

**UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JAWANDA DOVE,

Plaintiff,

Case No.: 3:20-cv-547-J-34MCR

v.

FLAGLER COUNTY SCHOOL BOARD,

Defendant(s).

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**AFFIDAVIT IN SUPPORT OF
PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT AND SUPPORTING MEMORANDUM OF LAW**

STATE OF FLORIDA

COUNTY OF FLAGLER

BEFORE ME, the undersigned plaintiff personally appeared, JAWANDA DOVE, who after being duly sworn by me, a notary public within and for the county and state aforesaid, the undersigned party, deposes and says upon her own personal knowledge:

1. I have been employed as a veteran instructional educator for more than (20) twenty years of service.
2. I am over the age of eighteen (18), Plaintiff in the above-entitled action and have personal knowledge of the facts alleged herein.

3. I am a African American female of the Title VII protected class.
4. I have been continuously employed as an instructional educator with Flagler Schools and assigned to Indian Trials Middle School (ITMS) since 2006.
5. I hold a master's degree in Reading, a Specialist Degree in Educational Leadership. and a Bachelors Degree in Elementary Education.
6. Paul Peacock, former School Principal of (ITMS), and currently the Chief of Operational Services for Flagler Schools, an agent representative of the Defendant FLAGLER COUNTY SCHOOL BOARD, did interview, select, and promote ITMS employee candidates for the Defendant in his former position as Principal.
7. I aver that PEACOCK willfully, knowingly, and intentionally engaged in unlawful employment discrimination by denying me numerous consecutive promotions and leadership development opportunities because of my race and color.
8. On June 8, 2018, through August 27, 2018, I applied for three leadership positions and less qualified Caucasian candidates were selected over me.
9. On May 30, 2019, through September 12, 2019, I applied for seven leadership positions and less qualified Caucasian candidates were selected over me.
10. Jewel Johnson, Chief HR Officer for the Defendant, falsely claimed that I must obtain my ESE Certification even though many of the positions I applied for did not require an ESE Certification.

11. Nevertheless, I obtained my ESE Certification on September 11, 2019, and immediately applied for a Curriculum Specialist position. Although I obtained the ESE certification, I still was not selected and the Defendant subsequently selected a less qualified Caucasian candidate over me.

12. Jewel Johnson, Chief HR Officer claimed that my ESE Certificate was not processed in my file or on my application. I later confirmed that was not true.

13. Although, I later confirmed that my ESE Certificate was processed filed, the Defendant continued to promote less experience and less qualified Caucasian candidates who did not meet the “Job Posting” minimum qualifications of education degree and certifications, even though I met the qualifications.

14. To the contrary, in Flagler Schools, Jessica Fries, a Caucasian employee, did not meet the certification requirements when the Defendant selected her over me.

15. **Donelle Everson**, a Caucasian employee, was a new college graduate when the Defendant selected her to perform the duties of an Assistant Principal over me even though I was more experienced, more qualified and possessed certifications for the training position.

16. Cari Hankerd, a Caucasian employee, was a new college graduate when the Defendant selected her to perform the duties of an Assistant Principal over me

even though I was more experienced, more qualified and possessed certifications for the training position.

17. I aver that each of the Defendant's eight identified protected-class employees referenced in their summary judgment and HR Chief Jewel Johnson's Affidavit, were hired, or promoted after I filed my second US EEOC Charge of Discrimination on December 20, 2019, except for Fred Terry.

18. I argue that the eight African American employees referenced by the Defendant were selected for various promotion positions are not similarly situated comparators to my denied promotion positions.

19. Flagler Schools' former discriminatory practice of School Principals selecting Assistant Principals at the school level, arbitrarily at their will, without a promulgated written neutral policy, in which I suffered numerous consecutives denied promotions and leadership positions such as School Dean and Academic Coach, has irreparably harm my reputation, career growth, and cause severe anguish, and humiliation before my peers.

