

24TH JUDICIAL DISTRICT COURT FOR THE PARISH OF JEFFERSON

STATE OF LOUISIANA

NO.: _____

DIVISION _____

NYRON HARRISON, THELMA WILLIAMS, INDIVIDUALLY AND ON BEHALF OF
THEIR MINOR CHILD, KA'MAURI HARRISON

VERSUS

JEFFERSON PARISH SCHOOL BOARD, DR. JAMES GRAY, CECILY WHITE,
TERRI JOIA, AND PATRICIA ADAMS

FILED _____

DEPUTY CLERK

**PETITION FOR JUDICIAL REVIEW, AND ALTERNATIVELY, A WRIT OF
MANDAMUS. PETITION FOR DAMAGES AND REQUEST FOR JURY TRIAL**

NOW INTO COURT, through undersigned counsel, comes NYRON HARRISON (“Mr. Harrison”) and THELMA WILLIAMS (“Ms. Williams”), on behalf of themselves and their minor child Ka’Mauri Harrison¹ (“Ka’Mauri”) (sometimes collectively referred to as the “Harrison-Williams Family”), both individuals of the age of majority, residents of and domiciled in Jefferson Parish, State of Louisiana, who represent:

1.

This case arises from egregious government overreach, a complete lack of common sense to prevail and correct the glaring failures of local government officials to comply with law, and an 8-year-old boy tripping over a Daisy BB gun in a bedroom he shares with his two younger brothers. After his brother tripped, the 9-year-old picked it up and moved it. This event would not be noteworthy, but for 9-year-old Ka’Mauri being within camera view of a Jefferson Parish school teacher. Defendants then falsely and maliciously charged that 9-year-old Ka’Mauri “possess[ed] weapons prohibited under federal law” and recommended that he be expelled from his school. When Defendants were advised that they were not complying with Louisiana law or even their own policies, they doubled down and compounded their errors. The result is a terrifying intrusion into a family’s home and a bureaucratic nightmare that unites the Attorney General, ACLU, and NRA in agreement that the parents and child’s statutory and constitutional rights have been violated.

¹ In this case, the child’s name is already out in the public, and the Harrison-Williams Family has made the decision to publically defend their Due Process rights so this unprecedented matter does not occur to another family. *Cf. Washington Post v. Robinson*, 935 F.2d 282 (D.C. Cir. 1991) (rejecting sealing of information that had already been reported in the press).



2.

All of the events, acts, incidents, acts, incidents, and omissions alleged herein took place in Jefferson Parish, Louisiana, and the harm to the Plaintiffs was done in Jefferson Parish, Louisiana. Accordingly venue is proper in this Court.

3.

Plaintiff, Ka'Mauri Harrison is nine years old, resident of and domiciled in Jefferson Parish, Louisiana.

4.

Plaintiff, Mr. Nyron Harrison, is an individual of the age of the majority, resident of and domiciled in Jefferson Parish, Louisiana. Mr. Harrison is Ka'Mauri's father.

5.

Plaintiff, Ms. Thelma Williams, is an individual of the age of the majority, resident of and domiciled in Jefferson Parish, Louisiana. Ms. Williams is Ka'Mauri's mother.

6.

Made Defendants herein are:

- A. The School Board of the Parish of Jefferson (hereinafter, the "School Board"), which is a political subdivision of the State of Louisiana, and has the capacity to sue and be sued. The School Board and its office are located in Jefferson Parish, Louisiana;
- B. Dr. James Gray ("Superintendent Gray"), individually and officially, in his capacity as Superintendent of the Jefferson Parish School System ("JPS");
- C. Cecily White (hereinafter, "Principal White"), individually and officially, in her capacity as Principal of the Woodmere Elementary School. Principal White is an individual of the age of majority, and she is believed to be a resident and domiciliary of Jefferson Parish, Louisiana;
- D. Hearing Officer Terri Joia ("Hearing Officer Joia"), individually and officially, in her capacity as a Hearing Officer for Jefferson Parish, and as the deisgnee of the Superintendent at the Due Process Hearing that took place in this matter on September 22, 2020; and
- E. Patricia A. Adams ("Ms. Adams"), individually and officially, in her capacity as "Chief Legal Counsel" for the Jefferson Parish School System. Upon information and belief, Ms.



Adams communicated and advised all purported decision-makers at all stages of reviewing the proceedings against Ka'Mauri.

7.

Ka'Mauri, age nine (9), is in the Fourth Grade at Woodmere Elementary School ("Woodmere School"). Plaintiffs Mr. Harrison and Ms. Williams are Ka'Mauri's parents. (collectively, all three Plaintiffs are the "Harrison-Williams Family.")

8.

As a result of the COVID-19 pandemic, the parents of the students at Woodmere School, prior to starting the 2020-2021, were given the option for their children to choose between either virtual distance learning or returning to the classroom for on-campus attendance.

9.

The Harrison-Williams Family is a family of seven (7) living in a three-bedroom home in Marrero, Louisiana. Ka'Mauri is one of five (5) children, three boys and two girls. The Harrison-Williams Family made the decision to keep Ka'Mauri and two of his siblings in Distance Learning following the re-opening of Jefferson Parish Schools to limit the Harrison Family's exposure to COVID-19. While the Harrison-Williams Family began the 2020-2021 school year with all five children doing Distance Learning, the Harrison-Williams Family placed their five-year-old twins back in an on-campus classroom at a different Jefferson Parish School due to the difficulty of having five children receiving virtual instruction in a three-bedroom home.

10.

Ka'Mauri shares a bedroom with his two younger brothers, ages eight (8) and five (5). Ka'Mauri receives his virtual instruction in that shared bedroom.

11.

While the Harrison-Williams Family attempts to keep their children in separate rooms for their virtual instruction, it is not always possible. Upon information and belief, this is the first year for the Woodmere School to offer virtual instruction, and the live stream classes do not always work as a result of Internet connectivity problems. Sometimes Woodmere School simply does not provide access to virtual instruction for reasons unknown to the Harrison Family. Further, the students participating in virtual instruction also have Physical Education "classes," or "break periods," whereby they are essentially instructed to take a break from the computer screen for the Physical Education period.



12.

On September 10, 2020, the Ka'Mauri began taking an ELA diagnostic assessment (the "Test"). According to his teacher, Ms. Leslie Williams, Ka'Mauri became visibly ill during the Test, and that she could see through the computer screen that Ka'Mauri was not feeling well and "had tears in his eyes".² Ms. Leslie Williams advised Ka'Mauri who was in his bedroom that he could resume the Test the following day.

13.

