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SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

The Estate of Kimberly Zavaleta Chuquipa, by and through its Successor-in-Interest, Jesus Alfredo Zavaleta Tafur, JESUS ALFREDO ZAVALETA TAFUR, individually, ELMA CHUQUIPA SANCHEZ, an individual, SHARON ZAVALETA CHUQUIPA, by and through her Guadian ad Litem, Elma Chuquipa Sanchez, Claimants, v. LOS ANGELES UNIFIED SCHOOL DISTRICT, a public entity, Defendant.	Case No. **GOVERNMENT CLAIM PURSUANT TO GOVERNMENT CODE SECTIONS 905 AND 910, ET SEQ.**

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Pursuant to the provisions of §§ 905 and 910 et seq. of the California Government Code, claims for damages are hereby made against the LOS ANGELES UNIFIED SCHOOL DISTRICT ("Respondent" or "LAUSD") at 333 S. Beaudry Ave, Los Angeles, CA 90017, in an amount in excess of the minimum jurisdictional limits of the Superior Court of the State of California. In support of said claim, the following information is submitted:

1. **CLAIMANTS**: The Estate of Khimberly Zavaleta Chuquipa, by and through its Successor-in-Interest, Jesus Alfredo Zavaleta Tafur, JESUS ALFREDO ZAVALETA TAFUR, an individual, ELMA CHUQUIPA SANCHEZ, an individual, SHARON ZAVALETA CHUQUIPA, by and through her Guadian ad Litem, Elma Chuquipa Sanchez.

2. **Address**: 5436 Kester Ave, Sherman Oaks, CA 91411

3. **Address to Which CLAIMANTS Request Correspondence to be Mailed:**

PANISH | SHEA | RAVIPUDI LLP, c/o Robert Glassman, Esq., 11111 Santa Monica Boulevard, Suite 700, Los Angeles, CA 90025; (310) 477-1700.

4. **Date of Incident**: February 17, 2026

5. **Location of Incident or Accident**: Reseda Charter High School, located at 18230 Kittridge St, Reseda, CA 91335.

6. **Basis of Claim**:

Summary of Incident

On February 17, 2026, Khimberly Zavaleta Chuquipa ("KHIMBERLY"), a 12-year-old student at Reseda Charter High School, was in a hallway on campus when she was struck in the head with a metal water bottle during yet another on-campus bullying incident. KHIMBERLY suffered the injury while attempting to help her sister, Sharon Zavaleta Chuquipa ("SHARON"), who was being bullied by a group of students.

This was not the first time KHIMBERLY and SHARON were physically bullied and harassed on campus. In fact, their mother, ELMA CHUQUIPA SANCHEZ, had repeatedly reported bullying episodes to an LAUSD administrator. But LAUSD did nothing.

Nor was it the first time these bullies had attacked another student. Just six weeks earlier,

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the same group of students had physically attacked another female student. The attack was captured on video and widely circulated among students and even teachers. But again, LAUSD did nothing.

KHIMBERLY was eventually transported to UCLA Mattel Children's Hospital, where she was placed in an induced coma and underwent emergency brain surgery.

[Khimberly in the hospital shortly before she passed away]

After being placed on life support and with her family at her bedside, KHIMBERLY ultimately succumbed to her injuries.

In addition to her sister, KHIMBERLY is survived by her mother, ELMA CHUQUIPA SANCHEZ, and her father, JESUS ALFREDO ZAVALETA TAFUR.

LAUSD's Bullying Epidemic

LAUSD has a long history of bullying at its schools. Unfortunately, LAUSD's bullying epidemic has only worsened in recent years.

According to recent data, nearly one in three middle schoolers at LAUSD experience bullying and/or harassment.[1] This statistic is particularly troubling because bullying and harassment at LAUSD has become increasingly physical. In the 2023-2024 academic year alone, there were 6,620 reported episodes of fights and physical aggression, which represented a 33%

[1] https://m.kidsdata.org/table/804/los-angeles-unified/621/bullying-grade?

