

**IN THE CIRCUIT COURT OF THE COUNTY OF ST. LOUIS  
 TWENTY-FIRST JUDICIAL CIRCUIT  
 STATE OF MISSOURI**

BRITTANY HOGAN	)	
	)	
Plaintiff,	)	Cause No.: _____
	)	
v.	)	
	)	
Rockwood R-VI School District	)	Div. _____
Serve: Rockwood School District	)	
111 E North St	)	
St. Louis, Missouri 63025	)	
	)	JURY TRIAL DEMANDED
Defendant.	)	

**PETITION FOR DAMAGES**

1. Brittany Hogan, a Black woman, was hired at the Rockwood R-VI School District (“Rockwood”) in 2012.
  
2. Ms. Hogan began working as an equity facilitator and was promoted multiple times in her eight years at Rockwood.
  
3. In April of 2019, Ms. Hogan received Rockwood’s prestigious ROSE Award, which is “bestowed upon individuals who show excellence of character, performance, leadership, and service to the Rockwood School District.”
  
4. During the 2020-2021 school year, Ms. Hogan was subject to racist abuse by Rockwood parents, while the Rockwood administration merely looked on and allowed angry parents to threaten its Black staff. Moreover, when Ms. Hogan complained about the abuse she was suffering, Rockwood officials sidelined her, making it impossible for her to adequately carry out her job. By isolating Ms. Hogan and allowing her to take the brunt of abuse, Rockwood created a hostile work environment that resulted in Ms. Hogan’s constructive discharge.

5. Ms. Hogan brings this suit to redress injuries under the Missouri Human Rights Act.

**JURISDICTION AND VENUE**

6. Defendant Rockwood is a school district and government entity in St. Louis County, Missouri.

7. The vast majority of the acts and omissions complained of herein occurred in St. Louis County, Missouri, and venue is therefore proper in the County.

8. This Court has jurisdiction over Ms. Hogan’s claims of discrimination, harassment, hostile work environment, and retaliation pursuant to the Missouri Human Rights Act, § 213.010 *et seq* (“MHRA”).

9. Plaintiff seeks damages in excess of this Court’s jurisdictional minimum of \$25,000.

10. On or about August 22, 2021, Ms. Hogan filed a Charge of Discrimination and was assigned Charge Number 28E-2021-00973 from the U.S. Equal Employment Opportunity Commission (“EEOC”).

11. On November 29, 2022, Plaintiff received a Notice of Right to Sue from the EEOC.

12. This action has been timely commenced by the filing of this Petition for Damages within ninety (90) days after Plaintiff’s receipt of the aforesaid Notice of Right to Sue. Therefore, Plaintiff has met all administrative requirements to filing suit.

13. Before the 2020-2021 school year, Ms. Hogan was promoted to become the Director of Educational Equity and Diversity for all Rockwood schools.

14. Earlier in the year, Ms. Hogan had been pursued by the Clayton School District to take a similar role. Rockwood stated that it was committed to keeping Ms. Hogan in Rockwood, and at the start of the 2021 fiscal year, Rockwood approved a title change and raise for Ms. Hogan.

15. As part of her duties, a Rockwood administrator directed Ms. Hogan to run @RSD\_Diversity, the Rockwood Twitter account for Diversity and Equity.

16. In early December of 2020, Rockwood announced that it would be reading the book *Stamped* as part the “One Read” program to encourage middle school and high school students—as well as adults in the area—to read a single book together as a district.

17. The book seeks to portray the lives of prominent figures in American history and the way in which their lives were impacted by systemic racism.

18. Ms. Hogan had no role in the decision to use *Stamped*, but Rockwood officials brought Ms. Hogan into the discussion into how to promote the book through the One Read program.

19. During this period, there began to be an increase of emotionally charged Board of Education Meetings at which parents expressed anger and extreme displeasure toward the Board.

20. Through the Rockwood diversity Twitter account, @RSD\_Diversity, Ms. Hogan began to promote community reading of the book. Many other white Rockwood employees tweeted similar promotions.

