



## Virginia Workplace Law

### \$60 Million and Counting – Lessons from Penn State

By: Phyllis Katz. Tuesday, July 24th, 2012

On July 23, the NCAA imposed severe monetary and participation sanctions on the **Penn State football** program with the purpose of bringing about a cultural change at the school.

July 23, 2012

**5** years of probation handed down by NCAA to Penn State's program

**14**

number of years of wins the school must vacate = basically every victory since Paterno was aware of the first allegation

**\$60M**

the amount the school will be sanctioned by the NCAA; the funds will go towards programs to prevent child abuse

**four**

years of bowl bans for the school; they will lose 20 scholarships over four years, and students can transfer once

**- No longer the winningest:** As a result of the vacated seasons, Paterno will no longer be the NCAA's winningest football coach, which means that Florida State's Bobby Bowden is now the winningest coach in NCAA history — and a statistic that once meant everything means nothing.

NCAA President **Mark Emmert** stated “the culture, actions, inactions, that allowed [the children] to be victimized will not be tolerated in collegiate athletics. . . We've had enough.”

Neither the criminal convictions of Assistant Coach Jerry Sandusky nor the **NCAA's** sanctions end the saga. A jury found that for a period of 11 years, Sandusky sexually abused young boys on and off the Penn State campus. The Second Mile, a non-profit he founded, where he volunteered his time and recently worked, was a source of potential victims. The victims, known and previously unknown, will now come forward with claims seeking monetary damages for the harm that was caused to them at such an early age.

Beyond Penn State, employers, schools, non-profits and public organizations must learn about the dangers and

risks posed by poorly implemented supervision of its employees and its duties to protect children.

**Phyllis Katz** and **Terrence Graves** of **Sands Anderson PC** will present a webinar on August 15, 2012 from 12:30 – 3 p.m. which will cover the potential liability issues that lie ahead for both Penn State and The Second Mile. In addition, the webinar will cover defenses that may be asserted to such claims, recommended “good practices,” and tips on the hiring and supervision of employees and volunteers.

Phyllis is an employment and **non-profit organizations** attorney and Terrence is an experienced trial attorney with a practice in general liability issues. Both have lectured extensively on liability issues that schools and non-profit organizations encounter. They will discuss the points where liability may arise and recommend strategies for protecting your organization from claims such as are likely to arise from the lack of a functioning risk management program.

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There is no cost to sign up for the Webinar and you can do so at  
<http://www.sandsanderson.com/news-events/event/penn-state-lessons-webinar-2012.html>

You may also be interested in the **employer's duties to report child porn** found in the workplace in a prior blog posted by Cullen Seltzer.

\* Penn State hit with unprecedented penalties (Photo credit: marsmet551)

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