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IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

JANE DOE c/o LAW OFFICE OF JERRY W. HYATT 27 Wood Lane Rockville, MD 20850	*	
Plaintiff,	*	
v.	*	
MONTGOMERY COUNTY BOARD OF EDUCATION 850 Hungerford Drive Rockville, MD 20850	*	Case No. C-15-CV-23-003967
Serve on: Karla Silvestre, President 850 Hungerford Drive Rockville, MD 20850	*	
and	*	
DR. JOEL BEIDLEMAN 12504 Eastbourne Drive Silver Spring, MD 20850	*	
Defendants	*	

AMENDED COMPLAINT AND JURY DEMAND

COMES NOW, the Plaintiff, Jane Doe, and files this Amended Complaint[1], and sues Defendants Montgomery County Board of Education and Principal Dr. Joel Beidleman, and claims damages, demands judgment, and states for cause the following:

NATURE OF THE LITIGATION

1. Plaintiff Jane Doe, a woman, brings this civil rights action against Montgomery County Public Schools and/or Montgomery County Board of Education (collectively, "County

[1] Maryland Rule 2-341(c) permits the amendment of a pleading to "correct misnomer of a party." The original complaint spelled the Defendant's name as "Beidelman" instead of "Beidleman."

Defendants"), and Dr. Joel Beidleman ("Beidleman" and collectively with County Defendants, "Defendants") for the discrimination and hostile work environment she suffered on the basis of her sex in violation of state and Montgomery County law. Plaintiff is bringing this action as a Doe Plaintiff because the issues in this case have been well publicized and the Plaintiff has been, and is still being, threatened and harassed as a result of the allegations cited herein causing mental injury. Doe v. Shady Grove Adventist Hosp., 89 Md. App. 351 (1991); James v. Jacobson, 6 F.3d 233 (4th Cir. 1993).

2. State and Montgomery County law prohibit discrimination on the basis of sex, including discrimination based on sex and gender. Nonetheless, Jane Doe, a teacher for Montgomery County Public Schools, was forced to endure quid pro quo sexual harassment, discrimination, a hostile work environment, and bullying during the course of her employment at Farquhar Middle School by Beidleman, unlawful acts that were willfully ignored or unaddressed by her employer.

3. Like many female teachers in Montgomery County who worked under Beidleman, Jane Doe has not been exempt from being a victim of discrimination. Until 2023, Jane Doe worked at Farquhar Middle School. Unfortunately, in order to protect her mental and physical health, Jane Doe's employment as a Farquhar Middle School teacher came to an end when she had no choice but to move schools following years of severe and pervasive incidents of quid pro quo sexual discrimination, a hostile work environment, and acts of intimidation by Defendants.

4. Until her move to another school, Jane Doe woke up every day knowing that she would be commuting to a work environment so hostile that it debilitated her mental and physical health. Defendants permitted and created this hostile work environment by the harassment, bullying and verbal attacks that Jane Doe sustained on a continual basis in her place of employment due to her sex.

5. As the school administration ignored her attempts to remedy the misconduct, Jane Doe engaged in protective action by filing a Discrimination, Harassment and Bullying Report ("230-39 Report"), through Defendants' internal grievance process, and a Charge of Discrimination ("Discrimination Charge") with the Equal Employment and Opportunity Commission ("EEOC").

6. The EEOC issued its Right to Sue letter on October 19, 2023.

7. As a result of the discrimination, intimidation and hostile work environment Jane Doe experienced in her place of employment, Jane Doe has suffered emotional distress, humiliation, embarrassment, stigmatization, and a loss of dignity at the hands of Defendants.

8. Accordingly, Jane Doe brings this action against Defendants in order to remedy the harms they caused her and to ensure that Defendants can no longer unlawfully discriminate against female employees, like her, as result of their sex. Specifically, Jane Doe seeks redress for the injuries she suffered due to Defendants' creation of a harassing and hostile work environment against her.

JURISDICTION AND VENUE

9. This Court has jurisdiction over the subject matter and all parties pursuant to Md. Code, §§ 6-102 to -103 of the Courts and Judicial Proceedings Article ("C.J.P.").

