

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DANIEL GLENN,

24 CV

Plaintiff,

COMPLAINT

-against-

JURY TRIAL DEMANDED

BEACON CITY SCHOOL DISTRICT,

Defendant.
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DANIEL GLENN (hereinafter "Plaintiff") by his attorneys Stewart Lee Karlin Law Group, PC, complaining of Defendant, BEACON CITY SCHOOL DISTRICT (hereinafter "Defendant or District"), alleges upon knowledge as to himself and his own actions and upon information and belief as to all other matters, as follows:

PRELIMINARY STATEMENT

1. This is a civil action based upon Defendants' violations of Plaintiff's rights guaranteed to him by: (i) the race discrimination (African-American), and retaliation provisions of the Title VII of the Civil Rights Act of 1964, as amended ("Title VII"); (ii) the race discrimination and retaliation provisions of the New York State Human Rights Law, New York State Executive Law, § 296 et seq. ("NYSHRL"); (iv) and (vi) any other claim(s) that can be inferred from the facts set forth herein.
2. Plaintiff seeks redress for the injuries he has suffered as a result of his employer's discrimination and retaliation.

JURISDICTION AND VENUE

3. Jurisdiction of this Court is proper under 42 U.S.C. §2000e-5(f)(3), and 28 U.S.C. §§1331 and 1343.

4. The Court has supplemental jurisdiction over the claims of Plaintiff brought under state law pursuant to 28 U.S.C. §1367.
5. Venue is proper in this district in that a substantial part of the events or omissions giving rise to the claim occurred within the Southern District of the State of New York. 28 U.S.C. § 1391(b).

PROCEDURAL PREREQUISITES

6. Plaintiff timely filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) upon which this Complaint is based.
7. Plaintiff received a Notice of Right to Sue from the EEOC dated October 18, 2023, with respect to the instant charges of discrimination. A copy of the Notice is annexed to this Complaint as Exhibit “A”.
8. In addition, Plaintiff filed a notice of claim, and a 50-H hearing has been held.
9. This action is commenced within 90 days of receipt of the notice of right to sue letter dated February 12, 2024 (Exhibit “A”), and the notice of claim was not adjusted.

PARTIES

10. At all times hereinafter mentioned, Plaintiff Daniel Glenn (hereinafter mentioned as "Plaintiff or "Mr. Glenn"), resides within the State of New York. Plaintiff is an employee as defined by Title VII and the New York State Executive Law 291 et. seq.
11. Defendant Beacon City School District (hereinafter “Defendant or District”) is a political subdivision of the State of New York by law with responsibility for the operation, management, and control of Beacon’s public education. Defendant is within the jurisdiction of this Court, with its principal place of business located in Dutchess County.
12. At all relevant times, Defendant is an "employer" as defined in Section 701(b) of Title VII

of the Civil Rights Act of 1964 42 USC § 2000e. As such, Defendant is subject to the requirements of Title VII (42 USC § 2000e et seq.). Defendant is also an employer within the meaning of the New York State Executive Law (NYSHRL).

FACTUAL STATEMENT

13. Plaintiff is African American, subjected to ongoing race discrimination and retaliation as set forth below.
14. Plaintiff (African-American) was employed as a Probationary School Principal in the Beacon City School District (hereinafter "the District") South Avenue Elementary School located at 60 South Ave, Beacon, NY 12508.
15. Plaintiff is the only African American Principal male in the District.
16. As an employee and principal of the School, Plaintiff has been a victim of disparate treatment and a hostile work environment due to his race and retaliation which in turn caused his termination as set forth below.
17. Plaintiff was the Principal of South Avenue Elementary School. The school work staff is predominantly Caucasian. Plaintiff was employed in 2020.
18. During the 2020-2021 school year and 2021-2022 school year, Plaintiff's performance was satisfactory or better.
19. On December 1, 2022, during a formal meeting with Superintendent of Schools Matthew Landahl and Deputy Superintendent Ann Marie Quartironi, Plaintiff expressed how racial inequality played a significant role in his daily responsibilities as the principal of South Avenue School.
20. Specifically, Plaintiff contended that his job was permeated with racial discrimination on a continuous basis in the structure of how the school operated.

