

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF LA

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HANNAH RAE JEGART and DENEEN T. SPINELLA,
the mother of Hannah Rae Jegart,

LORETTA G. WHYTE
CLERK

Plaintiffs,

VERSUS

DIOCESE OF HOUMA-THIBODAUX of the
CATHOLIC CHURCH; The Most Reverend
SAM G. JACOBS, Bishop of the Houma-
Thibodaux Diocese of the Catholic Church;
SISTER IMMACULOTTA PAISANT, Superintendent
of Catholic Schools for Houma-Thibodaux
Diocese of the Catholic Church;
DAVID BOUDREAU, President of Edward
Douglas White High School; MYRA LUFT, Principal
of Edward Douglas White High School;
MICHELLE CHIASSON, Assistant Principal for
Admission, Edward Douglas White High School;
and GWEN BUET, Dean of Students, Edward
Douglas White High School,

08-4841

SECT. J MAG. 1

Defendants.

COMPLAINT FOR DECLARATORY JUDGMENT AND FOR DAMAGES
FOR VIOLATION OF CIVIL RIGHTS
(JURY TRIAL REQUESTED)

JURISDICTION

1. This an action for damages, injunctive and declaratory relief resulting from racial discrimination and the deprivation of rights secured by 42 U.S.C. § 1981. This court has jurisdiction under 28 U.S.C. §§ 1331, 1343, 2201 and 2202. This court further has jurisdiction over claims under state law arising from the facts set forth herein.

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CtRmDep _____
Dec. No _____

PLAINTIFFS

2. **HANNAH RAE JEGART** is an African-American citizen of the United States domiciled in Lafourche Parish Louisiana. Until suspended about January 2008 and forced to transfer to Berwick High School, a public school in St. Mary Parish she was a senior honor student at Edward Douglas White Catholic High School (hereinafter "E. D. White High School") in Thibodaux, Louisiana, and she had attended E. D. White High School for the entirety of her high school career.

3. **DENEEN T. SPINELLA** is an African-American Citizen of the United States. She is the mother of **HANNAH RAE JEGART** who entered into contractual agreements with the defendant **DIOCESE OF HOUMA THIBODAUX** for providing access to educational services for her daughter at E. D. White High School, who at the time of the incidents at issue was a minor.

DEFENDANTS

4. **THE DIOCESE OF HOUMA-THIBODAUX** is a component of the Catholic Church that operates several elementary and secondary education facilities in Lafourche Parish and Terrebonne Parish, Louisiana, including E. D. White High School of Thibodaux, Louisiana. The Diocese is a recipient of funds and benefits from the federal and state government

5. **THE DIOCESE OF HOUMA-THIBODAUX** receives funds and accommodations from federal and state government agencies which are used operate its educational institutions, including E. D. White High School, receipt of which prohibits racial discrimination in the terms and condition of admission and attendance at its schools.

6. The Most Reverend **SAM G. JACOBS** is the Bishop and chief administrator of the Houma Thibodaux Diocese. In his capacity as the Bishop and chief administrator, he is the final authority regarding policies and actions regarding students attending educational institutions operated by the Diocese. He approved and sanctioned the racially discriminatory suspension and punishment imposed against the plaintiff, **HANNAH RAE JEGART**, that is the subject of this complaint.

7. **SISTER IMMACULOTTA PAISANT**, the Superintendent of Catholic Schools in Houma-Thibodaux Diocese of the Catholic Church, approved and sanctioned the racially discriminatory suspension and punishment of the plaintiff, **HANNAH RAE JEGART**, that is the subject of this complaint.

8. **DAVID BOUDREAUX**, President of E. D. White High School; **MYRA LUFT**, Principal of E. D. White High School, **MICHELLE CHIASSON**, Assistant Principal for Admission of E. D. White High School, and **GWEN BUET**, Dean of Students of E. D. White High

School, are all administrative officials who conspired and acted in concert to approve and sanction the racially discriminatory suspension and punishment of the plaintiff, **HANNAH RAE JEGART**, that is the subject of this complaint.

9. About January 15, 2008, the plaintiff, **HANNAH RAE JEGART**, was ordered to leave her classes and come to the administrative office of E. D. White High School by school officials. The directive to her, on information and belief, was given by persons which included some or all of the school officials identified in paragraph 8 above. After she appeared as directed, she was ordered to pull up her FACEBOOK internet web site.

10. Thereafter, plaintiff complied with the request from school authorities that she close the internet site at once. School officials then summoned Hannah's mother, **DENEEN T. SPINELLA**, and advised her that Hannah was being suspended immediately for opening the website.

11. In addition to the plaintiff, **HANNAH RAE JEGART**, some fifteen students from E. D. White High School and Vanderbilt High School in the Houma-Thibodaux Diocese were suspended for registering on the website.

12. The Facebook internet site that E. D. White High School officials declared objectionable had been created by **HANNAH RAE**

JEGART to assist herself and other students with research for a paper in an Apologetics course assigned to graduating seniors in the Houma-Thibodaux Diocese.