10. Pursuant to C.J.P. § 6-201, venue in Montgomery County, Maryland is proper. All material events occurred in Montgomery County, Maryland.

PARTIES

11. Plaintiff is a resident of Montgomery County, Maryland. At all times relevant, she was employed as a teacher by Montgomery County Public Schools at Farquhar Middle School in Olney, Maryland. At all times relevant herein, Beidleman was her supervisor.

12. Defendant Montgomery County Board of Education (the "Board" and/or the "Board of Education") constitutes the governing body for the Montgomery County Public Schools system ("MCPS"). The Board's principal office is located at 850 Hungerford Drive, Rockville, MD 20850. The Board is a corporate body created under Md. Code, § 3-103 of the Education Article.

13. Defendant Dr. Joel Beidleman is an adult citizen of Maryland and a resident of Montgomery County, Maryland. At all times relevant, Beidleman was the principal of Farquhar Middle School and acted in his official capacity as an agent and servant and/or employee of Defendant Montgomery County Board of Education and in his individual capacity.

ADMINISTRATIVE EXHAUSTION

13. On February 3, 2023, Plaintiff filed a Complaint for Discrimination, Harassment and Workplace Bullying with MCPS. In July of 2023, she received a letter indicating that Plaintiff's Compliant had been denied without explanation.

14. On September 1, 2023, pursuant to Md. Code Ann., Cts. & Jud. Proc. § 5-304, Jane Doe served timely Notices of Claim providing notice of her claims arising out of the discrimination and hostile work environment that she was forced to endure.

15. On September 8, 2023, Plaintiff filed a timely Charge of Discrimination with the EEOC against Montgomery County Public Schools and Dr. Beidleman for sex discrimination.

16. On October 19, 2023, Jane Doe received a Notice of Right to Sue. This action is timely commenced within 90 days of Jane Doe's receipt of the Notice.

FACTS COMMON TO ALL COUNTS

17. From June 14, 2019 through March, 2023, Dr. Beidleman would consistently and routinely look at Plaintiff's chest when he spoke to her. Dr. Beidleman would also consistently and routinely look her up and down when he spoke to her. Dr. Beidleman did not stop doing this despite Plaintiff's requests. This was a regular and normal occurrence.

18. On June 14, 2019, Dr. Beidleman began to pursue a sexual relationship with Plaintiff. He texted Plaintiff to meet him at the Gaithersburg Hilton for sex.

19. From 2019 throughout 2021, Dr. Beidleman consistently and routinely made comments to Plaintiff about her appearance with sexualized connotations. These comments would be made at school and outside of school. Comments include, but are not limited to, "I love those tight-ass black pants; "I want you to slap my bologna" and multiple invitations to meet him at a hotel. He also told me that "You should shave your pussy and sell the hair. You'd make a killing." These comments made Plaintiff feel uncomfortable and she requested him to stop, but the conduct did not stop.

20. In February 2020, he gave Plaintiff an unsolicited $50.00 Victoria's Secret gift card.

21. In 2020, Dr. Beidleman admitted that he was jealous of Plaintiff's co-teacher who she was teaching with and removed jer from his team because of his jealousy.

22. In the summer 2020: Dr. Beidleman texted Plaintiff a video of the song "Borderline" by Madonna. Plaintiff responded with a "?" and he responded with, "just listen to it. It is you."

23. In September 2020, after a work happy hour at a colleague's house, he announced in front Plaintiff and a group of colleagues, "don't you think she should just fuck me?" Plaintiff left the party but was asked to come back because Dr. Beidleman was uncontrollable in his intoxicated state. He had gone into the bedroom where another co-worker was sleeping, had been pulled from there, and was then trying to drive home.

24. In April 2021, one of Plaintiff's daughters had fainted at school and hit her head. She left school around 1:30 pm to pick her up. There was a department meeting that day after school. She requested permission to cancel the meeting. He denied the request saying, "you will be letting everyone down." She conducted the meeting and then had to take her daughter to Urgent

Care and they diagnosed her with a concussion. She does not believe this would have occurred to any other staff member and it occurred because she had rebuffed his sexual advances.