21. Through the Twitter account, Ms. Hogan began to receive racist messages, including threats to her personal safety.

22. One Tweet directed at Ms. Hogan and another Rockwood official, who is also Black, told Ms. Hogan that she should go work at a different school district where the students were Black.

23. In January 2021, a librarian at one of the Rockwood schools refused to promote *Stamped* or read it along with the students, citing as justification the fact that her husband was in line for a promotion at a local police department, and she believed if she were connected to a message of racial equity, her husband's law enforcement career could be damaged. Rather than ask another librarian or other Rockwood employee within her own department to assist in the promotion of the book at the school, the librarian asked the only two Black employees at the school to lead the programming for the book even though leading book discussions was not within their job descriptions or subject matter expertise.

24. In her role as the Director of Equity and Diversity, Ms. Hogan reported the librarian's failure to the Assistant Superintendent of Learning and Support Services, who supervised the library department. There was no action taken to correct the librarian's behavior. The librarian would go on to do the same thing in May 2021, which was Asian History Month. During that time, the librarian refused to celebrate the month instead asked the two Black employees if they would do anything to acknowledge the month. Again, the justification for the librarian's failure to do her job was her husband's job. Again, Ms. Hogan reported the librarian's failure to do her job, and again Ms. Hogan received no response when she sought to engage the administration by pointing out the school district's failure to participate in key diversity programming.

25. In January of 2021, Ms. Hogan and her secretary began to receive threatening phone calls at work, often blaming Ms. Hogan for the selection of *Stamped* in the curriculum. Many of these phone calls were from callers who had screened their numbers, so that their calls were anonymous.

26. One caller who reached Ms. Hogan told her that her work was “immoral and ungodly.” This phone call left Ms. Hogan physically shaking and crying.

27. Other callers would berate Ms. Hogan’s secretary and demand to know the physical location of Ms. Hogan. In some instances, the callers accused Ms. Hogan of being racist against white people.

28. Ms. Hogan’s secretary repeatedly notified Ms. Hogan’s supervisors of these concerning calls, but Ms. Hogan was not provided any assistance.

29. During this same time, a caller left a voicemail with Rockwood administration in which the caller called Rockwood employees such as Ms. Hogan “fucking cunts” and accused Rockwood employees of “raping children and raping their minds.”

30. The caller continued, “there’s caring, loving parents who won’t put up with your fucking bullshit anymore. And they’re going to stand up and take their schools back...”

31. Another email to Rockwood from a parent at this time said “I hope you sleep well at night ...” The implication was that Ms. Hogan was not safe at night.

32. These calls, emails, and threats went far beyond the realm of concerned calls. This escalation should have been a wakeup call to Rockwood to address these incendiary statements.

33. Ms. Hogan’s secretary passed along recordings of many of these phone calls to Rockwood administration, yet Ms. Hogan was not provided with any assistance or support.

34. These calls directed at Ms. Hogan began to make her feel unsafe.

35. Ms. Hogan’s office was located in a remote corner of the Crestview Middle School campus. Her building did not have any security and the doors lacked windows to the outside, so that when Ms. Hogan left her building each day, she did not know who was outside of it.

36. In order to use the restroom or get water, Ms. Hogan had to exit her building and pass through an unsecured and mostly obscured corridor. A person wishing Ms. Hogan harm could have simply waited for her outside of her building.

37. Rockwood took no steps to put Ms. Hogan in a building that had on-site security. Rockwood did not even take the basic step of informing the administrator or school resource officer in the adjacent building of these threats.

38. Ms. Hogan began to see a therapist in February of 2021 to deal with the anxiety she was suffering because of her work environment.

39. She also lost sleep, began to experience extreme migraine headaches she had never before suffered, and dealt with stomach pain.

40. On February 1, 2021, Ms. Hogan alerted Rockwood officials of the harassment she continued to receive from Rockwood parents. In one such email, she forwarded a tweet directed at her stating that those who advocate for DEI “are the ones that need to be taught.”

