsuit. He could not discuss the district's stance as is normal with any litigation.

Mike Doyle, who is on the school board, is also Crystal's pediatrician.

The Aguilers contend the teacher should have known having Crystal run would have risked her health. It in turn meant more medical expenses for the family. The suit also contends Crystal faces permanent disability because of the incident, will have more expenses and that the family is losing income based on Todd Aguilar having to miss work because of his daughter's needs.

"The best outcome for Crystal is it's all about her health. We want to make sure she gets the proper care she needs and she can move on with her life," Aguilar said.

The couple also hopes the lawsuit will ensure teachers are properly trained to handle the needs of children like Crystal.

Crystal has been having seizures lately, which according to her father, was not happening before the heart attack. A trip to UC Davis Medical Center in Sacramento is scheduled for this month to try to address this latest medical issue.