25. In November 2021, Dr. Beidleman made comments about Plaintiff's communications with a new employee named Sean that he said was Plaintiff's "type." Beidleman began spying on Plaintiff's relationship with Sean and grew hostile.

26. On January 23, 2022: Dr. Beidleman texted Plaintiff after 10 pm, "come be with me". Plaintiff asked where he was and he responded, "hotel." Plaintiff ignored his request but asked him to stay professional.

27. On January 2022-March 4, 2022, Dr. Beidleman pulled Plaintiff from her class and began asking her about conversations she had with Plaintiff's co-worker, which he watched on camera. Plaintiff told him that she did not appreciate him spying on her. However, the spying continued. On March 4, 2022 he became very upset at Plaintiff, yelling in her face that "people know you and Sean are a "thing" and they are watching to see whenever you two are together."

28. In February 2022, Dr. Beidleman ran into Plaintiff and a co-worker out with a group of friends. The following day, she received multiple texts and phone calls regarding the previous evening, telling her that she was "untrustworthy" and she needed to "watch out" because she was "making decisions she will later regret." Based on these threats, Plaintiff felt her job was in jeopardy.

29. In April, 2022, Dr. Beidleman accused Plaintiff of telling someone about his conduct towards her and "that someone was talking to his wife." He threatened Plaintiff not to reveal information to anyone. He stated "I might have to reconsider your job here for next year." Based on these threats, Plaintiff felt her job was in jeopardy and suffered severe anxiety.

30. On May 6-13, 2022, Plaintiff began receiving numerous phone calls from Farquhar Middle School. Nobody would respond when she answered and the call was disconnected. She took

a screenshot of the calls and texted them to Dr. Beidleman. He said, "something must be wrong with the phone at school." She received more calls that evening/early morning of May 8. Throughout the week, she received these calls, between the hours of 6 pm-6 am as well as calls from Dr. Beidleman's MCPS cell phone. After several days, Plaintiff spoke to a police officer as she was beginning to feel her safety was in danger. He suggested she file a police report. When she informed Dr. Beidleman of this, the calls stopped. Plaintiff believes Dr. Beidleman was harassing her through the telephone.

31. In 2022, Plaintiff had multiple conversations with team members and administration about Dr. Beidleman's conduct. An Assistant Principal indicated that she would, based on Plaintiff's request, ensure that Plaintiff was never alone with Dr. Beidleman. However, the harassment continued.

32. On May 9, 2022, a staff member sent MCPS Superintendent, Dr. McKnight, an e-mail disclosing the toxic environment Dr. Beidleman has set up at Farquhar Middle School. As a result, a MCEA meeting was scheduled. Plaintiff attended this meeting. That night, Plaintiff received a phone call from Dr. Beidleman asking her "what was the union meeting about? Who was there? What was said?" Plaintiff did not comply with his requests for information. At the subsequent ILT meeting, Beidleman threatened the staff that "I know everything that gets said about me around this building. You all better watch out for what you say and who you say it to." Based on these threats, Plaintiff felt her job was in jeopardy.

33. In June 2022, Plaintiff's daughter had been in the hospital (Montgomery General) for 5 days in isolation due to covid. On the day of the 8th grade Hershey Park field trip, Plaintiff would be allowed to visit her for the first time since she had been admitted. Dr. Beidleman had said that members of the 8th grade team was required to go on the field trip, that would not get back until 8pm. Plaintiff asked if she could stay back at school so she could see Plaintiff's

daughter during visiting hours. Dr. Beidleman refused her request, even though this field trip was not a requirement of Plaintiff's contract. This treatment occurred because Plaintiff had rebuffed his sexual advances, told him to communicate with her only in a professional manner, and engaged in a relationship with another person.

34. In August 2022, Plaintiff was on vacation with Plaintiff's family. Dr. Beidleman had secured tickets to the African American Museum and wanted ILT members to join him for an unpaid trip. Plaintiff was on vacation and informed Dr. Beidleman that she would not attend. Dr. Beidleman told Plaintiff that it was "unprofessional and inappropriate" if she did not attend and that she would be considered a racist." She told him that his comments were unprofessional and that this intimidation occurred because she was in a relationship with another person. This intimidation would not have occurred to any other person but Plaintiff based on her refusal to engage in a romantic relationship with Dr. Beidleman.

