

**COMMONWEALTH OF KENTUCKY
WARREN CIRCUIT COURT
CIVIL ACTION NO. _____**

**LAVONDA JOHNSON, GREG
JOHNSON AND JALYN SAVAGE**

PLAINTIFFS

V. COMPLAINT

**THE BOARD OF EDUCATION OF
THE BOWLING GREEN INDEPENDENT
SCHOOL DISTRICT, and
GARY FIELDS, in his Official
Capacity**

DEFENDANTS

*** **

For their Complaint against Defendants, The Board of Education of the Bowling Green Independent School District, and (“Board”) and Gary Fields, in his Official Capacity as Superintendent of the Bowling Green Independent School District (“Fields”) (collectively “Defendants”), Plaintiffs LaVonda Johnson, Greg Johnson, and Jalyn Savage (“Savage”) (collectively “Plaintiffs”) state as follows:

PARTIES

1. LaVonda Johnson is an African American female, employed by the Board and assigned to teach at Bowling Green High School (“BGHS”).
2. Greg Johnson is an African American male, and is a former employee of the Board.
3. Savage is an African American female, employed by the Board and assigned to teach at Parker Bennet-Curry Elementary.
4. Defendant Board is a body politic and corporate, and may sue and be sued as such, pursuant to KRS 160.160. Pursuant to KRS 160.290, the Board has general control

and management of the Warren County School System. The Board is the employer of LaVonda Johnson and Savage, and was the employer of Greg Johnson.

5. Defendant Fields is Superintendent of the Bowling Green Independent School District, and pursuant to KRS 160.370 is responsible for personnel decisions within the District.

FACTS

6. In addition to her duties as a teacher, LaVonda Johnson served as the Head Coach of the BGHS Girls Basketball team from the 2007-08 through 2016-17 seasons. LaVonda Johnson's tenure as Head Coach was the most successful of the Girls Basketball program in the history of BGHS, including a winning percentage in excess of 80%, and multiple District and Region titles. Lavonda Johnson's overall record as Head Coach was 254-56 (Varsity), 183-9 (Junior Varsity), and 128-12 (Freshman).
7. Greg Johnson was employed as an Assistant Coach of the BGHS Girls Basketball team from the 2007-08 through 2015-16 seasons.
8. In addition to her duties as a teacher, Savage served as an Assistant Coach of the BGHS Girls Basketball team from the 2014-15 through 2015-16 seasons.
9. Fields served as Principal of BGHS from the 1996-97 through the 2014-15 school years. During Fields' tenure as Principal, he was never critical of the Plaintiffs' performance in their capacity as coaches.
10. Fields was hired as Superintendent of the Bowling Green Independent School District for the 2015-16 school year, and continues to hold that position through the present.

11. William King (“King”) was hired as Principal of BGHS for the 2015-16 school year, and continues to hold that position through the present.
12. In the fall of 2015, LaVonda Johnson and a group of Girls Basketball parents met with King and others to discuss perceived inequities in school and booster funding between the Girls and Boys Basketball programs, in possible violation of Title IX.
13. The Board conducted an investigation into the matters referred to in paragraph 12 above, and concluded that the District was not in violation of Title IX.
14. The Varsity BGHS Girls Basketball team finished the 2015-16 season with a 29-5 record, including District and Region championships. The Junior Varsity finished with a record of 18-0, and the Freshman finished 9-2.
15. On March 31, 2016, shortly after the conclusion of the basketball season, King met with LaVonda Johnson and presented her with a list of “Performance Expectations.” Among the “expectations” was a requirement that LaVonda Johnson replace all of her Assistant Coaches, including Greg Johnson and Savage.
16. On April 1, 2016, LaVonda Johnson, Greg Johnson, Savage and Marshall Gray, parent of a player on the Girls Basketball team (“Gray”) met with King. During this meeting King stated that he wanted the Girls Basketball staff and team to “reflect the diversity of the school.” When asked by Gray if he was saying he wanted more white players and white coaches, King responded “yes.”
17. Greg Johnson and Savage were terminated from their positions as Assistant Coaches after the meeting described in paragraph 16 above.
18. LaVonda Johnson was the only athletic coach at BGHS subjected to requirements similar to the “Performance Expectations” described in paragraph 15 above.