21. For instance, Plaintiff explained that although he was the Principal when Caucasian subordinate employees did not get their way, they leveraged their race as a way to avoid accountability and to cast aspersion and blame on others perceived as less important, less powerful, or less privileged.
22. The repeated acts of race discrimination adversely affected Plaintiff's work performance and caused stress and anxiety.
23. Additionally, a teacher also submitted a letter to Matt Landahl unequivocally exposing the toxic and racially charged discriminatory work environment, yet no meaningful investigation was conducted, and remedial actions were taken to resolve this disparate treatment problem.
24. In stark contrast, complaints of non-minority staff members were taken seriously and handled expeditiously.
25. As the Principal of South Avenue, Plaintiff's contributions to the institution were overshadowed by the hostility and racial tension that existed within the building.
26. Since Plaintiff assumed responsibility for South Avenue School, Plaintiff embraced the intersectionality of a diverse student body by creating experiences that enhanced the educational program of the student body, with a view toward enhancing inclusivity for all students and staff.
27. For instance, in the school lobby, Plaintiff coordinated a mural project that included the contributions of the entire student body. Plaintiff organized the annual Lunar New Year's and Black History assemblies to expand the minds of students in the learning community.
28. Plaintiff effectively worked with all stakeholders to advance the school's missions and to help students connect their passion to their life's purpose. Plaintiff added substantial value

to the District and its mission.

29. Despite Plaintiff's exemplary performance, he was terminated for pretextual reasons effective June 7, 2023.
30. To justify Plaintiff's termination, The Districts alleged that on or about January 2023, Plaintiff made an inappropriate comment to a female teacher who had recently returned to work after having a child.
31. During a post-observation conference, the District alleged that Plaintiff told this teacher that he noticed a change since she became a mom.
32. Moreover, the District alleged that on or about February 8, 2023, Plaintiff failed in his responsibilities as an Elementary School Principal when addressing a student's complaint alleging that another student had touched his private parts in the school's bathroom.
33. The District alleged that Plaintiff failed to follow the Title IX policy requirements, failed to report the specific details of this complaint, made a cursory investigation where he made fun of the accuser, and had the students together in the same room to "talk out their issues."
34. Further, the District alleged that the student's teacher reported the incident and Plaintiff allegedly stated that "there are things she will never be able to know about this boy and his family," and "she was getting too emotionally involved with the issue" and he had never seen this side of her before and he was "disappointed" by that.
35. The District further alleged that during the meeting with administration regarding the January 2023 incident and February 8, 2023 incident Plaintiff was defiant and unremorseful.
36. The District further claimed that prior to the incidents Plaintiff received counseling memorandums on June 10, 2022, and July 8, 2022, and was placed on a Principal

Improvement Plan on or about January 23, 2023, due to performance concerns.

37. However, the above allegations leveled against Plaintiff were a pretext to mask race discrimination, and in retaliation for Plaintiff's opposition to unlawful discriminatory practices.
38. For example, Plaintiff until the June 7, 2023, board meeting, had not received any written communication offering him the opportunity to respond to the reasons for his termination. Plaintiff was unjustly deprived of the right to reply to the superintendent's recommendation, which failed to acknowledge the disparity in investigation procedures and the absence of proficient human resource management due to the lack of a dedicated department.
39. Furthermore, during the final meeting convened by the superintendent with Plaintiff, no rationale was provided for his recommendation, nor was there any mention of a comment purportedly made by a teacher being a contributing factor to the termination decision.
40. The procedural aspects of the meeting and the Superintendent's inquiry lacked clarity, manifesting bias as evidenced by a preconceived determination to effectuate the plaintiff's termination. The absence of a human resource department deprived the plaintiff of a safe platform to voice concerns. Subsequent to the plaintiff's termination, the Beacon Central School District established a human resource department, indicating a belated recognition of the necessity for such institutional support for employees.
41. "The teacher whom Matthew Landhal relied upon to substantiate his unjust and racially motivated grounds for terminating the plaintiff happened to be the very same individual whose class the two boys emerged from. Furthermore, it is evident that the Superintendent exaggerated the sequence of events, as both incidents were addressed within the same

meeting, involving the same individual.