35. In September 2022, at back-to-school night Dr. Beidleman commented, in front of Plaintiff and other colleagues, "All the dads are wanting their students in][Plaintiff's] class because of that dress." Plaintiff was upset to be embarrassed in this manner.

36. In October 2022, Plaintiff requested a day off to go to a doctor's appointment. No substitute picked up the job, which is common. Subsequently, Dr. Beidleman's assistant informed Plaintiff about having to come to work if no sub picked up, which is an unusual communication. Before Plaintiff left, Dr. Beidleman spoke to her about it, and suggested she cancel the sub request, change the appointment, and come to work. This would not have been required by anyone else, certainly not any male staff member.

37. In November through December, 2022, Dr. Beidleman made the team leaders, such as Plaintiff, aware that Farquhar was going through Middle School Reform, that their jobs would be posted, and that leaders would have to apply and interview.

38. On January 3-4 2023, Plaintiff returned to school from winter break. She was not feeling well that evening so she took a covid test. It was positive, so she took a 2nd test, also positive. She texted screen shots of the 2 positive tests to the admin secretary. Dr. Beidleman called Plaintiff and said that "you don't sound sick; those tests are always giving false results." Plaintiff was stunned that he expected me to come into work. He told her that needed to take a PCR test. She went and got a PCR, it was positive, and emailed the results to him and his administrative secretary. Plaintiff does not believe that he would make this type of request of any other staff.

39. On January 13, 2023, Dr. Beidleman professed his love for Plaintiff in the school hallway but told her that she was "hard to love" and was "unlovable." Plaintiff was extremely uncomfortable with the comment. She informed Beidleman that she was in a relationship with someone else, which angered him.

40. On January 17, 2023, Plaintiff's job as leader was posted and she submitted an application. Plaintiff was scheduled for an interview on January 26, 2023. However, on January 21, 2023, Beidleman emailed Plaintiff stating that "you are still being considered for an interview but we are not going to interview at this time, but rather we will wait until Job Fair season." This type of manipulation and punishment occurred because Plaintiff had rebuffed his sexual advances, and engaged in a relationship with another person. In reality, Dr. Beidleman was trying to force the Plaintiff out of the school. She requested a meeting.

41. On January 23, 2023, Plaintiff met with Dr. Beidleman. He then told Plaintiff that she was not getting an interview at this time because she was the only applicant. He then said she should look at the positives that she have "extra time to earn back his trust." It is obvious to Plaintiff that Beidleman was telling her that she "lost his trust" because she refused to engage in a

sexual and romantic relationship with him, and that she would have to "gain his trust" by having sex with him. Plaintiff refused to have sex with Beidleman to keep her position.

42. On February 2, 2023, Plaintiff was called to a meeting with Dr. Beidleman. In this meeting, Dr. Beidleman informed her that she was not selected to keep Plaintiff's position as team leader. She repeatedly asked if Plaintiff's performance was inadequate. He said, "There is nothing about your performance." This confirmed that he was retaliating against Plaintiff for refusing to have a sexual and romantic relationship with him. She decided to leave Farquhar at that point to keep her dignity and self-respect.

43. By February 2, 2023, Plaintiff had been beaten down by the intimidation, harassment and manipulation by Dr. Beidleman. Plaintiff had a mental and physical breakdown and could not continue the workday. She left the building with the help of co-workers and was subsequently placed on medical leave.

44. While on leave, Dr. Beidleman began to panic. He called Plaintiff approximately six times while she was on leave, without leaving a message. He also sent multiple emails demanding that she return to work and to "not talk to anyone." Eventually, Plaintiff returned to Farquhar while her efforts to find other employment opportunities were pending.

45. In March 2023, Dr. Beidleman was giving someone a tour of the building to the current acting principal of Farquhar, who at the time was set to be principal intern. He introduced Plaintiff angrily as an "old dog." She was offended that Dr. Beidleman would openly refer to her in such a manner.