41. Ms. Hogan received a phone call from a human resources employee acknowledging that things had become “out of control” but received no written response or other assistance.

42. Three days later, on February 4, 2021, Ms. Hogan emailed her supervisors telling them that she would not participate in the scheduled community Zoom event for *Stamped* that was scheduled on February 10, 2021, as the harassment had continued and she had received no intervention from Rockwood. As Ms. Hogan had already been the brunt of the unhinged response to the book, Rockwood officials should have known that by putting Ms. Hogan publicly, front and center, she would receive more threats to her safety.

43. In that same email, Ms. Hogan stated that she was being consistently “trolled” by white supremacists on the Twitter account.

44. She also wrote to the administration, “As the only black woman in district leadership, I am concerned and uncomfortable of how quickly I’ve become the scapegoat of white rage.”

45. In that same email, Ms. Hogan requested of the administration, “I am asking that you all step up and have real conversations about what is happening.”

46. During the Superintendent’s Cabinet meeting in the first week of February 2021, copies of the Twitter threats had been shared with every member of the Superintendent’s Cabinet, putting every senior leader in the district on notice of the abuse Ms. Hogan was receiving.

47. Again, Ms. Hogan received phone calls from Rockwood administration employees expressing unofficial support, but there were no actions taken. Rather than receiving actionable support, Ms. Hogan was merely verbally informed that her email had been received.

48. On February 8, 2021, the Rockwood Superintendent directed Ms. Hogan to block Twitter accounts that were harassing her. Ms. Hogan did as she was told. Unfortunately, this respite was short-lived. Several days later, Ms. Hogan received word from Rockwood management that she was to un-block these same accounts, which would re-open another channel of direct harassment and abuse.

49. In early March of 2021, the Head of Security at Rockwood listened to several voicemails and viewed social media posts that the Head of Security deemed to be “disturbing and indirect threats” toward certain Rockwood employees, including Ms. Hogan.

50. Once again, Rockwood failed to affirmatively denounce these abhorrent messages, and the administration again failed to publicly support Ms. Hogan and the mission of her office.

51. On March 18, 2021, Ms. Hogan was notified about another credible threat to her safety. A parent, who was white, sent an email to her child’s principal detailing a social media post

that mentioned hanging and lynching, using as a reference the tree on the Rockwood logo. The principal forwarded the email to a high-ranking Rockwood official—the supervisor of Ms. Hogan’s supervisor—because he felt that the administration needed to be aware of these threats.

52. The parent’s email also said that the Rockwood Concerned Parents Facebook page had been directing hate speech and negativity at Ms. Hogan and one other high-ranking Black employee of Rockwood.

53. Rockwood continued to stay silent about Ms. Hogan’s targeted mistreatment.

54. Finally, Ms. Hogan was provided with the opportunity to work from home. She was provided with security outside of her home for a few days, but the security soon ended.

55. While Ms. Hogan availed herself of the opportunity to work from home in the absence of any other action from Rockwood officials, she would have preferred to be in person and protected so that she could meet with the many staff whom she supervised, some of whom were Black and also feeling uncomfortable. The Black employees felt that if their boss Ms. Hogan was not safe, they were certainly not safe.

56. Also during this time, Ms. Hogan was asked to “stay away” from Eureka High School, as it was a particular location of racist invective from parents.

57. This severely limited Ms. Hogan’s work, as Eureka is the Central Office of the entire district and is also where the board meetings were held.

58. The same week that she was asked to “stay away” from Eureka High School, Ms. Hogan reached out to the building principal of Eureka High School regarding the process of onboarding a new social worker, who was to be one of two Black employees in that school building. Ms. Hogan wanted to meet with the principal to determine how she, the principal, and



other Rockwood officials could best welcome and support the employee. Ms. Hogan received no response to her request for assistance.

