

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

TRACY ALLISON
9719 SUMMIT CIRCLE
APT 2C
LARGO, MD 20774,

Civil Action No.

Plaintiff,

v.

BOARD OF EDUCATION OF
PRINCE GEORGE'S COUNTY
14201 SCHOOL LANE
UPPER MARLBORO, MD 20772,

Defendant.

COMPLAINT

COMES NOW Plaintiff through undersigned counsel states as follows:

JURISDICTION AND VENUE

1. This is an action for declaratory relief; injunctive relief, damages and to secure protection of and to redress deprivation of equal protection rights secured by the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution.
2. This is an action for declaratory relief; injunctive relief, damages and to secure protection of and to redress deprivation of rights secured by Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d-7 et seq. The U.S. Department of Education has provided Maryland public schools with more than \$1 billion under the American Recovery and Reinvestment Act of 2009. Prince George's County Public Schools are receiving stimulus funds for the

expressed purpose of creating jobs and maintaining existing ones. Title VI requires the recipients of federal funds to waive Eleventh Amendment sovereign immunity.

3. This is an action for declaratory relief; injunctive relief, damages and to secure protection of and to redress deprivation of rights secured by Title IX of the Education Amendments of 1972 [20 U.S.C. 1681 et seq.]. The U.S. Department of Education has provided Maryland public schools with more than \$1 billion under the American Recovery and Reinvestment Act of 2009. Prince George's County Public Schools are receiving stimulus funds. Title IX requires the recipients of federal funds to waive Eleventh Amendment sovereign immunity.
4. Venue lies in this District pursuant to 42 U.S.C. § 2000e-5(f)(3) and because the events and occurrences giving rise to this action occurred within this judicial district.

Pendant Claims

5. This is an action for declaratory relief; injunctive relief, damages and to secure protection of and to redress deprivation of rights secured by Maryland's Intentional Infliction of Emotional Distress laws.
6. This is an action for declaratory relief; injunctive relief, damages and to secure protection of and to redress deprivation of rights secured by Maryland's Negligent Supervision and Retention laws.

PARTIES

7. Tracy Allison is a employee of Prince George's County Public Schools.
8. The Prince George's County Public Schools are located in Prince George's County, Maryland.

STATEMENT OF CLAIM

Tracy Allison

Introduction

9. Tracy Allison has been employed by Prince George's County Public Schools since 2005.
10. Ms. Allison joined Largo High School as a secretary in 2006.
11. Ms. Allison worked in the principal's front office.
12. Ms. Allison is a thirty eight (38) year old African American woman.

Hostile Work Environment

13. Principal Simpson-Marcus became the principal of Largo High School in 2007.
14. Principal Simpson-Marcus is an African American woman.
15. Principal Simpson-Marcus openly despised white teachers.
16. Principal Simpson-Marcus referred to a white English teacher as "poor white trash" and instructed her staff not to associate with him.
17. Principal Simpson-Marcus referred to a white science teacher as "Bozo".
18. Ms. Allison worked as Principal Simpson-Marcus' front office secretary.
19. Ms. Allison came in contact with white teachers on a daily basis and treated them with due respect.
20. Several times a week, Principal Simpson-Marcus called Ms. Allison "chicken head", "bird", "hood rat" and "ghetto" in the presence of faculty, staff, parents, and students.
21. The terms "chicken head" and "bird" are urban slang terms for slut, according to the Urban Dictionary website at www.urbandictionary.com.
22. The terms "chicken head" and "bird" refer to the motion a woman's head makes when she performs fellatio.

23. Ms. Allison was extremely upset by Principal Simpson-Marcus' use of these terms in reference to her.

24. Ms. Allison considered the use of these slang terms as racial slurs.

25. Ms. Allison frequently cried when Principal Simpson-Marcus used these slang terms.

26. Nonetheless, Principal Simpson-Marcus continued to call Ms. Allison "chicken head", "bird", "hood rat", and "ghetto".

Retaliation

27. In the spring of 2008, Ms. Allison began to complain about Principal Simpson-Marcus to William Barnes, a Director of the High School Consortium.

28. Prince George's County Public Schools did not conduct an investigation or take prompt corrective action.

29. Between 2008 and 2010, Ms. Allison complained to Mr. Barnes about Principal Simpson-Marcus at least a dozen times.

30. Principal Simpson-Marcus would back off for a few days and then continue to harass and threaten Ms. Allison.

31. Principal Simpson-Marcus constantly threatened Ms. Allison with termination.

32. As a result, Ms. Allison developed severe panic attacks.

33. Ms. Allison had to seek medical treatment.

34. Ms. Allison's doctor prescribed medications to help her cope with the stress caused by Principal Simpson-Marcus.

35. In August 2010, Ms. Allison immediately transferred out of Largo High School in order to get away from Principal Simpson-Marcus.