46. In March 2023, after a new staff member in Plaintiff's department had not sent an email that she was tasked with, Dr. Beidleman angrily yelled in the face of the Plaintiff that it was "your job to make sure she got it done!" Dr. Beidleman kept yelling in Plaintiff's face, saying, "its your responsibility to follow up on everything that needs to be done." Plaintiff was completely

intimidated and began to get upset. She repeatedly asked what tasks she had not previously completed to made him think she deserved this treatment. He said "nothing".

47. In April 2023, Dr. Beidleman told Plaintiff not to talk with another teacher because she was "questioning how Plaintiff got her job." She asked for clarity and he gave none.

48. In April 2023, Plaintiff interviewed with a new school. The following week, Dr. Beidleman told Plaintiff the principal had called him to talk about me. He told Plaintiff said, "You know, depending on what I say will determine if you get the job or not." Plaintiff interpreted this threat to mean that she better be silent about how she had been harassed and intimidated by him over the years or she would not get the job.

49. On June 16, 2023, after the last day of school, a staff meeting was held. During that meeting, staff that was leaving Farquhar were recognized. Dr. Beidleman refused to recognize Plaintiff.

50. Plaintiff was targeted and singled out by Dr. Beidleman because of her gender. Dr. Beidleman wanted a sexual and romantic relationship with her and became hostile and discriminatory towards her when she refused. Plaintiff made it clear to Dr. Beidleman and others multiple times that she did not appreciate his comments, conduct, or intimidating threats, but the misconduct never stopped and would never stop as long as she remained with him at Farquhar without having sex with him.

51. At all times referenced herein, Dr. Beidleman's conduct was unwelcome and was based on Plaintiff's sex. His misconduct was so severe and pervasive that it altered Plaintiff's employment with MCPS, and would have altered the conditions of any reasonable person's employment with MCPS.

THE DEFENDANT'S COVER UP OF DR. BEIDLEMAN'S KNOWN HISTORY OF MISCONDUCT

52. MCPS has policies which prohibit sexual harassment by supervisors towards employees. Policy ACI was enacted to prohibit sexual harassment on Montgomery County Public School (MCPS) property. Any reports of sexual harassment shall be made MCPS's Department of Compliance and Investigations (DCI) and can be made in person, by telephone or by email. The policy states that when a complaint is made anonymously, MCPS will review then issue a formal complaint and perform an investigation.

53. Under the policy, DCI is tasked with performing investigations. During the investigation, the policy states that the investigation will remain confidential, specifically the confidentiality of the complainant. DCI will investigate allegations and to take disciplinary actions when sexual harassment occurs.

54. Similarly, MCPS has policies which prohibit intimidation by supervisors towards employees. Regulation ACH-RA was enacted to prohibit intimidation and bullying on Montgomery County Public School (MCPS) property. Any reports of intimidation and bullying shall be made to MCPS and investigated by DCI. The regulation states that the investigation will be done confidentially.

55. MCPS, the Board and its agents were aware of Dr. Beidleman's conduct and failed to exercise reasonable care to prevent or correct the misconduct. Indeed, MCPS ignored multiple complaints of misconduct by Dr. Beidleman.

56. Since 2016, there have been at least 25 verbal or written reports submitted to the school district about Dr. Beidleman by staff members, parents and union stewards since 2016. These and other accounts detail a pattern of sexual harassment, threats, retaliations, workplace bullying and other inappropriate conduct spanning at least 12 years across three campuses, including Farquhar Middle School, Roberto Clemente Middle School in Germantown and at

Lakelands Park Middle School in Gaithersburg. MCPS ignored most, if not all, of these complaints and refused to perform the required investigations into Dr. Beidleman.

57. From 2021-2023, there were at least seven (7) complaints made by MCPS personnel against Beidleman but DCI refused to investigate them. In 2021 and 2022, a teacher reported Dr. Beidleman's sexual harassment of the Plaintiff and other female teachers to MCPS, but no investigation or disciplinary action was taken. In May of 2022, a teacher sent an anonymous email to the Board, Dr. McKnight and to the head of the Montgomery County Education Association (MCEA) about the sexual harassment. Again, MCPS performed no investigation into the matter and took no disciplinary action against Dr. Beidleman. Instead, MCPS promoted Dr. Beidleman.

