

**FLORIDA COMMISSION ON HUMAN RELATIONS**  
 325 John Knox Road, Suite 240, Building F  
 Tallahassee, Florida 32303-4149

02-3678

<b>AMENDED CHARGE OF DISCRIMINATION</b>		FCHR No. 2100454 J. Moran	
Name (Indicate Mr., Ms., or Mrs.) Beatrice Crittenden		Social Security # 261-23-2632	Date of Birth 11/13/55
Street Address 1810 Clay Ave		Home Telephone Number (area code) 850/769-2820	
City, State, and Zip Code Panama City FL 32405		Work (if possible to call you there)	

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 FLORIDA COMMISSION ON  
 HUMAN RELATIONS  
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List the employer, labor organization, employment agency, apprenticeship committee, government agency, or other person who discriminated against you.

Name Bay County School District	No. of Employees 15+	Telephone No. 850/872-4775
Street Address 1507 Lincoln Ave	City, State, and Zip Code Panama City FL 32405	County Bay

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box (es)) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> MARITAL STATUS <input type="checkbox"/> RETALIATION	DATE MOST RECENT OR CONTINUING DISCRIMINATION TOOK PLACE (month, day, year) 1/6/00
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**THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s):**

**I. Personal Harm:**  
 I have had to work in physically strenuous positions although they are called "light duty". I was also denied a transfer that was awarded to a white female.

**II. Respondent's Reasons for Personal Harm:**  
 I was told that I was not as qualified as the selected candidate

**III. Discrimination Statement:**  
 I believe I have been discriminated against because of my Race - Black and Disability which is in violation of Chapter 760 of the Florida Civil Rights Act as amended for the following reasons:

1. I have been employed with Respondent for almost 19 years. I was denied a transfer into a ESE Clerk position on January 6, 2000. Another white employee was given the transfer, although she did not place a transfer at the District office, which was one of the requirements.
2. I was given light duty work as a result of my disability. However, I was still working in the classroom which continued to be physically strenuous. I repeatedly applied for office or office setting positions that would take me out of the classroom, but I did not receive these positions. White employees were always hired.
3. Presently I am working in a computer classroom although I was originally to work in a non-classroom setting.

I REQUEST TO BE AFFORDED FULL RELIEF TO WHICH I AM ENTITLED TO UNDER THE LAW(S).

I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

Under penalties of perjury, I declare that I have read the foregoing charge of discrimination and that the facts stated in it are true.

SIGNATURE OF COMPLAINANT <i>Beatrice Crittenden</i>	DATE Nov. 22, 2000
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FILED  
02 SEP 24 AM 9:27  
JUNIOR COUNTY  
ADMINISTRATIVE  
HEARINGS

Affidavit:

On December 10 , 1999, an opening for an ESE Clerical position was posted at Margaret K. Lewis Center. After learning of this, December 13,1999 I applied for a transfer to this position due to my physical condition previously injured on the job. I went about every process necessary in transferring, including calling my Medical/Vocational consultant Nancy Vandal, from Pensacola. When I informed Nancy of my application she promised that she would make Mr. Charles Olmstead from Risk Management at the County Office aware of my need for the ESE Clerical position.

Following my application procedure, I was told by Maxine Attwell, secretary of MKL principal Judy Riera, that my interview date was set for Wednesday December 18, 1999. On Monday December 16, 1999 the secretary Maxine again contacted me and informed me that my interview had been rescheduled to Monday January 3, 2000, due to the many activities that were going on before the holidays. I made another call to Nancy Vandal during the holiday vacation because I suspected that the postponement was due to some unethical activities being done by Mrs. Riera.

Upon returning to work on Monday January 3, 2000 I was contacted by another co-worker, Taffy Varner ,an Afro-American woman who had also applied for the ESE Clerk position. Mrs. Varner made me aware that in conversation Mrs. Janice Rudd, a Caucasian co-worker, had told her that Mrs. Riera had called the weekend leading to January 3, 2000, asking Mrs. Rudd to interview for the ESE Clerk position. When Mrs. Varner declined and told Mrs. Riera she did not want the job, Mrs. Riera told her to "think about it." That very Monday Mrs. Riera made numerous efforts to persuade Janice to interview, first by approaching her that morning, at which point Mrs. Rudd assured her that she would think about it. Mrs. Rudd later confided in her classroom co-worker, Sharon Whatley, that Mrs. Riera had repeatedly asked her to interview for the ESE Clerk position that past week-end and that morning. Around noon that day Mrs. Varner was going to lunch with her class and stopped by my classroom, informing me that Mrs. Rudd had told her that she finally agreed to interview for the position as Mrs. Riera suggested.

At 12:30 p.m. I went to the office as I had been instructed to do for a interview, but Mrs. Riera asked me to return to my classroom, that she would call me when she was ready for me.

At 1:35 p.m. I was called to the office for my interview. Also present in the interview were Ms. Susan Vickers and Mrs. Doris Pigneri. I went through the interview with the three of them serving as my interviewers.