The following day, September 11, 2020, Ka'Mauri continued the Test. At the instruction of his teacher and his mother, Ka'Mauri muted the microphone to/from his computer to concentrate on the Test. Indeed, virtual learning students are required to keep their microphones on mute when not directly speaking to the class or asking the teacher a question. Additionally, because Ms. Leslie Williams was actively teaching some in-class students, Ka'Mauri muted the teacher's voice to concentrate on finishing the Test.

14.

While Ka'Mauri was taking the Test in his bedroom, his younger brother, age eight (8), was on a break from his virtual instruction, which he had been doing in the family's kitchen, and came into their shared bedroom. Ka'Mauri's younger brother then tripped over a Daisy BB gun in the boys' shared bedroom.

15.

Ka'Mauri picked up the toy BB Gun (a gift purchased from Wal-Mart for his ninth birthday), crossed it over his body (passing the screen), and moved it out of his younger brother's way.³ Ka'Mauri then went back to taking the Test. Hereinafter, this shall be referred to as the "Incident."

16.

Ka'Mauri **never** pointed the BB Gun at the screen, and he did not say a word to the class or his teacher. There is no evidence that Ka'Mauri was even aware it had been seen. Ka'Mauri believed he was doing the right thing, and he had no intent for his toy BB Gun to appear on the computer screen.

² Ms. Leslie Williams is the Minor Child's teacher. Ms. Thelma Williams is Ka'Mauri's.

³ The Woodmere School does not have video footage of the Incident, but no one has disputed the facts of this Incident.



17.

Shortly thereafter, Ka'Mauri saw his teacher trying to get his attention but his computer remained on mute, since he was taking a test. Ka'Mauri's computer screen then abruptly went dark. According to school documents, the connection was cut due to "internet issues" but other children in Ka'Mauri's home did not experience any internet issues at the same time.

18.

Ka'Mauri, knowing that his teacher had been trying to get his attention, went to his older sister's bedroom, and told her he was kicked off his screen. Together, they approached their mother, who was home proctoring her three children.

19.

A JPS document titled the "Louisiana Department of Education School Behavior Report" ("Behavior Report") states that Ka'Mauri:

left his seat (at home) momentarily, out of view of the teacher. When the student returned, he had what appeared to be a full-sized rifle in his possession. He placed it on the side of his chair so that we could only see the barrel. I immediately called the student's name to ask him what he was doing with a rifle and to have him remove it from the view of the other students. I called his name a few times. He did not reply. The student had muted not just his voice but appeared to have [muted] the volume on his computer as well so that he would not be disturbed as he took the ELA diagnostic assessment.

* * * * *

I called his name again, but shortly thereafter, the student was disconnected from the screen due to internet issues. At this time I contacted Principal White to inform her of what had just happened. Ms. White immediately sent the behavior interventionist to my room to investigate the matter. I gave a statement, then the behavior interventionist left my room.

The Behavior Report is attached as Exhibit A. Although the narrative in the Behavior Report is not signed, reason and common sense indicates that this is a statement, or a combination thereof, by Ka'Mauri's teacher, Ms. Leslie Williams and a JPS Behavior Interventionist.

20.

According to the Behavior Report, Ka'Mauri's mother called Ms. Leslie Williams (Ka'Mauri's teacher), to ask about what happened. Ms. Leslie Williams informed Ms. Thelma Williams what happened, and Ms. Thelma Williams, immediately informed Ka'Mauri's teacher that she had seen a toy BB gun, not a rifle. Ms. Leslie Williams advised that she was not familiar with BB guns because she did not have little kids, but immediately accepted Ms. Thelma Williams's statement. Ms. Leslie Williams then reported to Ka'Mauri's mother that the incident had already been reported to the Principal, Ms. White, and someone would contact her.



21.

Ms. Thelma Williams then called to inform Ka'Mauri's father of what happened, at which point, Mr. Harrison, who had been attending to his elderly father, rushed home, assuming Ka'Mauri had done something. Ms. Thelma Williams again called Ms. Leslie Williams's cellphone at 12:51p.m. and requested that Ms. Leslie Williams explain to Mr. Harrison what happened. As Ms. Leslie Williams was completing her conversation with Mr. Harrison, a behavior interventionist arrived, took Ms. Leslie Williams's cellphone, and began having a conversation with Mr. Harrison. Mr. Harrison explained to the behavior interventionist that the object was a toy BB gun.

22.

Notwithstanding the foregoing narrative, at the top of the Behavior Report, which, upon information and belief, will remain a part of Ka'Mauri's permanent school record, the Location of the Incident is described as "Classroom and Other" and the Nature of the Incident is falsely described as "13 Possesses Weapons Prohibited Under Federal Law."

23.

No federal law prohibits possession of a Daisy BB gun in a child's bedroom. However, Plaintiffs are unaware of any "weapons prohibited under federal law when they are in the home.

24.

Although the JPS Expulsion/Change of Placement Protocol instructs JPS employees "do NOT issue suspension for a specified number of days; this constitutes double jeopardy, which automatically violates the student's Due Process," Principal White did just that. In a blatant violation of JPS's policies and Ka'Mauri's rights, the Behavior Report states that Principal White took two actions:

09 002 Out of school suspension SUSPENSION BEGINS: 2020-09-16 STUDENT RETURNS 2020-09-29

29 001 Expulsion recommendation

This document is signed by Principal White and dated September 14, 2020.

25.

JPS policies require a principal or her designee to "immediately meet with a student accused of serious misconduct," "provide a notice of the alleged misconduct[,] and give the student an opportunity to tell his/her side of the story." See Exhibit B. Principal White violated this policy too: she never met with Ka'Mauri. Indeed, no faculty spoke with Ka'Mauri until his expulsion hearing.



26.

On September 16, 2020, Mr. Harrison and Ms. Williams attended a meeting with Principal White whereby they were asked to submit a written statement from Ka'Mauri as to the incident. Mr. Harrison declined to submit such a statement because he did not feel it was appropriate for a nine-year-old boy to do so. Further, Mr. Harrison expressed his frustration with Defendants and what he perceived to be an egregious violation of his privacy rights and failure to inform parents regarding any policies on virtual instruction. Mr. Harrison was informed that events that took place in his own home were essentially the same as if those events took place on campus, in a government classroom.

27.