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increase from the prior year.[2] As a result, nearly one in 10 students report feeling physically unsafe at LAUSD campuses.[3]

LAUSD administrators acknowledge that bullying and violence have plagued their hallways and playgrounds. In a September 2024 *Los Angeles Times* article, LAUSD Board Member and Chairperson of the Safety Committee described the statistics on student violence at LAUSD as "really sobering" and admitted that concerns over student safety were "getting worse over the last few years."[4] She attributed the student violence throughout LAUSD to "unmet needs."[5]

Bullying in public schools is particularly acute for students from immigrant families. In light of recent immigration crackdowns and increased political rhetoric related to immigrants, students of immigrant families are bullied more often and with greater intensity.[6] In December 2025, a UCLA/UC Riverside study surveyed over 600 public high school principals, and 36% said students from immigrant families had been bullied on campus.[7] The study described these bullied immigrant students as attending school in a "climate of distress."[8] The Safe Place to Learn Act requires local educational agencies such as LAUSD to adopt and adhere to a policy that prohibits bullying on the basis of actual or perceived nationality, race or ethnicity, or immigration status. *See* Cal. Educ. Code Section 234.1.

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[2] https://www.latimes.com/california/story/2024-09-14/more-students-feel-unsafe-in-los-angeles-public-schools

[3] *Id.*

[4] *Id.*

[5] *Id.*

[6] https://www.latimes.com/california/story/2025-12-09/ice-raids-translate-to-bullying-missing-class-academic-struggles

[7] *Id.*

[8] *Id.*

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LAUSD's Bullying Policy

LAUSD's anti-bullying and harassment policy confusingly describes bullying as "both underreported and over-identified."[9] According to LAUSD, "actual incidents of bullying are likely underreported."[10] However, LAUSD also claims its students falsely report instances of bullying that "may not meet the legal requirements for identification as bullying."[11] LAUSD cautions its administrators not to conflate "actual incident of bullying" with a student who merely invokes "a casual use of the word bullying."[12] And LAUSD wonders why bullying is underreported!

Notwithstanding LAUSD's callous fear of "overidentified" bullying, LAUSD policy states that any reference to reported bullying – no matter how "casual" the report might appear to an LAUSD administrator – "require[s] follow-up to ensure facts are gathered to determine whether there is reasonable suspicion that bullying may have occurred."[13] LAUSD leaves it to the discretion of each school administrator, without any objective criteria or further guidance, to determine whether there is reasonable suspicion that bullying occurred and whether to conduct an investigation.[14]

LAUSD's Failures Led to KHIMBERLY's Tragic and Avoidable Death

In the months leading up to February 2026, KHIMBERLY and SHARON were repeatedly bullied, verbally harassed, and physically assaulted on LAUSD's campus at Reseda Charter High School. Their mother, ELMA CHUQUIPA SANCHEZ, repeatedly reported bullying episodes to

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[9] At least it did as of March 2022. (See LAUSD's Bullying and Hazing Policy (Student to Student), March 11, 2022). At the time of this submission, LAUSD's bullying and hazing policy has been removed from its website and is described as "temporarily unavailable."

[10] *Id.*

[11] *Id.*

[12] *Id.*

[13] *Id.*

[14] *Id.*

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an LAUSD administrator. But LAUSD did nothing. As a result, a 12-year-old girl is dead, and a family is devastated beyond measure.

7. **Why CLAIMANTS Believe LAUSD is Responsible**:

As explained further herein, Liability against LAUSD is based on the following: (1) negligence resulting in wrongful death for the negligence or reckless acts of employees, agents or independent contractors pursuant to Government Code Sections 815.2, 815.4 and 820(a) et seq., (2) negligent failure to warn pursuant to Government Code Sections 815.2, 815.4 and 820(a) et seq., (3) negligent failure to supervise, in violation of Government Code Sections 815.2, 815.4, 815.6 and 820(a) et seq., and California Evidence Code Section 44807, (4) dangerous condition of public property, in violation of Government Code Section 835, (5) violations of the provisions of the Safe Place to Learn Act, California Evidence Code Sections 234 et seq., and (6) violations of the provisions of the Child Abuse and Neglect Reporting Act (Penal Code Sections 11166 et seq.).

Negligence (Wrongful Death)

Liability against LAUSD is based on negligence resulting in wrongful death for the negligence or reckless acts of employees, agents or independent contractors pursuant to Government Code Sections 815.2, 815.4 and 820(a) et seq. Public school districts and school personnel owe a "special" duty of care to its students, including "the duty to use reasonable measures to protect students from foreseeable injury at the hands of third parties acting negligently or intentionally." C.A. v. William S. Hart Union High Sch. Dist., 53 Cal. 4th 861, 870 (2012). LAUSD had a legal obligation to protect all students in their care, including KHIMBERLY and SHARON, from reasonably foreseeable sources of harm, including bullying, violent assaults, and criminal attacks. See E.I. v. El Segundo Unified School Dist., 111 Cal. App. 5th 1267, 1283 (2025). LAUSD knew that KHIMBERLY and SHARON were being bullied by other students on LAUSD's campus at Reseda Charter High School because such information was communicated to an LAUSD administrator by ELMA CHUQUIPA SANCHEZ, SHARON, KHIMBERLY, and others, known and unknown.