At the end of the interview they asked me why I wanted the job and I told them honestly that I had to make a career change due to my injuries, and I felt that I was more than qualified with nineteen years of experience working at Margaret K. Lewis School . I told my interviewers that if I had to change to another career, attaining this position would be a good opportunity to stay in the school since I has so much history there. Mrs. Riera assured me that she understood and would take that into consideration. The interview ended with me thanking Mrs. Riera, Ms. Vickers and Mrs. Pigneri. Mrs. Riera told me that she would make the decision by the end of the week.

I never informed Mrs. Riera of her prior communication with Janice Rudd or the information I had received of her recruitment for the open position because I knew that Mrs. Riera had crossed boundaries by asking someone to interview that had not applied for the Job. I only wanted to see what the outcome would be, as I was suspicious that this extra recruitment was an extension of Mrs. Riera's racist attitudes in the work place. Mrs. Riera has been known to exemplify prejudice toward Blacks in the past. This is not the first incident in which she has shown preferential treatment to a White worker over Black employees. I know this from another incident that involved myself and a White teacher. I will proceed to recount this incident:

I had been working in a profound classroom 13 years ago, the classroom consisting of ambulatory and non-ambulatory children the ages of four to six years of age. After performing all activities and feeding lunch to the students it was time for their naps and the my coworker and I lay the children down and proceeded to have our lunch in the classroom, which was a normal procedure that we did every day. An elder woman that was a teacher's assistant as myself , began to carry on a conversation with me and we were laughing and talking as usual when all the sudden the teacher from my classroom came forth and told me that I had come into the classroom that morning with an attitude, which was completely untrue and utterly preposterous. Each day at the job I always carried (and continue to carry) a positive attitude and cheerful disposition even in a bad situation. The teacher continued to tell me that my work was unsatisfactory and that I had no interest in performing my work. Shocked at these accusations, I in turn asked what she meant by suggesting these things, reminding her that my work has always been satisfactory which is why I was asked to stay in the class in which she had come as a new teacher. It was meant for me to show her the procedures carried out in the class. Nonetheless, the woman continued to criticize me and make outlandish accusations. I became highly upset thereafter and went to the office where I recounted the incident to Judy Riera and gave her all the details of the fiery outrage the teacher had flown into. Then I revealed to her that I firmly believed that the teacher was lashing out at me unjustifiably as a result of her racial prejudice and reminded Mrs. Riera that this attitude was unacceptable in her position as an educator and coworker. At this suggestion, Mrs. Riera told me simply that "That's just the way some people are." It cannot be put into words how appalled I was at this dismissal , or how insulted I was that this dismissal would even be made to an employee expressing their displeasure with a racist coworker. I left the office and told Mrs. Riera that it was best that I take the rest of the day off because if that was the way things were it was best that I not go back into the classroom with that teacher yet. I also told Mrs. Riera that I wanted to be moved out of that particular classroom. but Mrs. Riera said that it was too late in the year to be moved. I was, however, aware that this was untrue because she had moved employees in the past whenever problems arose. I told her that I didn't expect to see anyone else

moved that year if it was too late for me to move. Mrs. Riera played it safe and did not move any employees for the rest of that year, but the next year she reverted to doing the very thing she had claimed she did not do: moving employees at any point in the school year as the employees expressed new problems. I was finally moved out of that classroom the next year.

I apologize for my digression in the previous paragraph but I felt it necessary to highlight another specific incident in which I have witnessed Judy Riera's negative and dismissive attitudes to her African-American employees.

On January 6, 2000 around 2:10 p.m. before my lunch class, Mrs. Riera asked to speak to me in the hallway outside my classroom. She proceeded in telling me that she had made her decision and that she and Ruth Kunich had made a decision to hire Janice Rudd as the new ESE Clerk. Mrs. Riera said, "Looking into your backgrounds I felt that Janice would be the best candidate for the job." I asked what she meant and what more qualifications did Janice possess that I did not at which Mrs. Riera answered, "Bea, you and Janice both got hurt on the job," I told her I figured that would be the outcome. Racial preference could not have been more obvious to me as Mrs. Rudd and I were both teacher assistants who had been injured on the job and needed a lighter work duty, but only one of us had shown any initial interest in the position that had been advertised as open.

Afterward I was informed by Lisa Dawson an Afro-American employee at Margaret K. Lewis School, that Mrs. Riera entered Ms. Vickers classroom a teacher at Margaret K. Lewis, after speaking to me and they both went into the restroom of Ms. Vickers classroom and began to laugh about what she had told me.

Mrs. Dawson was concerned and asked me what was funny about not getting the job, I told her I didn't know what she was talking about and she said...Mrs. Riera apparently felt it was funny she rushed in and took Ms. Vickers into the restroom and they had a laugh about it.

During the afternoon while attending bus duty, Janice Ruddy entered into the cafeteria where the children is kept upon getting on their bus, Janice was crying because she had been chosen for the ESE Clerk job that she didn't want, she said she only applied because Mrs. Riera asked her. Janice said her preference was to stay in the classroom she was in, but Mrs. Riera said the ESE Clerk position was a better change for her.

Through all the activity I keep a low profile because I did not want to say anything about Janice and Mrs. Riera previous communication.

The injustice that was done was highlighted by my co-workers of all races and they told me about the unfairness that had been done. A white co-worker Angie Suber told me that Mrs. Riera was showing prejudice because of the unprofessional way she hired Janice Rudd.