The family was given a "Woodmere School Expulsion Recommendation" ("Expulsion Recommendation") dated September 16, 2020. It incorrectly states that Ka'Mauri is a female. The Expulsion Recommendation also incorrectly states Ka'Mauri would be suspended beginning September 16, 2020, though was suspended effective September 11, 2020, and that he would remain suspended pending an expulsion hearing for "12 Possesses weapons prohibited under federal law." Upon information and belief, this Expulsion Recommendation document was given to Mr. Harrison on September 16, 2020, at a meeting that took place between Mr. Harrison and Principal White. A copy of the Expulsion Recommendation Document is attached as Exhibit "C." Again, it cites that the expulsion is being recommended as a result of Ka'Mauri violating the "weapons in the classroom setting policy." To reiterate, the offense charged was possession of "weapons prohibited under federal law" despite the fact that Defendants knew and disputed that the purported "weapon" at issue was a toy, that Ka'Mauri was in his bedroom when the purported offense occurred, and it was never used or wielded in a threatening manner.

28.

The Harrison-Williams Family did not receive the proper expulsion packet required by JPS's policies. They did not receive any "Due Process rights" document; they did not receive the Superintendent Expulsion Cover Sheet; they were not advised of the laws to be applied at a hearing; and they were not informed about three (3) witness statements until the family retained counsel who expressly asked the school for all information the Woodmere School planned to use at Ka'Mauri's Due Process Hearing. Indeed, one such document is signed and dated September



17, 2020, *i.e.*, after Mr. Harrison and Ms. Williams met with Principal White and Mr. Harrison objected to expressed the Woodmere School's violating the Harrison-Williams Family's rights.

29.

On Monday September 21, 2020, at 10:08 a.m. with less than 24 hours notice Mr. Harrison was notified via text message that a "Grayson" was to have a Due Process Hearing the following day. At 10:17 a.m. Mr. Harrison received another text message -- this time with the Ka'Mauri's name -- stating that Ka'Mauri's Due Process Hearing for his pending recommendation for expulsion would take place on September 22, 2020, at 9:00 a.m. Nothing further was provided to Mr. Harrison. Again, Mr. Harrison did not receive a copy of the laws or procedures that would be used to conduct the hearing the following day, nor did he receive the witness statements, student file or Jefferson Parish Policies and Procedures at any point from Defendants.

30.

On Monday September 21, 2020, the Harrison-Williams Family's counsel called Christopher Durden, Administrative Assistant for Jefferson Parish Schools, and informed JPS that she would serve as Ka'Mauri's representative at the Due Process Hearing taking place the following morning. Mr. Durden stated that he would need to refer the issue to legal because an attorney was involved. Thereafter, Mr. Durden sent the Harrison-Williams Family's counsel a zoom link at 1:06 p.m. via email with Ms. Patricia Adams and copied Mr. Darvell Thomas thereto.

31.

On Monday September 21, 2020, the Harrison-Williams Family's counsel requested that she be provided with the same records that would be used at the hearing to better aide in Ka'Mauri's defense.

32.

JPS provided the Harrison-Williams Family's counsel with a copy of the Jefferson Parish "Procedures & Policies for Parents & Students" for 2019-2021 school year. An "Expulsion /Change of Placement Protocol" Flowchart was also provided. Again, this was the first time that the Harrison Family learned of any witness statements given by classmates or by the Behavior Interventionist, after he was entitled to the Pre-Expulsion packet.



33.

The information Defendants provided suggests JPS did not follow the statutory requirement for an annual review of disciplinary policies, hearing, and notice to parents and children of such policies. *See* La. R.S. 17:416.8.

34.

On September 21, 2020, after receiving “the only records that will be used in this case” and the policies/procedures JPS assured the Harrison-Williams Family’s counsel that would be applied at the Due Process Hearing, their counsel recognized another gap in the documents sent to the Harrison-Williams Family. Harrison-William’s Family Counsel emailed Ms. Patricia Adams (Senior Legal Counsel at JPS):

Ms. Adams,

A cursory review of this material shows that this involves events occurring on school campus or at school events, etc. As this was a virtual learning event, have there been any policies or procedures put in place since COVID-19 by Jefferson Parish School Board that I should be aware of that Mr. Edwards did not attach?

Ms. Adams did not respond. As such, the Harrison-Williams Family entered into the 2020 school year without any policies and procedures in place for the virtual learning school year or any policies regarding incidents that might occur in a student’s home. Additionally, Defendants have not identified any policies or procedures, given to parents regarding “virtual classrooms.” This is corroborated by the fact that the Jefferson Parish Policies for Parents and Students was written in 2019, and the Jefferson Parish Policies and Procedures for the Board regarding suspension and expulsion, which can be found online, were last updated in 2019.

35.

Next, after obtaining consent from Mr. Harrison, the Harrison-Williams Family’s counsel received Ka’Mauri’s file. The family learned for the first time that the Defendants had taken witness statements from two children in Ka’Mauri’s classroom. Had the Harrison-William’s Family counsel not asked, the family would have never known about the witness statements JPS planned to use against Ka’Mauri at his Due Process Hearing.

36.

After reviewing the student file and the policies and procedures provided for the upcoming Due Process Hearing the following morning, the Harrison-Williams Family’s counsel again reached out to JPS and requested their policies and procedures in place for Distance and/or Virtual Learning for the 2020-2021 School Year that would be applicable in this case.



Shockingly, their counsel was essentially advised that no such policies existed and the Harrison-Williams Family had been given all of the policies and procedures that would apply in this hearing (this was not the case). As of the date of the filing of this lawsuit, the Harrison-Williams Family has not been provided with any modified policies and procedures that even remotely apply to Ka'Mauri's unfortunate Incident.

37.

Prior to the Hearing, undersigned counsel advised JPS that she would be submitting a Position Statement on Ka'Mauri's behalf. She was informed that the Position Statement could arrive by 8:30 a.m. the morning of the Due Process Hearing. A copy of the Position Statement is attached hereto as Exhibit "D."

38.

The Due Process Hearing (the "Hearing") took place on September 22, 2020, at 9:00 a.m. Present at the Hearing was the Hearing Officer, Ms. Terri Joia; Principal White; Ka'Mauri's teacher, Ms. Leslie Williams; the Behavior Interventionist, Ms. Stacie Trepagnier; Ka'Mauri's father, Mr. Harrison; Ka'Mauri's mother, Ms. Thelma Williams; and undersigned counsel. Ka'Mauri was asked to give a statement at the Hearing, which he did, and which was consistent with the statement of his teacher, Ms. Leslie Williams, but he did not otherwise participate in the Hearing.

39.