42. At the onset of the plaintiff's post-observation conference, the plaintiff expressed concern for the well-being of the teacher, explicitly avoiding any attempt to assess her effectiveness based on maternal status. Moreover, the statement 'there are things she will never be able to know about this boy and his family' was misconstrued and taken out of context. It actually referred to a personal disclosure made by the student to both the plaintiff and the school social worker, which the teacher was unaware of until later discussions with the social worker. It is evident that the Superintendent's investigation was conducted inadequately, displaying a bias toward the teacher's perspective and disregarding the validity of the plaintiff's statement. This skewed approach reflects the Superintendent's underlying objective to fabricate justifications for his racially motivated decision to terminate the plaintiff.
43. Furthermore, the assertion that the teacher was too emotional serves as a tactic by the Superintendent to aggravate any pretext for termination. The teacher, during discussions with the plaintiff, conveyed acquaintance with an individual undergoing a personal challenge relevant to the issue at hand, thereby expressing a personal connection to the matter. The plaintiff was articulating to the Superintendent her intimate involvement in the incident, thereby contextualizing her emotional response. The superintendent accepted the teacher's comments without proper scrutiny and was more focused on bolstering the termination rather than impartially assessing the situation. It highlights the plaintiff's attempt to provide context for her emotional reaction and suggests that the Superintendent's actions were driven by a desire to justify the termination rather than seek truth or fairness.
44. In presenting his racially biased recommendation for termination, the Superintendent

erroneously informed the Board that Plaintiff was under a teacher improvement plan, despite the fact that the Plaintiff had never been placed on such a plan. This misrepresentation was used in part to justify Plaintiff's termination. Moreover, the Superintendent falsely alleged that Plaintiff held the position of Title IX coordinator and used this erroneous assertion in part as a basis to justify his decision, despite the fact that Plaintiff was not serving in the capacity of Title IX coordinator.

45. Moreover, concerning the teacher's comment utilized as grounds for Plaintiff's termination, it's imperative to note that the Danielson teacher evaluation framework is specifically crafted to foster constructive dialogue among educators. This dialogue is intended to revolve around enhancing student success, encompassing both learning and academic advancement.
46. As Plaintiff and the teacher advanced through the rubric during their meeting, the teacher sought guidance on refining areas of instruction, to which Plaintiff responded by providing tangible examples aimed at bolstering student learning support.
47. In their conversation, it became evident, that the teacher was upset as she compared her assessment with that of another teacher in the same grade, despite the stark contrast in the nature of their respective lessons. Additionally, it's significant to note that the plaintiff and the teacher were unable to finish the post-observation conference as initially planned but instead agreed to schedule another conference at a future date. This suggests that there may have been unresolved issues or discussions that needed further attention.
48. The teacher's ultimate evaluation landed within the highly effective and effective range on the Danielson rubric, underscoring the acknowledgment that despite an unfinished post-observation conference, a commendable rating was achieved.

49. During the meeting with the Superintendent, Plaintiff also expressed his concern regarding a letter received from the teacher delivered and read by a teacher's aide, which contained confidential student information without proper enclosure in an envelope. Plaintiff reiterated this concern during the teacher's post-observation conference. The teacher, seemingly dismissive of Plaintiff's authority, perceived herself as entitled to bypass accountability. Subsequently, she contacted the Superintendent to address both her evaluation concerns and a student-related issue.
50. Plaintiff meticulously drafted an extensive recommendation advocating for the teacher to be granted tenure. This comprehensive recommendation form comprised multiple categories, each requiring the evaluator to substantiate their claims with evidence in support of the teacher's tenure application. In June 2022, Plaintiff fervently presented this recommendation before the Board, endorsing the teacher's candidacy for tenure as an elementary educator within the district. This significant event was attended by family members and various district officials.
51. It is essential to note that this occurred several months prior to the Superintendent's unfounded allegation that Plaintiff had assigned the teacher a lower rating.
52. Moreover, as delineated in the teacher contract regarding the Danielson rubric, educators have the right to submit a written rebuttal regarding any aspect of the evaluation with either a positive or dissenting statement. This statement accompanies the final observation, and if a teacher falls within the ineffective range, they can contest the evaluation. Certainly, here's a revised version:
53. "It is crucial to highlight that previously, another employee fell within the ineffective range on the Danielson evaluation, yet was granted the opportunity by the plaintiff to rectify their