58. On February 3, 2023, Plaintiff filed a Complaint for Discrimination, Harassment and Workplace Bullying against Dr. Beidleman. Khalid Walker, an MCPS investigator, was assigned to investigate the complaint. Almost immediately, Mr. Walker began breaching the confidentiality protocols set forth on Policy ACI and Regulation ACH-RA by informing witnesses and those involved that the Plaintiff was the complaining witness.

59. This breach by Walker was not an unintentional mistake. It was designed by the Defendant to ostracize the Plaintiff and put additional pressure on the her to withdraw her Complaint. During this time, MCPS wanted to promote Dr. Beidleman to Principal of Paint Branch High School.

60. Instead of performing an objective and good faith investigation, MCPS tampered with the Beidleman investigation. MCPS initially concluded that the Plaintiff's complaint was meritorious and that Beidleman had harassed and/or intimidated her. That finding was submitted to the MCPS the same day that Beidleman was interviewed for the Paint Branch job. However, MCPS subsequently ordered a change to that conclusion to the report "to reflect that there was not enough evidence to substantiate" the Plaintiff's claim. MCPS also changed certain dates of the

investigation on documents to aid Beidleman. In effect, MCPS chose to cover-up Beidleman's conduct so they could reward him.

61. MCPS's Employee Code of Conduct prohibits submitting incorrect or false information to MCPS and requires employees to act honestly in the completion of their job duties. In short, MCPS routinely and repeatedly refused to investigate claims of misconduct into Dr. Beidleman. When MCPS chose to perform an investigation, it falsified the findings against Beidleman. Had the Defendant performed its duties in good faith, the Plaintiff would not have suffered as she did.

HARM TO THE PLAINTIFF

62. At consistent and multiple times during Plaintiff's employment, Dr. Beidleman threatened Plaintiff's employment, position and status at Farquhar if she did not acquiesce, tolerate and stay silent about his sexual comments, requests for sex and romantic advances. He harassed and intimidated Plaintiff because she refused to have sex with him. The harassment suffered was based on Plaintiff's sex (female).

63. As a result of Plaintiff's failure to acquiesce, tolerate and stay silent about his sexual comments, and then his intimidation and further harassment, Plaintiff suffered from and still suffers from anxiety, humiliation, fear of going to work or going out, loss of sleep, and a diminishment overall enjoyment of life. As noted above, as a direct result of the actions of Dr. Beidleman, she was placed on medical leave from MCPS for a period in 2023. She remains under the care of medical professionals and has been placed on medications otherwise unneeded as a result of the actions of Dr. Beidleman. Further, Plaintiff has also incurred significant expenses related to physical ailments, including shingles and weight loss, both of which were caused or exacerbated by the stress of the hostile work environment.

64. Defendants' male employees are not subjected to a hostile work environment wherein incidents of discrimination, harassment and intimidation continually go unaddressed or are covered up. As such, Defendants improperly denies equal terms, conditions, and privileges of employment to female employees, like Jane Doe, and violated Jane Doe's civil rights to be free from discrimination.

COUNT I – DISCRIMINATION BECAUSE OF SEX IN VIOLATION OF THE MARYLAND FEPA
(Quid Pro Quo and Hostile Work Environment)
(Against Defendants)

65. Jane Doe realleges, adopts, and incorporates by in paragraphs as if fully set forth herein.

66. The Maryland FEPA, § 20–606(a)(1)(i), provides that employers may not "discriminate against any individual with respect to the individual's compensation, terms, conditions, or privileges of employment because of . . . sex." Md. Code Ann., State Gov't § 20-606.

67. Discrimination on the basis of gender is encompassed by the prohibition on discrimination on the basis of "sex" under the Maryland FEPA. Jane Doe has a right under the Maryland FEPA to privileges of employment, including a non-hostile work environment, free from quid pro quo discrimination or harassment because of her sex.

