



WLP Files Brief in Landmark State Case for Student Survivors of Sexual Assault

As federal protections shrink, legal advocates urge the Supreme Court of Pennsylvania to hold schools accountable for protecting students from sexual violence

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MAY 5, 2026 // PENNSYLVANIA — Women's Law Project (WLP) filed an *amicus* brief urging the Supreme Court of Pennsylvania to hold public schools accountable for peer-on-peer child sexual abuse caused by the school's negligence.

The case, *L.F.V. v. South Philadelphia High School and the Philadelphia School District*, asks the Court to affirm that Pennsylvania law does not exempt school districts from liability when their negligence causes peer-on-peer sexual abuse. State and national advocacy organizations Disability Rights Pennsylvania, Education Law Center-PA, KidsVoice, RAINN, and Stop Sexual Assault in Schools joined the brief in support of plaintiff-appellee L.F.V.

At the time the events in this case took place, L.F.V., a tenth-grade student at South Philadelphia High School with a severe intellectual disability, was reportedly functioning at a second-grade level. She was enrolled in special education classes and had an "individualized safety plan" provided by her school. According to the allegations in the Complaint, during gym class two male students "pushed and pulled" her behind bleachers, where they sexually assaulted her.

The brief is available [here](#).

"This case is an opportunity to find justice for this student survivor and to correct a dangerous justice gap at a critical moment," **said WLP Supervising Attorney Annmarie Pinarski, who co-authored the brief.** "Sexual abuse of students remains rampant at a moment when the federal response to student survivors all but disappeared. The Trump Administration has gutted the U.S. Department of Education's Office for Civil Rights, including shutting down the Philadelphia office, which previously oversaw all complaints filed against Pennsylvania schools. If Pennsylvania is committed to providing a safe place for all students to learn, we need accountability under state law."

For decades, courts have imposed a high burden on student survivors seeking to hold schools liable for peer-on-peer sexual violence—a standard that sharply diverges from other legal protections against sex discrimination.

“Schools must be held accountable for school-based sexual abuse of all students,” **said Maura McInerney, legal director at Education Law Center.** “Research shows that students with disabilities are more likely than their peers to experience sexual assault and less likely to report it. Schools have many options to prevent and address sexual abuse and must be held liable under state law if they are negligent in these duties.”

Schools are the most common setting for peer sexual victimization. According to federal data, Pennsylvania public schools reported 1,562 incidents of sexual violence and sexual harassment during the 2024–2025 school year alone.

“We know from our experience that intellectually disabled foster youth are among the most vulnerable children,” **said KidsVoice Executive Director Scott Hollander.** “Their trauma of abuse and neglect would be horribly exacerbated if subjected to sexual abuse in school that could have been avoided with proper supervision and safeguards.”

“The law should not protect schools when personnel negligence enables sexual assault,” **said WLP Legal Fellow Liliam Clavijo Hernandez, co-author of the brief.** “Child sexual abuse is costly and devastating for survivors. Sexual abuse affects every aspect of a child’s life and is associated with long-term psychological, physical, and economic harms to individuals, their families, and their communities,” **noted WLP Staff Attorney Evelyn Mangold Nukal, co-author of the brief.**

The brief highlights research-backed programs, policies, and interventions that school districts can implement to prevent sexual violence and better protect students.

“We are advocating for a level of accountability that enables justice for survivors and promotes meaningful prevention,” **said WLP Supervising Attorney Jackie Perlow, co-author of the brief.** “Holding schools accountable under state law would incentivize school districts to adopt research-backed programs and policies that reduce sexual violence while also minimizing their liability. We cannot sacrifice student safety in favor of institutional immunity.”

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