

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

NICOLE TURNER

Civil Action No. 11-cv-1278 PJM

Plaintiff,

v.

BOARD OF EDUCATION OF
PRINCE GEORGE'S COUNTY

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 express 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.

PARTIES

5. Nicole Turner is a current employee of Prince George's County Public Schools.
6. The Prince George's County Public Schools and the Prince George's County Educator's Association are located in Prince George's County, Maryland.

STATEMENT OF CLAIM

Nicole Turner

Introduction

7. Nicole Turner has been employed by Prince George's County Public Schools since 2007.
8. Ms. Turner joined Largo High School as a secretary in 2007.
9. Ms. Turner worked in the principal's front office.
10. Ms. Turner is a forty eight (48) year old African American woman.

Hostile Work Environment (2007 – 2008)

11. Principal Simpson-Marcus became the principal of Largo High School in 2007.
12. Principal Simpson-Marcus is an African American woman.

13. Starting in the fall of 2007, on a daily basis, Principal Simpson-Marcus called Ms. Turner derogatory terms, such as, “chicken head”, “bird”, “hood rat”, and “ghetto” in the presence of faculty, staff, parents, and students.
14. The terms “chicken head” and “bird” are urban slang terms for slut, according to the Urban Dictionary website at www.urbandictionary.com.
15. The terms “chicken head” and “bird” refer to the motion a woman’s head makes when she performs fellatio.
16. Principal Simpson-Marcus, on at least two occasions, referred to Ms. Turner as a “Palmer Park Hood Rat “, when talking to other staff members in Ms. Turner’s presence.
17. The term “hood rat” is an urban slang term for ghetto slut, according to the Urban Dictionary website at www.urbandictionary.com.
18. As an African American, Ms. Turner considered Principal Simpson-Marcus’ use of slang terms like “chicken head”, “bird”, “hood rat”, and “ghetto” to be demeaning and racially offensive.
19. Beginning in November 2007, Ms. Turner complained on several occasions to her union and the Human Resources department.
20. On November 12, 2007, Ms. Turner complained to her union and Syndae Billings, a Human Resources official.
21. Ms. Turner’s union representative attempted to arrange a meeting with Principal Simpson-Marcus, but Principal Simpson-Marcus refused to meet with the union representative.
22. In December 2007, Ms. Turner complained again to her union and Ms. Billings.

23. The union representative made two more attempts to meet with Principal Simpson-Marcus, but Principal Simpson-Marcus would not meet with the union representative.
24. Neither Ms. Billings nor any other Human Resources representative responded to Ms. Turner's complaints.
25. Prince George's County Public Schools did not conduct an investigation or take prompt corrective action.
26. Furthermore, Principal Simpson-Marcus continued to call Ms. Turner derogatory terms, such as, "chicken head", "bird", "hood rat", and "ghetto", on a daily basis, in the presence of faculty, staff, parents, and students.
27. On June 5, 2008, Ms. Turner confronted Principal Simpson-Marcus about calling her "out of her name".
28. During a heated conversation, Principal Simpson-Marcus referred to the slang term "chicken head" and defined it as "suck dick".
29. When the meeting ended, Ms. Turner had difficulty breathing and she sweated profusely.
30. The school nurse warned Ms. Turner that her blood pressure was dangerously high and that she was at risk of suffering a stroke.
31. The school nurse instructed Ms. Turner to go to the hospital immediately.
32. Ms. Turner never returned to Largo High School.
33. Ms. Turner immediately sought a transfer to another school in order to get away from Principal Simpson-Marcus.
34. Despite leaving, Ms. Turner kept in contact with the secretaries at Largo High School.

35. Principal Simpson-Marcus continued to threaten these secretaries with termination and call them “chicken head”, “hood rat”, “ghetto” and other derogatory terms until August 2010, when they transferred to other schools.

36. Despite numerous complaints, Prince George’s County Public Schools did not conduct an investigation or take prompt corrective action.

Retaliation

37. On April 1, 2008, Ms. Turner complained to Amber Wilson, an assistant to a High School Consortium official, about Principal Simpson-Marcus’ harassment.

38. On April 3, 2008, Principal Simpson-Marcus met with Mr. Turner and called her a “dry snitch”.

39. Principal Simpson-Marcus warned Ms. Turner that if she complained to her union or the school board, documentation would be produced that would make Ms. Turner look like a bad employee.

40. Principal Simpson-Marcus continued call Ms. Turner derogatory terms like “chicken head” and “hood rat” on a daily basis and threaten her with termination.

41. On June 5, 2008, Principal Simpson-Marcus warned Ms. Turner that it was in her best interest to leave Largo High School.

42. In June 2008, Ms. Turner wrote a letter to Executive Director Monica Goldson complaining about Principal Simpson-Marcus’ behavior.

43. However, Executive Director Goldson never responded to Ms. Turner’s letter.

Hostile Work Environment (2008 – 2010)

44. Ms. Turner left Largo High School in the summer of 2008.

45. However, Ms. Turner continues to communicate with her former co-workers at Largo High School.

46. Ms. Turner was informed by her former co-workers that Principal Simpson-Marcus continued to refer to Ms. Turner as a “Hood Rat” in the presence of her staff.

47. During the 2009 – 2010 school year, Ms. Turner was told by a former co-worker that Principal Simpson-Marcus said, “I got rid of one Hood Rat [Ms. Turner] and have two more to go”.

48. Ms. Turner was informed by her former co-workers that Principal Simpson-Marcus continued to call them “hood rat”, “chicken head”, and “ghetto” until they transferred to another school in the summer of 2010.

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

49. Ms. Turner incorporates by reference all of the preceding paragraphs

50. Principal Simpson-Marcus’ harassment of Ms. Turner was unwelcomed.

51. Principal Simpson-Marcus’ harassment of Ms. Turner was based on her sex.

52. Principal Simpson-Marcus’ harassment of Ms. Turner was severe and pervasive.

53. Prince George’s County Public Schools is liable.

54. Principal Simpson-Marcus was Ms. Turner’s supervisor.

55. Ms. Turner complained about Principal Simpson-Marcus’ harassment to the Human Resources department.

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

57. Principal Simpson-Marcus' daily harassment unreasonably interfered with Ms. Turner work performance.

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

58. Ms. Turner incorporates by reference all of the preceding paragraphs.

59. Principal Simpson-Marcus' daily harassment unreasonably interfered with Ms. Turner's work performance.

Count III – Title IX (Retaliation)

60. Ms. Turner incorporates by reference all of the preceding paragraphs.

61. Prince George's County Public Schools retaliated against Ms. Turner.

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

63. Principal Simpson-Marcus responded to Ms. Turner's protected activity by calling her a "dry snitch" and threatening termination.

64. Principal Simpson-Marcus forced Ms. Turner to transfer to another school.

Count IV – Title VI (Retaliation)

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

66. Prince George's County Public Schools retaliated against Ms. Turner.

Emotional Pain and Suffering

67. Ms. Turner 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, policies, 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; 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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