lesson. This precedent underscores the falsity and exaggeration of the current allegation, evidently designed to serve ulterior motives.

54. Superintendent Matthew Landhal perpetuated this toxic culture by immediately accepting the teacher's account without scrutinizing the evaluation or identifying which domain received a low score. He failed to present this information during his meeting with the Plaintiff, relying solely on the teacher's statement as sufficient evidence.
55. Around June 10, 2022, Matthew Landhal summoned Plaintiff to his office following a letter from a teacher regarding a grade assignment change. Matthew Landhal expressed frustration as he had not anticipated resistance from the teacher towards changes. He stated that he directed Plaintiff to seek the teacher's permission first to facilitate a move to another grade, despite Plaintiff holding supervisory authority over the teacher. His concern was not primarily focused on what would best serve the student's educational needs but rather on managing the teacher's emotional reaction. Despite being directed to inquire about the teacher's permission to change her grade assignment, which falls within Plaintiff's purview as outlined in Article V of the administrative contract, the Superintendent's directive prioritized appeasing the teacher's emotions over educational considerations.
56. Plaintiff was taken aback, as he had previously discussed these changes and their rationale with the superintendent, who had approved all grade-level adjustments. Landhal's pattern of yielding to any complaint, regardless of merit, suggested a workplace environment tainted by racial bias. Subsequently, Landhal reversed all grade level changes, despite prior agreement with Plaintiff's proposals. Matthew Landhal's directives were never put in writing.
57. Furthermore, on or about February 8, 2023, the teacher's aide assigned to the teacher's

classroom approached Plaintiff with three letters regarding students. There was an incident in the boy's restroom and their classroom teacher directed them to document their accounts of the incident in a letter.

58. Plaintiff called the boys down to investigate the matter. Plaintiff handled the first incident and called witnesses down and called parents to resolve the issues.
59. In the second incident the student accused a student of repeatedly hitting him on the buttocks. The student could not recall any specific incidents. The Plaintiff asked him if he shared the incidents with any friends or adults and he replied "no".
60. To provide due process to both sides, Plaintiff asked the accused student separately of his account of his interaction with this student. He did not recall hitting him on the buttocks except for one incident.
61. The social worker and psychologist were called in to assist with this incident and Plaintiff called Assistant Superintendent Ann Marie several times, but she did not answer the calls. The student was in the Plaintiff's office and was spoken to separately.
62. The Plaintiff spent the whole day investigating the incident and called the parents.
63. The psychologist created a safety plan without input from the Plaintiff based on her private session with the student.
64. The investigation into the initial complaint from the students lacked procedural rigor. Despite the Superintendent's claim that the plaintiff did not take the students seriously, it is imperative to note that the students' interpretations do not invalidate the plaintiff's genuine sentiments. Notably, around December 22, 2023, the mother of the student encountered the plaintiff in a supermarket, embracing the plaintiff and expressing pride in her child's academic achievements. This encounter suggested to the plaintiff that the

mother was unaware of the Superintendent's exaggeration of events to justify a racially motivated termination.