19. On or about June 2016, LaVonda Johnson made complaints regarding the events described above to the Equal Employment Opportunity Commission (“EEOC”), the United States Department of Education, Office of Civil Rights (“OCR”), the Kentucky High School Athletic Association (“KHSAA”), the Kentucky Department of Education (“KDOE”), and the Kentucky Education Professional Standards Board (“EPSB”).
20. On or about June 15, 2016, King hired Anthony Hickey (“Hickey”), Houston Bunton (“Bunton”) and Chloe Elam (“Elam”) to serve as Assistant Coaches for the Girls Basketball team for the 2016-17 season.
21. On or about December 13, 2016, Bunton was arrested, and subsequently indicted for multiple sex offenses.
22. On or about January 18, 2017, Greg Johnson and Savage filed complaints with the EEOC.
23. Hickey, other Board employees, and the BGHS Boys Varsity Basketball program have been and are currently under investigation by the KHSAA for violation of KHSAA regulations relating to recruiting players on the 2016-17 team.
24. LaVonda Johnson provided information to the KHSAA regarding the alleged violations described in paragraph 23 above throughout the 2016-17 school year.
25. Throughout the course of the 2016-17 basketball season, King and other Board employees held LaVonda Johnson to standards not made applicable to other coaches at BGHS thereby subjecting her to unequal terms and conditions of employment. LaVonda Johnson repeatedly made clear her belief that such actions were in retaliation for her making the reports described in paragraph 19 above.

26. The Varsity BGHS Girls Basketball team finished the 2016-17 season with a 21-9 record. The Junior Varsity finished with a record of 7-8 and the Freshman finished 7-9.
27. On or about June 30, 2017, the EEOC issued Right to Sue notices to Plaintiffs.
28. On August 3, 2017, Fields terminated LaVonda Johnson from her position as Girls Basketball Coach on the recommendation of King.
29. The decision to terminate Greg Johnson from his position as Assistant Girls Basketball Coach at BGHS was based in whole or in part on his race, African American, and made with oppression and/or malice.
30. The decision to terminate Savage from her position as Assistant Girls Basketball Coach at BGHS was based in whole or in part on her race, African American, and made with oppression and/or malice.
31. The decisions made with respect to LaVonda Johnson's employment described above were based in whole or in part on (1) her race, African American, and/or (2) retaliation for her good faith complaints and reports of discrimination and violations of law and regulation, and made with oppression and/or malice.
32. As a result of Defendants' actions described above, LaVonda Johnson suffered lost wages and benefits, embarrassment, humiliation, and emotional distress in an amount in excess of the jurisdictional minimum of this Court.
33. As a result of Defendants' actions described above, Greg Johnson suffered lost wages and benefits, embarrassment, humiliation, and emotional distress in an amount in excess of the jurisdictional minimum of this Court.

34. As a result of Defendants' actions described above, Jalyn Savage suffered lost wages and benefits, embarrassment, humiliation, and emotional distress in an amount in excess of the jurisdictional minimum of this Court.

COUNT I

35. Plaintiffs incorporate herein by reference the allegations contained in paragraphs 1-34 above.
36. The actions of Defendants described above constitute discrimination against Plaintiffs based upon their race in violation Title VII of the Civil Rights Act of 1964 and KRS Chapter 344.

COUNT II

37. LaVonda Johnson incorporates herein by reference the allegations contained in paragraphs 1-36 above.
38. The actions of Defendants described above constitute retaliation against LaVonda Johnson for her good faith complaints and reports of discrimination and violations of law and regulation, in violation of Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, KRS Chapter 344, the Kentucky Whistleblower Act, KRS 61.101 et seq.

WHEREFORE, Plaintiffs demand judgment in their favor for actual, compensatory, and punitive damages, equitable relief, attorney's fees, and any other relief to which they may appear entitled.

Plaintiffs demand a trial by jury on all issues so triable.

Respectfully Submitted,

WALTHER, GAY & MACK, PLC

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