68. While employed as a teacher at Montgomery County Public Schools, Jane Doe was sexually harassed and intimidated, with impunity, by Dr. Beidleman and his allies including MCPS administration, by direct actions or indifference, because of her sex and gender.

69. The harassment Jane Doe endured was unwelcome. Indeed, Jane Doe repeatedly asked the perpetrators to correct their behavior and repeatedly reported incidents of harassment to the administration but to no avail. MCPS ignored and covered up the misconduct of Dr. Beidleman.

70. This harassment was sufficiently severe or pervasive as to alter the terms, conditions, and privileges of Jane Doe's employment, and to create an abusive, intimidating, humiliating,

hostile, offensive working environment for Jane Doe. The persistent discrimination, harassment, and hostile work environment that Jane Doe endured was so severe or pervasive that it forced her to change schools and undergo medical treatment.

71. Additionally, Dr. Beidleman made it clear by his words and conduct that Plaintiff's position at the school was conditioned on acceptance of his sexual advances and demands for sexual compliance. As a result of her refusal of his sexual advances, Plaintiff suffered injury and was forced to leave the school.

72. County Defendants willfully ignored or were recklessly indifferent to the discrimination, harassment, and hostile work environment to which Jane Doe was subjected. County Defendants had actual and constructive knowledge of the hostile work environment from which Jane Doe was suffering and did not take appropriate remedial action. Indeed, MCPS, who had the ability to take tangible action against Dr. Beidleman, perpetrated the discriminatory behavior.

73. As a result, County Defendants discriminated against Jane Doe with regard to her terms, conditions, or privileges of Jane Doe's employment because of her sex.

74. Accordingly, County Defendants have violated Jane Doe's rights protected by the Maryland FEPA, Md. Code Ann. State Gov't § 20–606(a)(1)(i).

WHEREFORE, Plaintiff requests that the Court enter a judgment against Defendants, jointly and severally, as follows: (A) Awarding Plaintiffs monetary damages against Defendants, individually, jointly and severally, in an amount to be determined at trial, but the amount sought exceeds $75,000; (B) Awarding Plaintiffs their costs and expenses in this litigation; (C) Punitive Damages as allowed by law, (D) Attorney's Fees allowed by law, and (E) Awarding Plaintiffs such other relief as the Court deems just and proper.

COUNT II – DISCRIMINATION BECAUSE OF SEX IN VIOLATION OF MONTGOMERY COUNTY CODE

(§27-19)
(Against all Defendants)

75. Jane Doe realleges, adopts, and incorporates by in paragraphs as if fully set forth herein.

76. The Montgomery County Code provides that employers may not discriminate against any individual with respect to the individual's compensation, terms, conditions, or privileges of employment because of the sex of the individual." §27-19 of the Montgomery County Code.

77. Jane Doe has a right under §27-19 to privileges of employment, including a non-hostile work environment, free from discrimination or harassment because of her sex.

78. While employed as a teacher at Montgomery County Public Schools, Jane Doe was harassed and intimidated, with impunity, by Dr. Beidleman and his allies including MCPS administration, by direct actions or indifference, because of her sex and gender.

79. The harassment Jane Doe endured was unwelcome. Indeed, Jane Doe repeatedly asked the perpetrators to correct their behavior and repeatedly reported incidents of harassment to the administration but to no avail. MCPS ignored and covered up the misconduct of Dr. Beidleman.

80. This harassment was sufficiently severe or pervasive as to alter the terms, conditions, and privileges of Jane Doe's employment, and to create an abusive, intimidating, humiliating, hostile, offensive working environment for Jane Doe. The persistent discrimination, harassment, and hostile work environment that Jane Doe endured was so severe or pervasive that it forced her to change schools and undergo medical treatment.

81. Moreover, Dr. Beidleman made it clear by his words and conduct that Plaintiff's position at the school was conditioned on acceptance of his sexual advances and demands for sexual compliance. As a result of her refusal of his sexual advances, Plaintiff suffered injury.