Terry Joia ("Hearing Officer Joia") began the Hearing by stating "we are going to go over the due process procedure to ensure that all of the procedures were followed." Ka'Mauri's counsel immediately objected that Due Process in Ka'Mauri's case already had been denied. Thereafter, the Hearing took place as follows:

- Hearing Officer Joia asked if Ka'Mauri was made aware of the offense against him; the Harrison-Williams Family's counsel stated that it was because Ka'Mauri was charged with "possession of weapons prohibited under federal law."
- Hearing Officer Joia then asked if Ka'Mauri received written documentation of the action taken. The Harrison-Williams Family's counsel replied that the documentation and expulsion recommendation came from Principal White, and not Superintendent Gray as required by JPS policies and procedures. Counsel further stated that Ka'Mauri was not given the proper pre-expulsion packet required by JPS policies.
- Ka'Mauri's counsel reminded the Hearing Officer: "The event happened on the 11th, we are now at the 22nd and the child has not been allowed back at school and has been suspended since."



- Ka'Mauri's counsel stated that this simultaneous punishment in his pre-expulsion paperwork was a violation of Ka'Mauri's Due Process rights as set forth in JPS's procedures. Principal White stated that this "was an error on our part." Ka'Mauri's counsel advised all Parties that this was more than just an error, it was a Due Process violation.
- Hearing Officer Joia then specifically asked, at the 7:50 minute marker, "*So he was given the rights with the notification that he would have the recommendation for appeal. The law.*"
- Hearing Officer Joia then proceeded with the hearing. Hearing Officer Joia opened with: "What we are looking at is really Jefferson Parish Policies ... look at Revised Statute 17:416.1 and you look at the due process procedures as it is mandated in the law it is a little bit more rigid in Louisiana than what it is in the state guidelines."
- Next, Hearing Officer Joia stated that "The reason for the recommendation is for the possession of an unlawful firearm...during school activities." She then opined that "when you are involved in a lesson online ... it really is an extension of the classroom." When Ka'Mauri's counsel attempted to ask for policies and procedures to handle virtual learning, but was quickly cut off by Hearing Officer Joia who stated her conclusion that "look[ing] at the law and it really indicates there that it carries over from the physical building to any activity that is covered under the school grounds."
- Next, Hearing Officer Joia identified herself for the record as the designated hearing officer for the Superintendent and informed the Harrison Family that the hearing will be conducted pursuant to LSA R.S. 17:416 and 17:416.1. Hearing Officer Joia incorrectly stated: "You [were] provided a copy of these laws when you receive notice of a recommendation for expulsion."
- Regarding the incident itself, Ka'Mauri's teacher made clear that Ka'Mauri did not point the BB gun toward the screen, and that "it appeared that he was moving it from one spot to another" And Principal White conceded that "[a]s far as I know he told me it was not a rifle it was a BB gun something he allows in his home" and "the dad expressed the sentiment immediately that he felt this was being blown out of proportion because this was in the privacy of his home." Principal White then stated that she "consulted the district to find out what protocol I needed to take to address the situation and I was told by discipline that I should move forward with expulsion recommendation" Likewise, the Behavior Interventionist testified that Mr. Harrison "expressed concern about the whole situation, he felt again that this was an invasion of privacy," "he felt this was an invasion of privacy as it relates to virtual learning and the location of the room that his son was in," but that she had "explained to him that it was still considered a weapon[.]"
- Principal White testified that she "explained to [Mr. Harrison] that any replica of a gun in a school setting is an expulsion recommendation"... "Even if a water gun is presented at school, we go through the same procedure, it is protocol." Ka'Mauri's counsel responded that her "main issue with this is not a weapon prohibited under law – I can't find anything that this is in internet policy – and I can't reconcile the fact that the due process protocol was not followed here."
- When asked to give a statement, and Mr. Harrison testified that he teaches his kids how to properly use the BB guns in the yard – he knows the difference between right and wrong – "it is very important to the family that this be dismissed, that it does not follow him in his educational career, and that the school did not follow his due process rights."
- Ka'Mauri's counsel again objected to the plethora of Due Process violations: "Ms. Joia I urge you to look at the fact that his Due Process rights were violated and if you find that it warrants a dismissal." "We have a due process violation so



of course I am going to appeal it for violating his due process” ... “If they have to hire me to appeal this matter, we are talking about extensive attorney fees.” When Ka’Mauri’s counsel questioned Hearing Officer Joia about the JPS policies and procedures provided to her, Hearing Officer Joia stated “*that’s apparently not correct what they have in the procedures.*” Ka’Mauri’s counsel clarified: so “**basically we are facing Jefferson Parish policies and procedures contradicting Louisiana law?**” Joia immediately responded “right”

- Ka’Mauri’s counsel explained: “[Y]ou do realize that y’all are submitting policies and procedures that are required to be submitted to the student prior to an expulsion recommendation that are inaccurate then” ... “I am going to appeal it, I am going to bring it to the Superintendent[.]” “I am willing to appeal this and I really hope you consider that.”
- Hearing Officer Joia then stated: “Ill send this to [Ms. Adams]... and so that way she can take a look at it.” ... “Ill send this to her and ill have her take a look at it and **if she makes a recommendation I would be more than happy to follow it.**” Hearing Officer Joia elaborated: “**I am going to send this to Ms. Adams so it may take a little bit longer, you do have a right to appeal within five (5) days.**”

40.

Upon information and belief and in accordance with Hearing Officer Joia’s statements, Ms. Adams was the *de facto* decision-maker. She was not, however, present at Ka’Mauri’s hearing.

41.

Multiple Due Process violations occurred at the hands of Defendants in the days leading up to Ka’Mauri’s Due Process Hearing, and at the Due Process Hearing itself.

42.

After the Hearing had closed, Ka’Mauri’s counsel reached out to Ms. Adams to inform her of the multiple Due Process violations. Thereafter, Ms. Adams, directed Ka’Mauri’s counsel to the JPS website for yet another set of policies for the School Board with a direct reference to Section J Due Process. Shockingly, these policies were not provided to Ka’Mauri’s counsel prior to the hearing despite repeated requests for the policies and procedures that would control the proceedings against Ka’Mauri.

43.

The very next day, on Wednesday, September 23, 2020, at 10:22 a.m., the Harrision-Williams Family received the Hearing Officer’s decision letter. The title of the email from Mr. Durden reads: “Hearing Officer’s decision letter on the recommendation of expulsion for Ka Mauri Harrison from Woodmere School.” The email attached a Hearing Officer Decision Letter dated September 22, 2020 (the same date of the hearing) and identified as “**Re: Hearing Officer Determination on Recommendation of Expulsion.**” The Hearing Officer Decision Letter is



addressed to Ms. Thelma Williams and indicates that “based upon the evidence presented at the hearing conducted on September 22, 2020⁴, it has been determined that [Ka’Mauri] is guilty of **displaying a facsimile weapon while receiving virtual instruction** from Woodmere Elementary School,” *i.e.*, a *different* purported offense under JPS policies from the purported “possesses weapons prohibited under federal law” offense that the Harrison-Williams Family was notified would be at issue at the Hearing. The Hearing Officer Decision Letter then goes on to recite the “Jefferson Parish Public School Policy and Procedures 2019-21-Possession of a Starter Gun, Stun Gun, and/or Facsimile...”