Despite having such knowledge, and in direct violation of its own bullying policies and

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procedures, LAUSD failed to take steps necessary to prevent KHIMBERLY and SHARON from being bullied, including without limitation:

(a) Conducting inquiries and gathering facts to determine whether there was reasonable suspicion that bullying may have occurred;

(b) Exercising reasonable judgment in determining that reasonable suspicion for bullying existed;

(c) Investigating and responding to bullying allegations promptly;

(d) Documenting bullying allegations in a timely manner;

(e) Providing a designated Bullying Complaint Manager with copies of the complaint a and supporting documentation;

(f) Memorializing the bullying complaints in LAUSD's Incident System Tracking Accountability Report ("IStar");

(g) Interviewing and/or obtaining written statements from the bullies;

(h) Interviewing and/or obtaining written statements from witnesses;

(i) Reviewing security camera footage showing KHIMBERLY and SHARON being bullied on campus;

(j) Evaluating the potential for identity-based bullying, such as the bullying of students of immigrant families;

(k) Removing the students who bullied KHIMBERLY and SHARON from their classes;

(l) Disciplining the students who bullied KHIMBERLY and SHARON;

(m) Monitoring the efficacy of bullying intervention efforts;

(n) Promoting a school climate that is both safe and affirming for students of all identities, including students from immigrant families;

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(o) Implementing effective anti-bullying measures at school;

(p) Informing students of the procedures by which they can seek support from a trusted adult and report allegations of bullying, discrimination, and hazing;

(q) Teaching students strategies to safely interrupt bullying;

(r) Notifying security personnel of the harms these bullies posed to KHIMBERLY and SHARON so they could prevents acts of bullying from occurring at school.

If LAUSD had taken reasonable steps to prevent KHIMBERLY and SHARON from being bullied, KHIMBERLY would not have been bullied and physically attacked on February 17, 2026, and she would still be alive today.

LAUSD further knew that the same group of students who physically attacked SHARON and KHIMBERLY had attacked another female student just six weeks earlier. If LAUSD had taken reasonable steps to prevent these students from continuing to bully and physically attack other students, KHIMBERLY would not have been bullied and physically attacked on February 17, 2026, and she would still be alive today.

Negligent Failure to Warn

Liability against LAUSD is further based on negligent failure to warn pursuant to Government Code Sections 815.2, 815.4 and 820(a) et seq. LAUSD and its employees, agents, and independent contractors had a duty to warn students in their custody, care, and control, including KHIMBERLY and SHARON, about the known and knowable dangers posed by other students, including those who bullied and physically assaulted them. LAUSD had knowledge that KHIMBERLY and SHARON were being bullied by other students on campus, and LAUSD had further knowledge that a specific group of students were bullying and physically assaulting other students. LAUSD breached their duty when they failed to warn KHIMBERLY and SHARON that they would not be taking any action to stop this bullying, such as disciplining the bullies or removing the bullies from the classes of KHIMBERLY or SHARON. If LAUSD had warned CLAIMANTS that they would not they be taking any action to stop this bullying, CLAIMANTS

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would not have sent KHIMBERLY and SHARON to school on February 17, 2026, and KHIMBERLY would still be alive.

Negligent Failure to Supervise

Liability against LAUSD is further based on negligent failure to supervise, in violation of Government Code Sections 815.2, 815.4, 815.6 and 820(a) and California Evidence Code Section 44807. Education Code Section 44807 imposes a mandatory duty public school teachers "hold pupils to a strict account for their conduct on the way to and from school, on the playgrounds, or during recess." LAUSD breached this duty by failing to provide adequate supervision under the circumstances, including but not limited to failing to staff and monitor hallway interactions, a known hotspot for bullying at LAUSD. If LAUSD had adequately supervised its students on campus, KHIMBERLY would not have been bullied and physically attacked on February 17, 2026, and she would still be alive today.

Dangerous Condition of Public Property

Liability against LAUSD is further based on dangerous condition of public property, in violation of Government Code Section 835 et seq. At the time and location of KHIMBERLY's assault, there existed various dangerous conditions on LAUSD campus that created a substantial risk of injury as a result of bullying, physical assault, or criminal attack, including but not limited to obstructed visibility in the hallway, known security camera blind spots, broken or nonfunctional surveillance equipment and inadequate lighting. This dangerous condition crated a reasonably foreseeable risk that an injury from bullying, physical assault, or criminal attack would occur in the hallways of campus, which are known by LAUSD to be prime locations for such incidents. CLAIMANTS are informed and believe, and thereon allege that LAUSD had actual or constructive notice of such dangerous conditions, particularly in light of prior complaints of bullying and harassment on LAUSD campuses, including hallways, and LAUSD failed to correct such dangerous conditions. If LAUSD had corrected such dangerous conditions, KHIMBERLY would not have been bullied and physically attacked on February 17, 2026, and she would still be alive today.