82. County Defendants willfully ignored or were recklessly indifferent to the discrimination, harassment, and hostile work environment to which Jane Doe was subjected. County Defendants had actual and constructive knowledge of the hostile work environment from which Jane Doe was suffering and did not take appropriate remedial action. In reality, MCPS, who had the ability to take tangible action against Dr. Beidleman, perpetrated the discriminatory behavior.

83. As a result, County Defendants discriminated against Jane Doe with regard to her terms, conditions, or privileges of Jane Doe's employment because of her sex.

84. Accordingly, County Defendants have violated Jane Doe's rights protected by the Montgomery County Code, §27-22.

WHEREFORE, Plaintiff requests that the Court enter a judgment against Defendants, jointly and severally, as follows: (A) Awarding Plaintiffs monetary damages against Defendants, individually, jointly and severally, in an amount allowable under the Montgomery County Code to be determined at trial, but the amount sought exceeds $75,000; (B) Awarding Plaintiffs their costs and expenses in this litigation; (C) Punitive Damages as allowed by law, (D) Attorney's Fees allowed by law, and (E) Awarding Plaintiffs such other relief as the Court deems just and proper.

COUNT III – INTIMIDATION IN VIOLATION OF MONTGOMERY COUNTY CODE
(§27-22)
(Against all Defendants)

85. Jane Doe realleges, adopts, and incorporates by in paragraphs as if fully set forth herein.

86. MCPS has policies and procedures in place which prohibit supervisor-to-subordinate conduct workplace bullying and/or intimidation.

87. The Montgomery County Code provides that a person must not willfully and maliciously injure another person, with the intent to intimidate or attempt to intimidate any person

because of gender identity. §27-22 of the Montgomery County Code.

88. While employed as a teacher at Montgomery County Public Schools and supervised by Dr. Beidleman, Jane Doe was intimidated, with impunity, by Dr. Beidleman and his allies including MCPS administration, by direct actions or indifference, because of her gender.

89. This intimidation by Dr. Beidleman occurred while he was performing his duties as a Principal at Farquhar Middle School. Indeed, intimidation by Dr. Beidleman occurred within the scope of employment with MCPS.

90. The intimidation of the Plaintiff by Dr. Beidleman was continuous and was performed with malice. MCPS ignored and covered up the reports of intimidation and misconduct of Dr. Beidleman.

91. This intimidation was sufficiently severe or pervasive as to alter the terms, conditions, and privileges of Jane Doe's employment, and to create an abusive, intimidating, humiliating, hostile, offensive working environment for Jane Doe. The persistent discrimination, harassment, and hostile work environment that Jane Doe endured was so severe or pervasive that it forced her to change schools and undergo medical treatment.

92. County Defendants willfully ignored or were recklessly indifferent to the intimidation to which Jane Doe was subjected. County Defendants had actual and constructive knowledge of the intimidation from which Jane Doe was suffering and did not take appropriate remedial action. In reality, MCPS, who had the ability to take tangible action against Dr. Beidleman, perpetrated the discriminatory behavior.

93. Accordingly, County Defendants have violated Jane Doe's rights protected by the Montgomery County Code, §27-22.

WHEREFORE, Plaintiff requests that the Court enter a judgment against Defendants, jointly and severally, as follows: (A) Awarding Plaintiffs monetary damages against Defendants,

individually, jointly and severally, in an amount allowable under the Montgomery County Code to be determined at trial, but the amount sought exceeds $75,000; (B) Awarding Plaintiffs their costs and expenses in this litigation; (C) Punitive Damages as allowed by law, (D) Attorney's Fees allowed by law, and (E) Awarding Plaintiffs such other relief as the Court deems just and proper.

JURY DEMAND

The Plaintiff requests a trial by jury in this matter.

Respectfully Submitted,

/S/ *Jerry W. Hyatt*

Jerry W. Hyatt
CPF# 0012120323
27 Wood Lane
Rockville, MD 20850
jerry@jerryhyattlaw.com
Phone: (301) 272-9955
Fax: (301) 272-9960
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing will be served upon these Defendants at the same time and in the same manner as the original process.

/S/ *Jerry W. Hyatt*

Jerry W. Hyatt, Esq