44.

The Hearing Officer Decision Letter then goes on to recite JPS Policy for Teachers & Parents (presumably created in 2019), to state that if any child is found guilty the following shall occur: “students in kindergarten through grade (6) may be expelled from the school system unless other corrective or disciplinary action is recommended by the superintendent or his/her designee.” **This is not the offense for which Ka’Mauri was provided notice and tried in his Due Process Hearing.**

45.

The Hearing Officer Decision Letter then goes on to state that the “recommendation for expulsion is to be amended to disciplinary action of six (6) days out of school suspension⁵... **and a social work assessment.**” Further, it should be noted that Ka’Mauri was not permitted receive to virtual instruction on September 11; he no education at all, not even homework assignments, for nine days. Additionally, as of the date of the filing of this Petition, while Ka’Mauri is now receiving virtual instruction, he has not been provided with a packet of any work that he missed during his suspension.

46.

Upon receipt of the Hearing Officer Decision Letter, the Harrison-Williams Family’s counsel requested an appeal:

This is a violation of Jefferson Parish’s policies and procedures provided to me, as well as a violation of Ka Mauri’s Due Process. A 6 day suspension [*sic*] for the rest of his schooling career, that he will have to report to colleges and universities will ruin this

⁴ The amount of Due Process Ka’Mauri received in determining his guilt was a manner of hours, if not minutes as the letter is dated as the same date of the hearing itself. Notwithstanding the foregoing, the Harrison Family did not receive the decision until September 23, 2020, depriving the Minor Child of another day of education due to the Defendants malicious delay.

⁵ Was the Minor Child to remain out of his bedroom for a period of six (6) days?



child's life. We want to immediately appeal this decision, and I would request a copy of the Hearing.

Ms. Adams responded less than forty minutes later:

There is no right of appeal for a suspension. See La. R.S. 17:416.

47.

Contrary to Ms. Adams's response, La. R.S. 17:416 provides, in relevant part:

(C)(1) Upon *the recommendation by a principal for the expulsion of any student* as authorized by Subsection B hereof, a hearing shall be conducted by the superintendent or by any other person so designated to do so by the superintendent to determine the facts of the case and make a finding of whether or not the student is guilty of conduct warranting a recommendation of expulsion. Upon the conclusion of the hearing and upon a finding that the student is guilty of conduct warranting expulsion, the superintendent, or his designee, shall determine whether such student shall be expelled from the school system or if other corrective or disciplinary action shall be taken.

* * * *

(4) The parent or tutor of the pupil may, within five days after the decision is rendered, request the city or parish school board to review the findings of the superintendent or his designee at a time set by the school board; otherwise the decision of the superintendent shall be final. If requested, as herein provided, and after reviewing the findings of the superintendent or his designee, the school board may affirm, modify, or reverse the action previously taken.

(emphasis added). Likewise, the "Procedures and Policies for Parents and Students, given to the Harrison-William's Family in preparation for the Due Process Hearing stated that "[a] student **recommended for expulsion** shall have a right to a hearing and review by the School Board in accordance with Board Policy JDE."⁶

48.

On September 24, 2020, the Harrison-Williams Family's counsel emailed the members of the School Board and Ms. Adams, again requesting review of the Hearing Officer's decision, providing an analysis of La. R.S. 17:416, and noting that one of the School Board members had informed her that had only recently been made aware of Ka'Mauri's plight via email.

49.

On September 25, 2020, Mr. Harrison emailed Tiffany Kuhn, President of the School Board:

Good Afternoon. My Attorney has requested on two occasions now that the School Board take my son's Decision under appeal. Will you, as the School Board President, please consider my son's suspension for an appeal.

Thank you,
Nyron Harrison

50.

⁶ Pg. 11 of JPS Procedures and Policies for Parents and Teachers states this. There is a different set of policies and procedures to be applied by the Board, which can be found online.





On September 25, 2020, Ms. Adams replied on behalf of President Kuhn. The email read:

Ms. Cusimano:

As noted below, Ms. Kuhn asked me to respond to Mr. Harrison's request for Board review on her behalf. I would ask that you communicate the following response to your client.

Mr. Harrison:

In response to your request to appeal your son's suspension to the School Board, Board President Tiffany Kuhn has asked me to provide an explanation as to why Ka'Mauri's suspension is not subject to review by the School Board.

Board Policy JDE - Expulsion - states that a parent may request Board review of the Superintendent's decision to expel a student. Board Policy JDE reflects state law, which says that a student has a right to appeal an expulsion to the school board.

Board Policy JDD - Suspension - on the other hand, states that, with regard to a suspension, the decision of the Superintendent shall be final. That is, there is no right of Board review when a student is suspended. Again, the policy is consistent with state law which states that, "The decision of the superintendent of schools on the merits of the case, as well as the term of the suspension, shall be final,"

In other words, under Board Policy and state law, the decision of the Superintendent (or his designee, in this case, Ms. Joia) to suspend a student is final and there is no right of appeal to the School Board.

Because the School Board is bound to act in accordance with its own policies, the Board is not able to grant your request to review the Superintendent's decision in your son's case.

Ms. Adams's response was incorrect with respect to state law and the Procedures & Policies for Parents & Students given to the Harrison-Williams family, specifically with respect to the definition of "due process" on page 11 thereof. The policy, as written, recognizes the difference between a standard suspension and a "recommendation for expulsion."

51.

On September 29, 2020, the Attorney General of Louisiana issued a letter to BESE and the Superintendent regarding children "recommended for expulsion" based upon allegations of misconduct that occurred at their homes. The Attorney General explained that "the misreading of the plain text of the law by the Chief Legal Counsel for the Jefferson Parish School Board who has cited to Board policy as authority for superseding rights that are unambiguously provided in statute" is "wrong." A copy of that letter is attached hereto as Exhibit "E."

52.

On September 29, 2020, the Harrison-Williams Family's counsel and Mr. Harrison attached the Attorney General's Letter to an additional request that the School Board hear an appeal hearing for Ka'Mauri's suspension and the associated social work assessment. That request initially fell on deaf ears.

53.