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Safe Place to Learn Act

CLAIMANTS further allege that LAUSD and its employees, agents, servants, and independent contractors also face liability subject to the provisions of the Safe Place to Learn Act, which requires local educational agencies such as LAUSD to, among other things, adopt anti-bullying policies, publicize complaint procedures, investigate and resolve complaints of discrimination, harassment, intimidation, or bullying, and take appropriate corrective action. See Cal. Educ. Code Section 234.1. The Safe Place to Learn Act further requires that LAUSD prominently and conspicuously display its anti-bullying policy, maintain documentation of complaints and their resolution for a minimum of one review cycle, and ensure that its anti-bullying and harassment policy prohibits bullying and harassment based on certain actual or perceived characteristics, including nationality, race or ethnicity, and immigration status. *Id.* CLAIMANTS are informed and believe, and thereon allege that LAUSD failed to adequately publicize its complaint procedures, failed to investigate and resolve the complaints of bullying and harassment against KHIMBERLY and SHARON, and failed to document the complaints when such allegations of bullying and harassment were appropriately raised. CLAIMANTS further allege that LAUSD failed to investigate and resolve complaints of bullying and harassment against the specific group of students who subsequently bullied and attacked KHIMBERLY. If LAUSD had complied with the Safe Place to Learn Act, KHIMBERLY would not have been harmed on February 17, 2026 and would still be alive.

Child Abuse and Neglect Reporting Act

CLAIMANTS further allege that LAUSD and its employees, agents, servants, and independent contractors also face liability subject to the provisions of the Child Abuse and Neglect Reporting Act (Penal Code Sections 11166 et seq.). LAUSD and its employees, agents, servants, and independent contractors are "mandated reporters" as defined under the Act. As mandated reporters of suspected child abuse, LAUSD was required to report known or reasonably suspected incidents of child abuse to a child protective agency immediately upon learning of such incidents. LAUSD was aware that KHIMBERLY and SHARON were being bullied and abused

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(including physical assault) by other students. LAUSD was further aware that the specific group of students who later attacked KHIMBERLY had previously attacked another female student. LAUSD failed to report these abuses to a law enforcement agency or child protective services as required by the provisions of the Child Abuse and Neglect Reporting Act. By failing to do so, LAUSD violated the Child Abuse and Neglect Reporting Act, Penal Code Sections 11166 et seq. The failure of LAUSD to report the abuses allowed these students to continue to bully and assault KHIMBERLY and SHARON, culminating in KHIMBERLY's death after being assaulted on campus again on February 17, 2026. Had LAUSD fulfilled its mandatory duty to reported the abuse of KHIMBERLY and SHARON, KHIMBERLY would not have been harmed on February 17, 2026 and would still be alive.

8. **Description of Injury and Damages Claimed**: CLAIMANTS have sustained damages resulting from the loss of love, affection, society, service, comfort, support, right of support, expectations of future support and counseling, companionship, solace and mental support, as well as other benefits and assistance of Decedent, all to their general damages in a sum in excess of the jurisdictional limits of this Court, which will be stated according to proof, pursuant to Section 425.10 of the California Code of Civil Procedure. CLAIMANTS have also incurred property, medical, funeral, and burial expenses in an amount to be stated according to proof, pursuant to Section 425.10 of the California Code of Civil Procedure. CLAIMANTS' damages are in excess of the jurisdictional minimum of the Superior Court of the State of California. The exact amount of said losses will be stated according to proof, pursuant to Section 425.10 of the California Code of Civil Procedure.

9. **Name and Department of City Employee Who Allegedly Caused Injury or Loss**: Unknown to CLAIMANTS at this time.

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10. **Reservation of Right To Amend and/or Supplement Claim**: CLAIMANTS reserve the right to amend and/or supplement this Claim for Damages, including asserting new theories of liability or causes of action, upon discovery of new or additional information or facts. CLAIMANTS reserves the right to supplement or amend these claims as discovery proceeds in this matter.

DATED: March 11, 2026

PANISH | SHEA | RAVIPUDI LLP

By: _____

Robert S. Glassman
Attorneys for Claimants

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