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# Woman hired to investigate racial harassment within Davis School District files lawsuit, accusing district of discriminating against her

Joscelin Thomas, a Black woman, alleges she was treated differently than her co-workers and subjected to a hostile work environment.



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(Google Maps) Davis School District headquarters. A former Davis School District employee hired to help investigate racial harassment complaints within the district filed a federal lawsuit Tuesday, alleging that the district subjected her to racial discrimination.

By Michael Lee | Jan. 10, 2024, 2:51 p.m. | Updated: 4:34 p.m.

 Comment

A former Davis School District employee hired to help investigate racial harassment complaints within the district filed a federal lawsuit Tuesday, alleging that the district subjected her to racial discrimination, including when officials last year refused to renew her contract.

Joscelin Thomas, a Black woman, was first hired by the district in 2022. Her position was part of a requirement [under the district's 2021 settlement with the Department of Justice](#) — a step toward addressing systemic failures identified during a federal investigation into the district's mistreatment of students of color.

“From the beginning of her employment, Dr. Thomas was treated differently than her lighter-skinned and non-Black co-workers,” the complaint states, “and was subject to a hostile work environment.”

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Thomas, who obtained a Ph.D. in Educational Leadership from Keiser University in Florida, was initially hired as a “school coordinator” within the district's newly created Office of Equal Opportunity (OEO), following the [DOJ investigation and settlement](#).

In that role, Thomas was tasked with investigating and responding to complaints of racial harassment and discrimination submitted to the district's OEO, the complaint states.

During her employment, Thomas was denied training and mentorship opportunities that were offered to her colleagues, treated “as if she were stupid” and was accused of not having the same work ethic as peers, the complaint alleges.

The complaint lists the school district as well as two district employees, Fidel Montero and Suzi Jensen, along with a third-party consultant, Heidi Alder, as defendants.

The district declined to comment on the lawsuit, because a spokesperson said in a statement that the district “will not make comments about potential litigation.”

“Davis School District administrators, teachers, and staff stand firmly against any form of harassment or discrimination that affects a child’s learning experience in our schools,” the statement added. “Our primary duty and responsibility is to create a safe environment for every child, employee and patron.”

The statement cited the district’s [harassment and discrimination policy updated in August 2023](#); mentioned its [harassment and discrimination reporting system](#); and linked to a discrimination and harassment statement [sent to parents, students and employees at the beginning of the school year](#).

Alder referred to the district’s statement when asked for comment. Jensen and Montero did not immediately respond to requests for comment.

### **Treated as ‘a subordinate’**

When Thomas began working for the district, she was only assigned one school coordinator to supervise. Yet Thomas was assigned more cases to review than her two fellow district coordinators, who each supervised two school coordinators, the complaint states.

Her two fellow district coordinators often “treated Dr. Thomas as a subordinate, rather than a colleague,” the complaint adds.

About a month into her employment, for example, one of Thomas’ fellow district coordinators gave Thomas a handful of garbage and told her to clean up the trash. The exchange happened during an administrative training that was “supposed to be an opportunity for Dr. Thomas to meet and get to know the administrators she would be working with,” the complaint states.

When Thomas refused the task, her colleague was “furious,” the complaint alleges.

On another occasion, the same colleague interrupted a meeting between Thomas and the then-director of the OEO and began yelling at Thomas, accusing her of reassigning one of Thomas’ school coordinator’s cases to one of the colleague’s school coordinators, the complaint states — though it was the director who had reassigned the case, not Thomas.

After, the director required Thomas and the colleague to attend mediation, during which the colleague “acknowledged that she bossed Dr. Thomas around when it was not her place to do so,” and “admitted to having a grudge against Dr. Thomas, because she felt Dr. Thomas did not have the same ‘work ethic,’” the complaint states.

Despite the mediation, both fellow district coordinators continued to “blame her for things that were not her fault,” the complaint alleges.

### **Consultant ‘targets’ Thomas**

Under the DOJ settlement, the district was also required to hire a third-party consultant, whose job included reviewing harassment policies and procedures, creating employee trainings, monitoring the district’s progress and making recommendations to help the district follow its federal agreement.

That consultant was Heidi Alder, who the complaint alleges targeted Thomas in various ways.

Early into Thomas’s employment, for example, Alder hosted a training, during which Alder shared that her first reaction to the DOJ’s investigation was, “No, this is not happening, this cannot be true,” the complaint states.

The DOJ investigation found that the district had **intentionally ignored “serious and widespread” racial harassment in its schools for years**, failing to respond to hundreds of reports from Black students after they have been called the N-word and other racial epithets. Investigators also found that school administrators were disciplining Black students more harshly than their white peers.

The complaint also alleges that Alder in February 2023 changed the findings of an investigation that Thomas had sent Alder for review.

The investigation centered on a student teacher who was accused of telling a Black student who had raised their hand in class — saying “ooh, ooh, me, I know,” in response to a class question — that “I don’t call on monkeys, I call on students,” the complaint states.

Thomas had found that the student teacher violated the district’s racial harassment policy. But Alder instead determined that “the Black student made ‘monkey-like noises,’” and changed Thomas’ report to reflect a nonviolation, the complaint alleges.

“Reviewing and changing the findings of an OEO report was not within [Alder’s] job duties,” the complaint states.

Around the same time, Thomas received a “Letter of Concern” from the then-director of the OEO that “mostly comprised of complaints from Ms. Alder, who was not in a position of supervision over Dr. Thomas.”

The letter argued Thomas’ investigations lacked “the thoroughness needed to make reasonable conclusions,” contradicting the “consistently good feedback” that Thomas had received from the director, the complaint states.

It also accused Thomas of using “unprofessional” language at work, such as curse words. The complaint states Thomas admitted to using curse words, but noted that “such language was commonplace in the OEO and used constantly by other employees in the office.”

Thomas was the only employee disciplined for such conduct, the complaint states.

## **District terminates Thomas’ employment**

The notice was addressed to “Ms. Thomas,” rather than “Dr. Thomas,” the complaint notes.

“The District consistently refused to acknowledge Dr. Thomas’ academic achievements and undercut her qualifications by frequently failing to address her by her appropriate title,” the complaint alleges.

A little over a week later, Thomas attempted to set up a meeting with Suzi Jensen, the district’s director of human resources, to discuss race discrimination during her employment.

Fifteen minutes before Thomas was supposed to meet with Jensen, she was called into the office of Fidel Montero, the district’s assistant superintendent.

There, Montero placed Thomas on administrative leave, pending an investigation into an “ethical, moral, or professional conduct” standards violation, the complaint states.

Montero did not provide further details, other than relaying that Thomas’s colleagues “were feeling unsafe with her in the office,” the complaint alleges.

Ten days later, Montero sent Thomas a letter accusing her of making offensive comments about OEO staff. The complaint states the accusations “were either entirely false or significantly misconstrued.”

Thomas provided a written response to the letter, as requested, but the district never followed up, the complaint states. The complaint alleges the district never completed its investigation into Thomas. She had remained on administrative leave for about two months before her contract ended in June 2023.

The lawsuit, which also accuses the defendants of violating the Equal Protection Clause, notes that Thomas was the only OEO employee whose contract the district declined to renew.

Katie Panzer, who is representing Thomas, said in a statement Wednesday that the DOJ’s findings as well as her client’s alleged experiences seem to reveal “a very serious and deep rooted issue with racism not only among students but faculty and staff as well.”

As of Wednesday, none of the defendants had filed a formal response to the complaint.



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