Finally, on September 30, 2020, in one last effort to persuade Defendants to follow the law, the Harrison-Williams Family's counsel sent Ms. Adam and Ms. Kuhn and a clip of the Hearing where Hearing Officer Joia advised the Harrison-Williams Family and their counsel that following the decision (which might be something other than expulsion) the family had five (5) days to appeal that decision. Shortly thereafter, Ms. Adams wrote back that Hearing Officer Joia "Ms. Joia is not an attorney," she "may have misstated the law," and "it would appear that [Attorney General] Landry made the same error." President Kuhn and Superintendent Gray were copied on Ms. Adams's email.

54.

Thereafter, in a last-ditch effort to avoid litigation, the Harrison-Williams Family's counsel responded to Ms. Adams, specifically identifying numerous statutory, procedural, and Due Process violations in the proceedings against Ka'Mauri. Ms. Adams responded

Quibbling about clerical errors in paperwork will not go very far when the student has received far more process than is due under such circumstances... Ka'Mauri received more than sufficient process to satisfy the requirements of the state and federal law.

I cannot, and will not, recommend Board Review of Ka'Mauri's suspension, nor will I recommend expungement of his record because the facts are simply not as you have presented them in your similarly unprofessional efforts to litigate this matter in the press.

55.

Defendants have yet to provide Ka'Mauri with the work that he missed.

Mandamus or, Alternatively, Judicial Review⁷

I.

Ka'Mauri reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

II.

A writ of mandamus may be directed to a public officer to compel the performance of a ministerial duty required by law.

III.

⁷ This Petition includes both summary and ordinary proceedings. Plaintiffs respectfully submit that the complex facts and violations as stated herein might need the opportunity to be handled in one Court. Accordingly, both are brought in a single petition, which this Honorable Court may choose to handle in separate trials. La. C.C.P. Art. 464.



La. R.S. 17:416 was applied by the Hearing Officer and is applicable to the proceedings against Ka'Mauri. La. R.S. 17:416(C)(4) imposes upon the School Board a nondiscretionary duty to "affirm, modify, or reverse" the findings of the Superintendent or his designee if requested to do so by the parent or tutor of the pupil. Ka'Mauri's parents have so-requested.

IV.

The School Board refused to perform its non-discretionary duty to review.

V.

Alternatively, the School Board implicitly affirmed the findings of the Superintendent or his designee, such that Ka'Mauri's parents "may, within ten days, appeal to the district court for the parish in which the student's school is located, an adverse ruling of the school board in upholding the action of the superintendent or his designee." La. R.S. 17:416(C)(5). In accordance with the statute, the Harrison-Williams Family so appeals and requests that this Court review and reverse the action of Superintendent Gray and Hearing Officer Joia.

Count I

**42 U.S.C. § 1983 and State and Federal Constitutional Procedural Due Process Claims
(Against All Defendants)**

1.

Ka'Mauri reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

Ka'Mauri has a right to Procedural Due Process pursuant to the State Constitution and Federal Constitution.

3.

Defendants violated Ka'Mauri's rights to Procedural Due Process while acting under color of state law, individually and collectively.

4.

Defendants are liable to Ka'Mauri for Defendants' violation of Ka Mauri's rights to Procedural Due Process because the unconstitutional actions of Defendants were encouraged, approved, caused by, tolerated, permitted or ratified by established customs, policies, practices, or procedures established by the Jefferson Parish School Board, and all Defendants, including but not limited to the following procedural violations.

5.





Defendants subjected Ka'Mauri to a fundamentally unfair process.

6.

Defendants failed to issues policies and procedures that gave adequate notice of conduct that would subject Ka'Mauri to discipline. Defendants also failed to create directives understandable to the average student or to parents

7.

Defendants failed to follow the policies and procedures that they did issue to the Harrison-Williams Family on the day before his Due Process Hearing.

8.

Defendants purported to change their policies at the Hearing without proper notice.

9.

Inconsistent Application of Board Policy and State Law, and application of State law in a manner that is inconsistent with state law and procedures.

10.

Failure to provide adequate notice of the Due Process Hearing as required by law.

10.

"[N]o principle of procedural due process is more clearly established than that notice of the specific charge, and a chance to be heard in a trial of the issues raised by that charge are among the most fundamental rights in any proceeding where notice is required." *LaBrosse, Sr., v. St. Bernard Parish School Board*, 483 So.2d 1253 (La. App. 4 Cir. 2/14/1986). Defendants nevertheless falsely charged Ka'Mauri with "possesses weapons prohibited under federal law" then found Ka'Mauri "guilty" of a different charge: "possession of a starter gun, stun gun and/or facsimile" without providing Ka'Mauri notice or the opportunity to defend against that charge.

Count II.

**42 U.S.C. § 1983, State, and Federal Constitutional Fundamental Rights
(All Defendants)**

1.

Ka'Mauri and the Harrison-Williams Family reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

"The child is not the mere creature of the state." *Pierce v. Society of Sister*, 268 U.S. 510 (1925). "The liberty protected by the Due Process clause of the United States Constitution

includes the right of parents to establish a home and bring up children and to control the education of their own.” *Troxel v. Granville*, 530 U.S. 57 (2000).

3.

Defendants interfered with and are continuing to interfere with the Harrison-William Family’s right to direct Ka’Mauri’s upbringing free from government interference, including but not limited to by punishing Ka’Mauri for non-disruptive conduct in his own bedroom and by threatening a false and malicious referral to a social work assessment which would result in intrusion to the parent-child relationship. Upon information and belief, a social work referral would also intrude into the Harrison-William home and other constitutional rights.

4.

Further, Defendants have stigmatized the Harrison-Williams Family by making concrete assertions of wrongdoing by Ka’Mauri, and implicitly his parents, which have resulted in harm and impairment to the Harrison-Williams Family, including, but not limited to by impairing Ka’Mauri’s education and educational opportunities. In addition, Ka’Mauri is *exposed* to a referral to the District Attorney for further action.

5.

Defendants retaliated against the Harrison-Williams Family for seeking to vindicate their child’s constitutional rights and for speaking publically about the denial of their constitutional rights, in violation of the First Amendment of the United States Constitution and Article 1 Section 7 of the Louisiana Constitution protecting freedom of expression.

6.

Defendants violated the Harrison-William’s Family’s Right to Privacy pursuant to the Fourteenth of the United States Constitution and Article 1 Section 5 of the Louisiana Constitution by treating the Harrison-William’s Family home as an extension of government property.

7.

Finally, Defendants failed to train and/or supervise its Hearing Officers, its teachers, and its principals, resulting in the deprivation of the Harrison-William’s Family constitutional rights.



COUNT III.
42 U.S.C. §1985
All Defendants

1.

Ka'Mauri, and the Harrison-Williams Family, reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

All Defendants conspired to deny the Harrison-Williams Family their State and Federal Constitutional rights as alleged herein.

COUNT IV
Defamation
Principal White

1.