65. Furthermore, Plaintiff, not being the district's Title IX coordinator, contacted Assistant Superintendent Ann Marie to ascertain whether the matter warranted a Title IX investigation. Despite conveying the contents of the letter to her, Ann Marie asserted that it did not constitute a Title IX case. However, she refuted Plaintiff's claim of sharing the specific content with her. It's crucial to emphasize that Title IX coordinators are mandated to investigate any reported circumstances brought to their attention, regardless of their perceived substantiation.
66. Despite the fact that Title IX coordinators receive specialized training, the Superintendent erroneously relied on the premise that the Plaintiff held the Title IX coordinator role as in part the basis for Plaintiff's termination.
67. Moreover, regarding the allegations that Plaintiff was defiant and unremorseful in January 2023 is impossible because in the meeting the plaintiff was not hostile in fact the plaintiff was cautious because he knew that the Superintendent had a racial bias against him.
68. It was evident that the Superintendent was displeased with Plaintiff's outspokenness against racial mistreatment, especially considering Plaintiff's addressing disparate treatment during the December meeting. In this January meeting, the Superintendent was actively seeking any form of opposition from Plaintiff to potentially justify either termination or placing Plaintiff on administrative leave. However, he failed to find sufficient grounds for such actions.
69. In June, a formal meeting was convened by the superintendent to address concerns including food arrangements, the use of an ice cream truck, a bullying lesson that the

plaintiff organized a bus incident and staff leaving early.

70. In December, the plaintiff provided food for an administrative meeting and generously distributed the leftovers to staff members. However, six months later, the Superintendent alleged that the plaintiff had only catered to his supporters, casting doubt on the plaintiff's actions and motives.
71. In February 2022, the plaintiff organized catering for the entire staff in celebration of Valentine's Day, generously extending the invitation to all members of the staff. The plaintiff personally funded this event. It is noteworthy that this occurred a little over a month following the alleged incident. However, the plaintiff was not informed of any comments made during this time. Instead, these comments were later utilized as a pretext to scrutinize the plaintiff's job performance.
72. Subsequently, in May, the plaintiff and the Parent-Teacher Association (PTA) jointly organized the rental of an ice cream truck for the entire school. Some staff members alleged that the plaintiff instructed students to express gratitude specifically to him rather than to the PTA, a patently false statement.
73. Moreover, a student who had been suspended from the school bus for disruptive behavior encountered the plaintiff in the hallway. During this encounter, the plaintiff asked the student about their feelings regarding the bus incident. However, the teacher, whose grade level had been changed by the plaintiff, misconstrued this inquiry and portrayed it in a manner that cast the plaintiff in a negative light, suggesting that it was embarrassing for the student when no other student heard it or was the comment disparaging. The superintendent never investigated the situation and just believed the accounts of the teacher. However, Article XXXII afforded Plaintiff the right to meet but this right was

never granted to him.

74. Regardless of the nature or triviality of the events in question, the superintendent consistently resorted to threatening the plaintiff with an improvement plan. Despite the superintendent providing the plaintiff with a satisfactory observation, there was no mention of any concerns or incidents during the evaluation process.
75. During the plaintiff's evaluation, the superintendent did not mention any concerns he may have had. Additionally, during principal observations, the superintendent only briefly visited the cafeteria and the playground before leaving the school building. There was no discussion about student achievement or any areas for improvement for the plaintiff. In the plaintiff's first year of employment, Matthew Landhal did not complete the last observation and did not conduct a post-observation conference for any evaluations.
76. The plaintiff informed Superintendent Matthew Landhal during the December meeting about racially motivated occurrences, however, no steps were taken to investigate the plaintiff's complaints.
77. A teacher wrote a letter to the superintendent addressing concerns about the work environment, expressing feelings of it being hostile and characterized by harsh racial undertones. The Superintendent called a meeting with the teacher and the first thing he said to her was: "Do you think the teachers are discriminating against Daniel because he is black? South Avenue is a toxic environment, and it has been like this for years:" I have dealt with other principals of color who dealt with these issues, and it took years to change".
78. In June 2023, Plaintiff was officially terminated, and his career prospects are now ruined.
79. In short, the allegations leveled against Plaintiff are a pretext and mask for race discrimination and retaliation for his opposition to unlawful discriminatory practices.