59. On April 1, 2021, Ms. Hogan wrote to Shelley Willott, the Assistant Supervisor of Learning and Support Services, about an in-person meeting to be held at the Annex office on the campus of Eureka High School. Given the threats she had received in the past months and the directive she had received to stay away from Eureka, Ms. Hogan stated that she would prefer to attend the meeting on Zoom. In the era of COVID-19 when many employees attended meetings via Zoom rather than in person, such a request was not uncommon. Once again, Ms. Hogan was ignored. Dr. Willott never sent the link, and as a result, Ms. Hogan was unable to contribute to the meeting. She was once again sidelined for having the audacity to protect her own safety.

60. At Eureka during that spring, the athletic director was reported for using the N word. Dealing with the fallout of such a racist act would typically be squarely within Ms. Hogan's duties as the Director of DEI. Moreover, in previous similar incidents, Ms. Hogan had been included by building- and district-level administrators to help facilitate these difficult conversations. However, Rockwood officials completely excluded Ms. Hogan from this conversation, contributing to the pattern of sidelining her and stripping her of her job responsibilities.

61. One high-ranking Rockwood official—the supervisor of Ms. Hogan's supervisor—had already been informed of the threats that Ms. Hogan was facing by the beginning of April of 2021. Rather than take affirmative measures to help her employee, the official acted like this was a win for Rockwood and stated that if Ms. Hogan didn't want to come to work at Rockwood, she should quit, so the district no longer had to pay her.

62. Upon learning of this statement, Ms. Hogan realized that Rockwood's refusal to help or protect her, Rockwood's systematic exclusion of her, and Rockwood's stripping her of her job responsibilities, meant that she had no future at Rockwood. Her work environment had become so intolerable, dangerous, unsupportive, and toxic that she was forced to resign.

63. On April 8, 2021, Ms. Hogan submitted her resignation.

64. Ms. Hogan was forced to walk away from her life-long dream of being an educator. She gave up the flexibility of her work schedule and the pension that she was working toward. She gave up the promotions that she was tracking toward before Rockwood refused to stand up to the racist mob and forced her to resign.

65. It was not until May 18, 2021, when white employees and union members notified Rockwood of the abuse that white teachers were receiving, that the Rockwood Board of Education put out any statement of support regarding its teachers.

66. This statement of support followed a longstanding pattern of Rockwood only taking action after white parents or white employees complained about it.

67. Since Ms. Hogan left Rockwood, every Black employee under her supervision has left. The Black woman who replaced Ms. Hogan has resigned. The Black employee above Ms. Hogan who has been with Rockwood for more than fifteen years has resigned. There has been a mass exodus of Black employees because of the hostile work environment that Rockwood has fostered and now seems to have adopted.

68. On October 6, 2022, the Rockwood Board of Education completed its capitulation to the racist mob by cutting three previously approved programs that were intended to help Black students at Rockwood who faced discrimination and other social woes.

69. Ms. Hogan spent her career trying to help these students. Rockwood forced her out and has abandoned these students.

**Count I – Violation of RSMo. §213.010 et seq:**  
**Race-based Harassment: Hostile Work Environment**

70. Plaintiff restates the paragraphs above and incorporates them by reference as if fully restated herein.

71. Rockwood was aware of the racist abuse and threats that Ms. Hogan encountered.

72. Rockwood failed to take prompt remedial action that would end the harassment in any way.

73. Plaintiff is a Black female, and at all relevant times, a resident of St. Louis City.

74. Defendant Rockwood School District is located in St. Louis County.

75. At all relevant times, Plaintiff was employed by Defendant Rockwood.

76. As described above, Ms. Hogan was subject to harassment based on her race.

77. This harassment made it difficult and eventually impossible for Ms. Hogan to carry out her job duties.

78. This count is instituted under and pursuant to §213.055 (1)(a) R.S.Mo. (1999).

79. Plaintiff was discriminated against by Rockwood because she is Black.

80. All actions of Defendants occurred by or through their officers, agents, and employees acting within the course and scope of their employment.