Count I – Title IX - Hostile Work Environment (Sex)

36. Ms. Allison incorporates by reference all of the preceding paragraphs.
37. Principal Simpson-Marcus' harassment of Ms. Allison was unwelcomed.
38. Principal Simpson-Marcus' harassment of Ms. Allison was based on her sex.
39. Principal Simpson-Marcus' harassment of Ms. Allison was severe and pervasive.
40. Prince George's County Public Schools is liable.
41. Principal Simpson-Marcus was Ms. Allison's supervisor.
42. Ms. Turner complained about Principal Simpson-Marcus' harassment to William Barnes, a Director of the High School Consortium.
43. Prince George's County Public School did not conduct an investigation or take prompt corrective action.
44. Principal Simpson-Marcus' daily harassment unreasonably interfered with Ms. Allison's work performance.

Count II – Title VI – Hostile Work Environment (Race)

45. Ms. Allison incorporates by reference all of the preceding paragraphs.
46. Principal Simpson-Marcus' harassment of Ms. Allison was unwelcomed.
47. Principal Simpson-Marcus' harassment of Ms. Allison was based on her race.
48. Principal Simpson-Marcus' harassment of Ms. Allison was severe and pervasive.
49. Prince George's County Public Schools is liable.
50. Principal Simpson-Marcus was Ms. Allison's supervisor.

51. Ms. Turner complained about Principal Simpson-Marcus' harassment to William Barnes, a Director of the High School Consortium.

52. Prince George's County Public School did not conduct an investigation or take prompt corrective action.

53. Principal Simpson-Marcus' daily harassment unreasonably interfered with Ms. Allison's work performance.

Count III – Title IX (Retaliation)

54. Ms. Williams incorporates by reference all of the preceding paragraphs.

55. Prince George's County Public Schools retaliated against Ms. Allison.

56. Ms. Allison engaged in protected activity by complaining about Principal Simpson-Marcus' discriminatory practices.

57. Principal Simpson-Marcus responded to Ms. Allison's protected activity by threatening write-ups and termination.

58. Principal Simpson-Marcus forced Ms. Allison to transfer to another school.

Count IV – Title VI (Retaliation)

59. Ms. Allison incorporates by reference all of the preceding paragraphs.

60. Prince George's County Public Schools retaliated against Ms. Allison.

Count V - Negligent Supervision and Retention (Prince George's County Public Schools)

61. Ms. Allison incorporates by reference all of the preceding paragraphs.

62. Principal Simpson-Marcus' conduct was malicious.

63. Principal Simpson-Marcus's malicious conduct caused Ms. Allison severe emotional distress.

64. Prince George's County Public Schools breached its duty to protect Ms. Allison from Principal Simpson-Marcus' malicious conduct.

Count VI - Intentional Infliction of Emotional Distress (Prince George's County Public Schools)

65. Ms. Allison incorporates by reference all of the preceding paragraphs.

66. Principal Simpson-Marcus' conduct was intentional and reckless.

67. Principal Simpson-Marcus' conduct was extreme and outrageous.

68. Principal Simpson-Marcus' conduct caused severe emotional distress.

Emotional Pain and Suffering

69. Ms. Allison continues to received treatment and medication for stress.

70. Ms. Allison continues to experience emotional pain and suffering, inconvenience, mental anguish, loss of enjoyment of life, and other pecuniary and non pecuniary losses.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays this court:

(a) Issue a declaratory judgment that Defendant's acts, polices, practices and procedures complained of herein-violated Plaintiff's rights as secured by the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution; Title VI of CRA; Title IX of the Education Act; Maryland's Intentional Infliction of Emotional Distress, Negligent Supervision and Retention; and, Order Defendant to make whole

Plaintiff who has been adversely affected by the policies and practices described herein in an amount to be shown at trial and other affirmative relief;

- (b) Compensate the Plaintiff for loss pay and benefits, with interest;
- (c) Retain jurisdiction over this action to assure full compliance with the orders of the court and with applicable law and require defendant to file such reports as the court deems necessary to evaluate compliance;
- (d) To award them reasonable attorney's fees and costs of this action;
- (e) Award Plaintiff compensatory and punitive damages; and,
- (f) Grant such additional relief as the court deems just and proper; and

WHEREFORE, the premises considered, the Plaintiff demands judgment against the Defendant in the amount of five million dollars (\$5,000,000).

JURY DEMAND

Plaintiff demands a trial by jury.

Respectfully submitted,

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