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A partial settlement was reportedly reached in [Doe v. Mount Vernon Board of Education et al.](#) [4], the case in which a Mount Vernon, Ohio, teacher, was accused of inappropriate religious activity in the classroom — including displaying posters with the Ten Commandments and Bible verses, branding crosses into the arms of his students with a high-voltage electrical device, and teaching creationism. The *Mount Vernon News* (August 27, 2009) [reported](#) [5] that "the board's insurance company has agreed to pay \$115,500 toward the plaintiffs' legal fees, \$5,500 to one of the plaintiffs as compensation and the sum of \$1 each to two other individuals." The board, superintendent, and principal of the middle school admit no liability in the agreement, which will have to be approved by a court.

Not covered by the settlement agreement is the teacher himself, John Freshwater. Shortly after the filing of the case, the board voted to initiate proceedings to terminate Freshwater's employment in the district. Freshwater appealed the decision, and administrative hearings have been proceeding intermittently since October 2008. Detailed reports on the hearings by Richard B. Hoppe are [available](#) [6] on The Panda's Thumb blog (search for "Freshwater"). Complicating the legal situation, Freshwater filed a counterclaim in *Doe v. Mount Vernon* in 2008 and his own lawsuit, [Freshwater v. Mount Vernon City School District Board of Education et al.](#) [7], against the board and a number of district administrators in 2009, alleging religious discrimination, defamation, conspiracy, and breach of contract.

According to the *Mount Vernon News*, the school board also agreed to "[p]rohibit staff from discussing the John Freshwater case with or in the presence of students during the school day and at school activities; [p]rovide training to board members and administrators concerning religion and the school, and provide training to teachers on the same topic ... [and] [m]ake a public statement at the conclusion of the Freshwater administrative hearing." A statement released by the board explained, "The resolution of the lawsuit against the board, superintendent and middle school principal has no impact or bearing on

the pending administrative hearing with respect to the middle school teacher's employment. Due to pending litigation, the board will not be commenting further."

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