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FIRING

Novato educator wins \$905K settlement

Claimed he was defamed, slandered

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The Novato Unified School District, the city and Novato Community Television have agreed to pay \$905,000 to settle a lawsuit by a fired educator who sued for defamation and other claims.

The deal ends years of tenacious litigation by Rick Tucker, who managed the TV station until his ouster in 2013. His claims centered largely on the actions of Shalee Cunningham, the former schools superintendent.



Tucker

"Rick's got his life back," said Tucker's lawyer, Rob Jaret. "I just think it's horrible what they did to the guy."

The public entities, in a joint statement released by a lawyer, declined to comment on the settlement other than to say it was "to the satisfaction of all parties."

Tucker, a Novato resident and former Novato school teacher, ran the television station from 2000 until November 2013. The TV station gets work space and book-keeping support from the school district, and its board includes a City Council appointee.

Tucker was fired after the station reported financial irregularities, suspended its operations and said its funds were nearly depleted.

Tucker sued six months later, claiming officials defamed him in their public remarks about him

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and his management of the station. Tucker also alleged that Cunningham slandered him by telling board members he had brought a loaded gun on school district property.

Novato police had investigated the gun allegation and determined there was no evidence of a crime. Tucker told police the gun was a replica keepsake he had recently inherited and that he took it out of his car to show a coworker, according to court documents.

In February 2015, based on allegations by the school district, Tucker was arrested on charges of felony theft and embezzlement. Authorities alleged he misappropriated about \$15,000 by purchasing equipment for the station and then returning the merchandise for reimbursement to himself. The district estimated the loss at closer to \$40,000.

Tucker pleaded not guilty. Prosecutors eventually dropped the case in 2016 after concluding

it could not prove the charges.

Tucker then filed a new lawsuit alleging that the school district violated his civil rights by lodging false embezzlement allegations that led to his arrest. The lawsuit, which was transferred to federal court, also alleged the school district withheld about \$96,000 in accrued retirement benefits as a way of getting him to abandon his litigation.

The settlement resolves the lawsuits in both federal court and Marin Superior Court. Under the agreement, the school district agreed to pay \$600,000, the city \$250,000 and the television station \$55,000. Most of the settlement is covered by insurers.

Tucker gets \$500,000 of the money, and the rest goes to his lawyer's firm.

Tucker is now a school teacher in Richmond, his lawyer said.

Cunningham retired from the school district in June 2015 and worked for a time as the headmaster at a private school in Thailand.

Cunningham's annual pension is \$140,115, according to the California State Teachers' Retirement System.