Ka'Mauri reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

Upon information and belief, Principal White, individually and in her official capacity, defamed Plaintiff to multiple individuals, throughout the Jefferson Parish School System, by knowingly, intentionally and maliciously making false statements concerning Ka'Mauri as set forth in this Petition. Substantial, ongoing damage to Ka'Mauri resulted, including but not limited to damage to his reputation, interference with his ability to have a clean school record, loss of education, loss of reputation, emotional distress, anxiety, humiliation, loss of enjoyment of life, and exposure to further action in the Criminal Justice system.

3.

Specifically, Principal White executed one or more documents falsely stating that Ka'Mauri "possesses weapons prohibited under federal law."

4.

Principal White made these defamatory statements intentionally, on numerous occasions, knowing all the while that the alleged "weapon" was a toy, and then transmitted these statements to the Hearing Officer, Ka'Mauri's parents, the School Board, the Superintendent, and likely numerous other Parties that will become apparent through discovery. Principal White knew that this statement was false; she knew the incident involved a BB gun.



COUNT V
Detrimental Reliance
Principal White, School Board, Superintendent & Ms. Adams

1.

The Harrison-Williams Family reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

Prior to the Due Process Hearing, the Harrison-Williams Family, through its counsel, was given a “pre-expulsion packet,” as well as the “Jefferson Parish Policies and Procedures For Parents and Student,” as well as the “Expulsion Flow Chart,” upon specific request by the Harrison-Williams Family counsel. The fact that these were the policies and procedures that would apply at Ka’Mauri’s hearing was undoubtedly a promise made by Defendants, Principal White, Ms. Adams, Superintendent Gray, and the School Board. They did not apply those policies and procedures at Ka’Mauri’s hearing.

3.

Hearing Officer Joia informed the Harrison-Williams Family that she has to apply the law, and further stated several times that they would have the right to an appeal of the decision so long as they requested it within five days of the Hearing Officer Decision Letter.

4.

The Harrison-Williams Family reasonably and justifiably relied on the promises of Principal White, Ms. Adams, Superintendent Gray and the Jefferson Parish School Board’s promise that these would be the policies and procedures, as well as the “Expulsion Flow Chart,” that would apply to Ka’Mauri at his Due Process Hearing on September 22, 2020.

5.

The Harrison-Williams Family reasonably and justifiably relied on the statements made by Hearing Officer Joia that the Harrison-Williams Family would be entitled to an appeal.

6.

The Harrison-Williams Family’s reliance on this promise was to their detriment, at these policies and procedures were not applied in the Due Process Hearing held for Ka’Mauri, and now, the Defendants, at the recommendation from Ms. Adams for each Defendant, is disregarding this promise made by the Representative of the Superintendent.



7.

The Policy specifically asserted that if a Due Process violation occurred, such as a procedural Due Process matter, then the charges would be dismissed. The policies include the following promises:

- a. Providing a parent with a pre-expulsion packet. The pre-expulsion was incomplete as it did not have the Superintendent cover-sheet, did not provide the revised statutes applicable, and did not include the witness statements to be used at the Hearing. This is the policy, they relied on the information, reasonably, as the evidence to be used against Ka'Mauri to support the recommendation for expulsion for a possession of weapons under federal law violation;
- b. Principal White recommended a simultaneous expulsion with a suspension for a specified number of days. The Expulsion Flow Sheet indicates that this is a due process violation that should warrant a dismissal;
- c. After the meeting with Principal White on September 16, 2020, the Harrison-Williams Family learned that Defendants (independently or in concert) obtained an additional witness statement in an attempt to bolster the already issued recommendation for expulsion;
- d. The recommendation for expulsion did not come from the Superintendent, as required by the Policy given to the Harrison-Williams Family the day before the Due Process Hearing. In the policies given to the Harrison-Williams Family by Defendants, the expulsion recommendation for a weapons-violation was to come from the superintendent, not the principal, and, as such, the Harrison-Family believed that they had a procedural due process defense prior to entering the Due Process Hearing, and reasonably relied on same, yet this argument went ignored by the Defendants at the Hearing and resulted in damages as a result of the Hearing Officer rejecting this defense;
- e. The Harrison-Family received notice of the Due-Process hearing only 22.5 hours prior to the Hearing.

8.

These violations are all elements of procedural due process as outlined in the documents provided to the Harrison-Family and should have resulted in the entire case being dismissed, as stated by the JPS policies and procedures definition of "Due Process."



9.

Despite the numerous violations of law and JPS policies and representations that the proceedings against Ka'Mauri were not dismissed. Ms. Adams, astonishingly characterized these violations as mere "clerical errors" and stated that "quibbling" over them "will not go very far."

10.

The Harrison-Williams Family suffered damages from their justifiable reliance of the policies and procedures provided by Defendants because as they were not applied correctly or adequately. The resulting damages to the Harrison-Williams Family include but are not limited to the six-day suspension of Ka'Mauri, a recommendation of social work assessment, and emotional damages.

**COUNT 6: Intentional Infliction of Emotional Distress,
or Alternatively Negligent Infliction of Emotional Distress
(Against All Defendants)**

1.

The Harrison-Williams Family reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

Plaintiff alleges that the actions of all Defendants herein collectively rise to the level of extreme and outrageous conduct, that the emotional distress suffered by the Harrison-Williams Family is severe, and that all Defendants intentionally desired to inflict severe emotional distress or should have known that severe emotional distress would be certain or substantially certain to result from their conduct which occurred over a period of days commencing on September 11, 2020, and is still on-going. Defendants actions caused the Harrison-Williams Family emotional distress, anxiety, humiliation, loss of enjoyment of life, and damage by violating their constitutional rights.

3.

Alternatively, Plaintiffs, the Harrison-Williams Family, alleges that actions of all Defendants, as pleaded herein, collectively was a cause-in-fact of the Harrison-Williams Family's emotional distress, anxiety, humiliation, loss of enjoyment of life, and violation of rights that Defendants owed a duty to the Harrison-Williams Family to prevent Defendant's intentional and negligent infliction of emotional distress upon them; and that blatantly breached



that duty causing the Harrison-Williams Family, emotional distress, anxiety, humiliation, loss of enjoyment of life, and loss of constitutional rights.

4.

Further, Principal White, upon information and belief, discussed the incident and obtained written statements from Ka'Mauri which humiliated him among his peers, when the statements were not necessary.

**COUNT 7:
Negligence
School Board, Superintendent, Ms. Adams**

1.

Ka'Mauri reasserts the allegations of facts set forth hereinabove in Paragraphs 1 through 55.

2.