80. As a result of the foregoing, the District violated Title VII, 42 U.S.C. 1981, and the Executive Law § 296, by discriminating against Plaintiff due to his race and retaliation.
81. At all times relevant, Plaintiff performed his job responsibilities in an exemplary manner.
82. It has been necessary for Plaintiff to engage the services of an attorney to file and prosecute this action, and thus also request attorneys' fees.
83. Plaintiff duly served a notice of claim, a statutory 50H statutory hearing was held and more than 30 days have elapsed without the claim being adjusted by the District.

FIRST CLAIM FOR RELIEF-TITLE VII-RACE

84. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as it more fully set forth herein.
85. Based upon the foregoing, the Plaintiff has been subjected to disparate treatment and terminated based on his race in violation of Title VII of the Civil Rights Act of 1964, 42 USC 2000e et. seq.
86. Defendant acted maliciously, wantonly, and in conscious disregard of Plaintiff's rights and Defendant's statutory obligations, and as a result, Plaintiff has been damaged.

SECOND CLAIM FOR RELIEF-TITLE VII-RETALIATION

87. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as it more fully set forth herein.
88. Based upon the foregoing, the Plaintiff has been subjected to disparate treatment and terminated based on retaliation, in violation of Title VII of the Civil Rights Act of 1964, 42 USC 2000e et. seq.
89. Defendant acted maliciously, wantonly, and in conscious disregard of Plaintiff's rights and

Defendant's statutory obligations, and as a result, Plaintiff has been damaged.

THIRD CLAIM FOR RELIEF-NYSHRL-RACE

90. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as it more fully set forth herein.
91. As a result of the foregoing intentional continuing discrimination the Defendant violated Executive Law § 296, by discriminating against Plaintiff due to his race. As a result of the foregoing, Plaintiff was subjected to disparate treatment, a hostile work, and terminated in violation of the NYS Executive Law 296 et. seq.
92. As a result of Defendant violating the NYSHRL, Plaintiff has been damaged.

FOURTH CLAIM FOR RELIEF-NYSHRL-RETALIATION

93. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as it more fully set forth.
94. As a result of the foregoing intentional continuing discrimination the Defendant violated Executive Law § 296, by discriminating against Plaintiff due to retaliation. As a result of the foregoing, Plaintiff was subjected to disparate treatment, hostile work, and termination in violation of the NYS Executive Law 296 et. seq.
95. As a result of Defendant violating the NYSHRL, Plaintiff has been damaged.

DEMAND FOR A JURY TRIAL

Plaintiff demands a trial by jury of all issues and claims in this action.

WHEREFORE, Plaintiff respectfully requests a judgment against the Defendant:

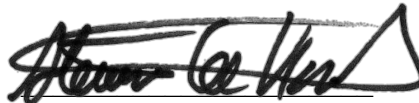
- A. Declaring that Defendants engaged in unlawful employment practices prohibited by Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 1981, and the New York State Human Rights Law, Defendants discriminated against Plaintiff based on

Plaintiff's race, national origin, gender, and retaliated against Plaintiff due to his complaints of discrimination and created a hostile work environment and reinstating Plaintiff retroactively to the position of principal or in the alternative front pay.

- B. Awarding damages to Plaintiff resulting from Defendant's unlawful discrimination, retaliation, and conduct and to otherwise make Plaintiff whole for any losses suffered because of such unlawful employment practices including but not limited to back pay and lost benefits;
- C. Awarding Plaintiff compensatory damages for mental and emotional injury, distress, pain, suffering, and injury to Plaintiff's reputation in an amount to be proven;
- D. Awarding Plaintiff prejudgment interest;
- E. Awarding Plaintiff attorneys' fees, costs, and expenses incurred in the prosecution of the action; and
- F. Awarding Plaintiff such other and further relief as the Court may deem equitable, just, and proper to remedy Defendants' unlawful employment practices.

Dated: New York, New York
April 16, 2024

STEWART LEE KARLIN
LAW GROUP, P.C.

A handwritten signature in black ink, appearing to read 'Stewart Lee Karlin', is written over a horizontal line.

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