81. Defendants' actions constitute unlawful employment discrimination in violation of the MHRA.

82. As a direct result of the unlawful conduct of defendants, as set forth herein, plaintiff has suffered loss of past and future wages and benefits career damage, a diminished career

potential, emotional and physical distress, and other non-pecuniary losses, all of a continuing and permanent nature.

83. The conduct of the defendant was outrageous and evidenced reckless indifference for the right of the Ms. Hogan and the right of others, entitling Ms. Hogan to an award of punitive damages.

84. Ms. Hogan is also entitled to recover all of our costs, expenses, expert witness fees, and attorney's fees incurred in this matter.

**Count II – Violation of RSMo. §213.010 et seq:**  
**Race-Based Discrimination**

85. Plaintiff restates the paragraphs above and incorporates them by reference as if fully restated herein.

86. Defendant discriminated against Plaintiff on account of her race in violation of the above stated statute by refusing to respond to race-based harassment that Ms. Hogan was subject to.

87. Rockwood failed to remedy or mitigate the racist harassment Ms. Hogan faced on a regular basis.

88. In fact, Rockwood exacerbated the harassment by refusing to help or protect her, excluded her from meetings and discussions within her purview, and stripping her of her job responsibilities.

89. Rockwood's officials ignored Ms. Hogan's requests for help and her attempt to continue the execution of her job.

90. As a result of Rockwood's failures, Ms. Hogan was forced to resign from her job, constructively discharging her.

91. All actions of Defendants occurred by or through their officers, agents, and employees acting within the course and scope of their employment.

92. Defendants' actions constitute unlawful employment discrimination in violation of the MHRA.

93. As a direct result of the unlawful conduct of defendants, as set forth herein, Plaintiff has suffered loss of past and future wages and benefits career damage, a diminished career potential, emotional and physical distress, and other non-pecuniary losses, all of a continuing and permanent nature.

94. The conduct of the defendant was outrageous and evidenced reckless indifference for the rights of the Ms. Hogan and the rights of others, entitling Ms. Hogan to an award of punitive damages.

95. Ms. Hogan is also entitled to recover all of our costs, expenses, expert witness fees, and attorney's fees incurred in this matter.

**Count III— Violation of RSMo. §213.010 et seq:**  
**Retaliation**

96. Plaintiff restates the paragraphs above and incorporates them by reference as if fully restated herein.

97. All actions of Defendants occurred by or through their officers, agents, and employees acting within the course and scope of their employment.

98. Ms. Hogan engaged in activity protected under RSMo. § 213.010 and § 213.070 by complaining to Rockwood about her mistreatment, safety concerns, and race-based harassment.

99. Rockwood punished Ms. Hogan for her complaints by ignoring her and subsequently excluding her from important meetings where her input would previously have been important, stripping her of her job responsibilities, and constructively discharging her.

100. Such punishment, exclusion, stripping of job responsibilities, and constructive discharge amounts to retaliation in violation of RSMo. §213.010 *et seq.*

101. Defendants' actions constitute unlawful retaliation in violation of the MHRA.

102. As a direct result of the unlawful conduct of defendants, as set forth herein, Plaintiff has suffered loss of past and future wages and benefits career damage, a diminished career potential, emotional and physical distress, and other non-pecuniary losses, all of a continuing and permanent nature.

103. The conduct of the defendant was outrageous and evidenced reckless indifference for the right of the Ms. Hogan and the right of others, entitling Ms. Hogan to an award of punitive damages.

104. Ms. Hogan is also entitled to recover all of our costs, expenses, expert witness fees, and attorney's fees incurred in this matter.

WHEREFORE, Ms. Hogan prays for judgment against defendant Rockwood for actual, compensatory, and punitive damages, all costs, expenses, and attorney's fees incurred herein, for interest at the highest lawful rate, and for such other relief as the court deems just and proper.

**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury in St. Louis County, Missouri on all issues and counts stated herein.

Respectfully submitted,

*/s/ John M. Waldron*

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