20. The following will identify the similarly situated comparator employees who were selected for promotion over me. Paul Peacock was my former Principal at Indian Trials Middle School (ITMS) and responsible for the discrimination she suffered in several consecutive denied promotions:

21. I avers that the Defendant selected the following Caucasian employees for promotion positions and Leadership Development Opportunities over me because of my Black race and color, and even though the Defendant knew the following candidates were either less qualified or unqualified for the positions they were selected for:

- Cari Hankerd- 6/2019
- Donelle Everson- 6/2019
- Jessica Fries- 6/2019, 7/1/2019
- Katie Cooke- several various dates.
- Cara Cronk- 8/2014 Reading Literacy Coach, 1/2016 Teacher Support Colleague, 6/2016 Assistant Principal.
- Katherine Cooke- 8/2014, Teacher Support College
- Christopher Tincher- 6/2021 Assistant Principal, 11/2017 Teacher Support Colleague, 8/2019 Behavioral Intervention.
- Shelly Tincher- 8/2019, Teacher Literacy Coach.
- Justin Cronk- 6/2021 Assistant Principal.
- Doug Glasco- 6/2021 Assistant Principal.
- Erin Quinn- Promoted to Assistant Principal of Flagler without a certification.

22. **Cara Cronk**, a Caucasian employee, was selected over me for leadership training position even though I was more qualified. The Educator Certification Records will show that Peacock intentionally removed me from her ITMS Reading Coach position and replaced me with **Cara Cronk** to train and develop for promotion advancement.

23. At the time, Flagler Schools' posted job description qualifications that required candidates to have a reading endorsement or work towards endorsement or a certification in Reading. **Cara Cronk** did not possess any of these qualifications for this position, yet Peacock selected her for the position over me anyway because of her preferred Caucasian educators over Black educators.

24. Further, the Educator Certification Records will show discriminatory comparative evidence that **Cara Cronk**, a Caucasian 'employee, at the time did not have a certification in Reading, that I held a master's degree in Reading, and that I am certified in K-12 Reading. Nevertheless, Peacock selected her for the position even though he explicitly knew she was woefully unqualified and did not select me because of my Black race and color.

25. Peacock subsequently selected **Cara Cronk** to become ITMS Teacher Support Colleague even though he knew Cronk was woefully unqualified and did not select me for the unlawful reason of my Black race and color.

26. Educator Certification Records will show that former school Principal Dr. Earl Johnson of Matanzas High School (MHS) subsequently selected Cara Cronk over me to become an Assistant Principal at MHS even though the Defendant knew **Cara Cronk** did not meet the certification or education requirements for the position. The Defendant did so because of my Black race and color.

27. The Educator Certification Records will confirm that **Cara Cronk** did not have Educational Leadership Certification when promoted to Assistant Principal.

28. I avers that Peacock also selected **Katherine Crook**, a Caucasian employee, over me for the position of Teacher Support Colleague and subsequently selected her for Assistant Principal at ITMS, even though he knew she had less teaching experience and was less qualified than me. Yet, the Defendant did so for the unlawful reason of my Black race and color.

29. Lastly, the Defendant failed to attach any exhibits that may prove Flagler Schools promulgated a past and current neutral **Candidate Selection Interview Process policy**, past and current neutral **Leadership Development Opportunity and/or Leadership Academy policy**, and past and current neutral **Salary Schedules** for Assistant Principals, Principals, Directors, and Administrator positions that may disprove my claims of discrimination.

FURTHER AFFIANT SAYETH NAUGHT.

By: Jawanda Dove
JAWANDA DOVE, AFFIANT
Veteran Classroom Educator
Flagler County School Board

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned personally appeared, JAWANDA DOVE, in her aforesaid capacity, who is { } personally known to me or who { } produced Florida Drivers Lic as identification, and who said that she reviewed and read the information contained in the foregoing Opposition to Defendant, FLAGLER COUNTY SCHOOL BOARD's, Summary Judgment, is true to the best of their knowledge and belief, and under the penalty of perjury.

SWORN TO (or AFFIRMED) and SUBSCRIBED before me in the County and State aforesaid on this 28 day of April, 2022.



Shari
NOTARY PUBLIC, STATE OF FLORIDA
My Commission Expires: May 18, 2022