13. All of the thirteen white students identified with the website at issue initially received short-term academic suspensions of only one or two days. The punishment meant that students could not receive credit for class work during their suspensions and received a failing ("F") grade for any tests given.

14. While all of the white students received only short term suspensions, the African-American plaintiff, HANNAH RAE JEGART, received an extraordinary nine-day academic suspension.

15. At the time defendant officials of the Houma-Thibodaux Diocese imposed the nine-day suspension against HANNAH RAE JEGART, they knew the inability to make up school work and the required failing grades would preclude the plaintiff from graduating with her class.

16. At the time defendant officials imposed the nine-day suspension, they knew that HANNAH RAE JEGART was an honor student scheduled to graduate Magna Cum Laude.

17. At the time they imposed the nine-day suspension, school officials deliberately tailored the length of the suspension to not only preclude graduation, but to cause

forfeiture of scholarships and other academic honors that **HANNAH RAE JEGART** had earned by her sterling and superior performance as a student at E. D. White High School.

18. No penalty was imposed or even considered for any of the white students similarly situated as registrants on the Facebook website. None of the white students received punishment or discipline that jeopardized their scheduled graduation or academic standing. Officials of the Diocese even allowed the academic suspensions to be vacated altogether for the students at Vanderbilt High School, all of whom were white.

19. Further, in comparison to discipline imposed against white students for grave and much more serious misconduct, the punishment imposed against **HANNAH RAE JEGART**—for a website where students did no more than use some off-color language about their assignment—was extraordinary, unprecedented, excessive, cruel, and unusual. On information and belief, the plaintiffs assert that the comparative academic punishments and discipline imposed against white students demonstrates that the defendant officials deliberately chose to impose a cruel and unusual punishment against **HANNAH RAE JEGART** because she is black—and deliberately designed a punishment never before or after imposed, except as imposed against a black person, the plaintiff **HANNAH RAE JEGART**.

20. The only option defendants made available to **HANNAH RAE JEGART** after she was suspended was to allow her to transfer to a public school. Forfeiting several scholarships earned at E. D. White High School, she transferred and nonetheless graduated with honors, Magna Cum Laude, from Berwick High School in St. Mary Parish. She now attends Tulane University.

21. As a result of the racially discriminatory actions of the defendants, **HANNAH RAE JEGART** suffered injury to her reputation, great mental anguish, humiliation, and embarrassment.

22. The plaintiffs are entitled to a declaratory judgment that the defendants conspired to impose an unwarranted, severe punishment against **HANNAH RAE JEGART** because of her race and color, deliberately and knowingly exceeding the punishment imposed against similarly situated white students.

23. The plaintiffs are further entitled to a declaratory judgment that the discriminatory conduct described herein violated 42 U.S.C. § 1981 in that the defendants denied the African-American plaintiffs their right to contract for educational services on the same terms as white parents and white students.

24. **HANNAH RAE JEGART** is further entitled to a declaratory judgments that defendants wrongfully deprived her of her diploma

from E.D. White High School for which she is qualified and entitled to receive.

25. The defendants conspired and acted in concert to discriminate against the plaintiffs because of their race and color. They are jointly and severally liable to the plaintiffs for damages, both compensatory and punitive.

WHEREFORE, after due proceedings, plaintiffs respectfully request the court to enter judgment:

A. Judgment declaring that the acts of the defendants hereinbefore complained of violated plaintiffs' rights protected by 42 U.S.C. § 1981;

B. Judgment requiring defendants to award Hannah Rae Jegart a high school diploma from E. D. White High School with such awards and honors that she would have received had she not been wrongfully forced to transfer from the school;

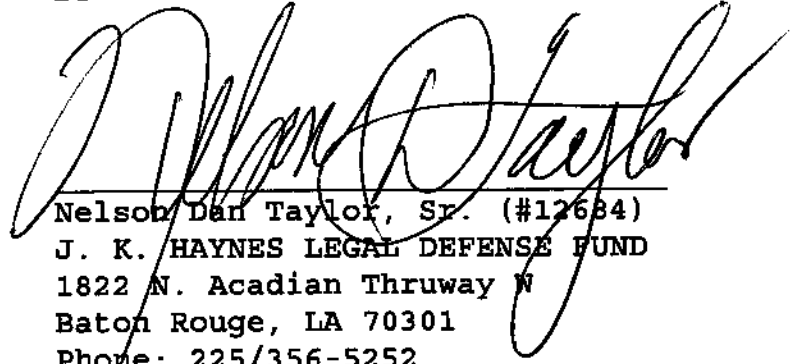
C. Judgment expunging plaintiff's suspension and all references thereto in the records of E. D. White High School;

D. Judgment awarding to plaintiffs compensatory and punitive damages;

E. Judgment awarding plaintiffs' their attorneys' fees; and

F. Judgment awarding such other relief as to the court appears just and proper under the circumstances.

BY ATTORNEY FOR THE PLAINTIFFS



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