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Settlement in Case of College Dating Violence Death means Change for Others

May 22, 2020

Romanucci & Blandin, LLC and Public Justice together announce a comprehensive settlement between the family of student-athlete Fatima Larios and Chadron State College in Chadron, Nebraska, to build a lasting campus legacy for Fatima. She died by suicide on January 31, 2015, at age 19, during her sophomore year at Chadron State, after being stuck in a toxic cycle of dating violence with a fellow student-athlete. The lawsuit filed by the family claimed the college was aware of the violent relationship between Fatima and her boyfriend and missed critical opportunities to intervene, protect and educate, as required by a federal law known as Title IX. As part of the path forward from her tragic death, Chadron State is taking action to ensure that its students receive the support and protection they need to be safe and thrive at school.

Fatima was a beloved daughter, sister, friend, and softball teammate from the Monterey Peninsula in California. She graduated from a Catholic high school where she played soccer, basketball, water polo, and softball, and earned a college athletic scholarship. In 2014, after a year playing Division I softball in Tennessee, Fatima transferred to Chadron State and joined its softball team. Fatima quickly made many friends in the tight-knit Chadron State community, especially among her Eagles teammates.

But Fatima's relationship with her athlete-boyfriend grew increasingly toxic while they were at Chadron State and involved escalating dating violence. Dating violence is a form of intimate partner violence (IPV) and is defined by the Nebraska Coalition to End Sexual and Domestic Violence as, "repeated verbal, emotional, physical, or sexual abuse used to frighten, hurt, and control a girlfriend or boyfriend." Title IX prohibits sex discrimination at educational institutions and provides protections to the many students who experience dating violence.

In the United States, one of every three women and one of every four men have suffered physical abuse by a partner in their lifetime. The consequences of IPV can be serious and long-lasting. People in relationships involving IPV may suffer emotionally, psychologically, and physically. They are more likely to experience symptoms of depression and anxiety, use drugs and alcohol, and engage in self-harm and suicide.

In the fall of 2014, some of Fatima's softball teammates noticed changes in her behavior and bruises that appeared inconsistent with their sport. They became concerned for her well-being and reached out to Fatima, who told them her boyfriend had caused the bruises. They reported this to an assistant coach, who also noticed the bruises and changes in Fatima's behavior. Despite her teammates expressing alarm, and the assistant coach trying to help Fatima, the dating violence continued — often in the dorm where Fatima and her boyfriend both lived — and

sometimes so loud that students, resident advisors, and others expressed concern. In hindsight, there were missed opportunities that could have been taken to help Fatima, as well as her boyfriend. Tragically, less than four months after Fatima's teammates first reached out to help her, Fatima was gone.

The settlement between Fatima's family and Chadron State is intended to turn this tragedy into an opportunity for change, education about dating violence on college campuses, and remembrance. To better protect current and future students, Chadron State has already made important changes, including:

- Hiring a full-time Title IX Director who receives ongoing, regular training from the Association of Title IX Administrators
- Changing its policies to require interdepartmental communication among its Title IX office, athletics department, and housing administrators

Additionally, Chadron State and Fatima's family have come together to commit to additional steps that will ensure Fatima's legacy is one that helps others and will improve student safety. The settlement specifically requires that:

- Chadron State will provide annual suicide prevention training to its staff, faculty, and students for at least the next ten years;
- Chadron State will consult with an outside expert for the next three school years regarding its Title IX policies, procedures, and practices;
- A memorial scholarship in Fatima's name (The Fatima Larios Spirit Scholarship) will be given on an annual basis, for at least the next ten years, to a member of Chadron State's women's softball team; and
- A memorial honoring Fatima's life and will be placed on campus for at least the next ten years.

"The tragedy of Fatima Larios' death is that there were many warning signs and it could have been prevented through timely and skilled intervention, which is precisely what Title IX law is designed to do. While the system did not work for Fatima, her family is dedicated to sharing her painful story so that others may live," said Antonio Romanucci, Founding Partner, Romanucci & Blandin, LLC, which represented Fatima's family.

"Both on the field and off, Fatima was dedicated to inspiring, mentoring and championing her teammates and friends," Fatima's parents and step-father said in a statement. "This settlement ensures that her legacy will endure and that she will continue to help others while also making Chadron a safer and more welcoming community. These changes, and the scholarship established in her name, are a fitting tribute to someone who lived life with passion, purpose and an unyielding faith in the power of every person to have a positive impact on those around them. We miss Fatima every single day, but know she would be proud that other young women will be empowered, protected and supported by all that is now happening in her name."

"Schools across the country can learn a valuable lesson from what Chadron State College is doing to improve student safety and honor Fatima's legacy," said Adele Kimmel, Senior Attorney at Public Justice. "Before Fatima died, the college did not have a full-time, trained Title IX Coordinator—a critical position for addressing dating and sexual violence. Now it does. This and other changes the college has made in the last few years, combined with its embracing outside review of its Title IX compliance, set a good example for other schools. It also honors the spirit of Fatima's legacy of helping others and championing change."

The litigation team was led by Antonio Romanucci and Martin Gould at Romanucci & Blandin along with Adele Kimmel at Public Justice. Additionally, Joseph Kolar and Debra Thomas from Romanucci & Blandin, Alexandra Brodsky from Public Justice, and local counsel Chris Welsh of Welsh & Welsh contributed to the case.

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