The School Board is liable to Plaintiff for damages and injuries caused by their negligent acts and omissions, including but not limited to the following:

- a. Failure to train Teachers;
- b. Failure to train Principals;
- c. Failure to train Behavioral Interventionists;
- d. Failure to train Superintendents;
- e. Failure to train Hearing officers;
- f. Failure to Supervise application of policies and procedures;
- g. Failure to intervene and correct where a knowingly false charge has been asserted against a student that triggers automatic expulsion recommendations;
- h. Upon information and belief, failure to comply with LSA R.S. 17:416.8 and convene prior to the 2021 school year and create a discipline policy "review committee," especially given the new environment of Virtual Learning. It should be noted that two sets of policies are at issue in this case: Board Policy and Policies and Procedures for Students and Teachers. The former has not been updated since 2019 (as discovered on their website), and the latter was written in expectation of the 2019 school year.

3.

Superintendent Gray is liable to Plaintiff for damages and injuries caused by his negligent acts and omissions, including but not limited to the following:



- a. Failure to train his appointed “designee;”
- b. Failure to follow the Policies and Procedures of Jefferson Parish.

4.


Ms. Adams is liable to Plaintiff for damages and injuries caused by their negligent acts and omissions, including but not limited to the following:

- a. Failure to properly advise;
- b. Failure to allow a Neutral Hearing Officer and intentionally interfering with decision making of the Hearing Officer who was supposed to be the Neutral Hearing Officer;
- c. Retaliating against Ka’Mauri, by a continuous denial of his statutory and state and federal constitutional due process, in retaliation for the Harrison-Williams Family’s speaking with the press;
- d. Intentionally interfering with the entire process for a recommendation of expulsion for a weapons possession charge in a manner, which rendered it fundamentally unfair and denied him access to fair and independent decision makers.

CONSTITUTIONAL CHALLENGES

1. Jefferson’s Parish School Policies are facially unconstitutional as they are interpreted or as applied to virtual educational environments;
2. LSA R.S. 17:416 is unconstitutional facially and as applied to virtual learning environments and to the home because it captures constitutionally protected conduct and fails to satisfy constitutional standards regarding fundamental rights of privacy, parental independence, and fair notice;
3. LSA R.S. 17:416(C) is unconstitutional as interpreted and applied by the JPSB because it deprives students of procedural Due Process because it deprives students and parents of review by the School Board and the courts of serious and life-altering charges relative to possession of firearms, particular where those statutes are interpreted as applying to the home;
4. LSA R.S. 17:416, JPS “Procedures & Policies for Parents & Students” and JPS School Board Policies are unconstitutionally vague and overbroad to the extent they are applied to conduct occurring in a student’s home and expose the parents and child to egregious civil consequences and criminal charges for constitutionally protected conduct;



- 
5. Applying LSA R.S. 17:416, JPS “Procedures & Policies for Parents & Students,” or JPS School Board “Dangerous Weapon” Policies to non-threatening, non-disruptive conduct in a student’s home also infringed the Harrison-William’s Family’s Right to Keep and Bear Arms pursuant to Article 1, Section 11, of the Louisiana State Constitution and the Second Amendment; their right to privacy and to be free from unwarranted government intrusion in their home; and to control Ka’Mauri’s upbringing free from unwarranted government interference.

DAMAGES

Plaintiff has suffered, and will continue to suffer, the following damages, injuries, and losses as a direct and proximate result of Defendants violations of the Harrison-Williams’ Family rights:

- a) General Damages;
- b) Mental pain, suffering, anguish and embarrassment, humiliation and loss of self-esteem;
- c) Future counseling and tutoring;
- d) Lost Income;
- e) Legal expenses and other costs; and
- f) Other economic damages and losses as will be proven at trial.

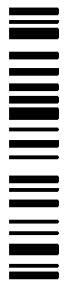
ADDITIONAL RELIEF

Plaintiffs request any other relief to which they may be entitled under law or equity, including but not limited to:

- a) a Writ of Mandamus to issue requiring the Jefferson Parish School Board to conduct a hearing regarding the decision of the hearing officer and to require the JPSB to provide Ka’Mauri with all work he has missed during the period he was not allowed to receive instruction;
- b) alternatively, to the extent such hearing is now futile, to grant *de novo* review of this matter and provide any relief that may be proper under the circumstances.

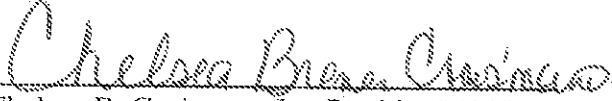
TRIAL BY JURY

The amount in controversy exceeds \$50,000, and the Harrison-Williams Family is entitled to and requests a trial by jury.



WHEREFORE, premises considered, Plaintiffs, Ka'Mauri Harrison, Nyron Harrison, and Thelma Williams, pray that Defendants, the Jefferson Parish School Board, Dr. James Gray, Hearing Officer Terri, Joia Principal Cecily White, and Ms. Patricia Adams be served with this lawsuit and that judgment be issued against Defendants for the Additional Relief as stated above and an award for all damages sustained by the Harrison-Williams Family, including but not limited to for all amounts owed to them pursuant to the causes of action as stated herein, damage to their reputation, and economic damages relating thereto including loss of due process rights, and emotional distress, anxiety, humiliation, loss of enjoyment of life, penalties, costs, and attorney's fees.

RESPECTFULLY SUBMITTED:


 Chelsea B. Cusimano, La. Bar No. 34857
 Douglas R. Kraus, La. Bar No. 26668
 Susannah C. McKinney, La. Bar No. 24349
Brener & Kraus, LLC
 3460 Magazine Street
 New Orleans, Louisiana 70115
 Telephone: (504) 302-7802
dkraus@brenerlawfirm.com
smckinney@brenerlawfirm.com
cbcusimano@brenerlawfirm.com
 Attorneys for Nyron Harrison, Thelma Williams, and Ka'Mauri Harrison

PLEASE SERVE:

Jefferson Parish School Board
 501 Manhattan Boulevard
 Harvey, Louisiana 70058

Dr. James Gray
 Jefferson Parish School Board
 501 Manhattan Boulevard
 Harvey, Louisiana 70058

Ms. Patricia Adams
 Jefferson Parish School Board
 501 Manhattan Boulevard
 Harvey, Louisiana 70058

Ms. Cecily White
 Jefferson Parish School Board
 501 Manhattan Boulevard
 Harvey, Louisiana 70058

Ms. Terri Joia
 Jefferson Parish School Board
 501 Manhattan Boulevard
 Harvey, Louisiana 70058

Attorney General Jeff Landry
Louisiana Department of Justice
1885 North Third Street
Baton Rouge, Louisiana 70808



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