

CHARGE OF DISCRIMINATION		AGENCY <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.			
_____ COLORADO CIVIL RIGHTS DIVISION and EEOC State or Local Agency, If any			
NAME (Indicate Mr., Ms., Mrs.) Ms. LeEllen Condry		HOME TELEPHONE (Include Area Code) 617-777-2918	
STREET ADDRESS 2054 Mountain View Road		CITY, STATE AND ZIP CODE Sedalia, Colorado 80135	DOB 10/21/1970
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one, list below)			
NAME Elizabeth School District	NUMBER OF EMPLOYEES, MEMBERS 350+	TELEPHONE (Include Area Code) 303-646-1836	
STREET ADDRESS 634 S. Elbert Street	CITY, STATE AND ZIP CODE Elizabeth, Colorado 80107	COUNTY Elbert	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box (es)) <input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER		DATE DISCRIMINATION TOOK PLACE EARLIEST (ADEA/EPA) LATEST (ALL) October 1, 2024	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):			
<ol style="list-style-type: none"> I, LeEllen Condry, am Black (Haitian American) and a woman, and thus a member of the class of persons protected by Title VII of the Civil Rights Act of 1964 ("Title VII") and the Colorado Anti-Discrimination Act ("CADA"). I have been discriminated against based on my race (Black) and gender (woman), and I have been retaliated against for engaging in protected activity, in violation of Title VII and CADA. I am filing this charge on the grounds of discriminatory and retaliatory treatment that the Elizabeth School District ("ESD") has inflicted on me. Respondent, ESD, has been an employer within the meaning of Title VII and CADA during all relevant time periods. I am filing this Charge of Discrimination on the grounds of ESD's discriminatory and retaliatory treatment of me within the course of my professional career with ESD, and its discriminatory and retaliatory termination of my employment. I have been discriminated against based on my race (Black) and gender (woman), and I have been retaliated against for engaging in protected activity, in violation of Title VII and CADA. On May 21, 2024, I applied to become an Academic Advisor ("Dean of Students") at Elizabeth Middle School. I interviewed and was hired as an Academic Advisor at Elizabeth Middle School in early June of 2024. I signed a contract with ESD. I was one of the few Black employees that worked at ESD. Unbeknownst to me before I accept the job with the ESD, starting in the beginning of the 2024-25 school year, the ESD was planning on implementing a book ban that was explicitly racist, sexist, homophobic, and transphobic. The ESD book ban targeted authors and subjects that spoke to the real experiences of Black folks, women, and LGBT individuals, and accurately told their history of oppression in this country. In early August of 2024, Chief Academic Officer and District Curriculum Manager Kim Moore sent out a letter to the School Board in Elizabeth laying out protocol for checking out books on the sensitive list, and 			

which books are banned. The banned and sensitive books were listed in the letter.

9. On August 13, 2024, early in the morning, teachers and staff saw a news story on Denver7 news about Elizabeth School District Board banning nineteen books, including books from Black authors, and books that spoke to the experiences of LGBT individuals. Included in the news report was the list of books that ESD had banned. Around that same time, classroom libraries were being targeted as well. All teachers who had classroom libraries were asked to get rid of specific books on the banned list. This was the first time that my colleagues and I had ever heard of the book ban. Teachers and staff were very upset about this. I felt that the book ban was trying to erase my and my students' cultural heritages.
10. In mid-August, the ESD Board decided to put the book ban on hold. The Board stated that they wanted to get feedback from the community about the removal of books, including "solution focused" feedback from ESD teachers about the ban and removal of books.
11. In response to the Board's request for feedback, I wrote to the Board and explained how the book ban is unethical and racist. I specifically protested the inherent racism of the book ban. I wrote to the Board as a Black woman who worked in the ESD. I also spoke to Lead Counselor Connie Hines, Social Worker Michelle Shewmake, and Assistant Principal Jared Lewis about my concerns regarding the book ban. I was passionate, but professional, when protesting the racism of the ban.
12. On August 21, 2024, the ESD had a Back to School BBQ. As a Black woman, because of the book ban, I did not feel comfortable going to the BBQ. I told Assistant Principal Jared Lewis, who is a Black man, and Principal Kimberly Runyan that I was not comfortable attending the BBQ as a Black woman because of the book ban. Assistant Principal Lewis understood my discomfort, but Principal Runyan did not acknowledge my discomfort in attending in light of the book ban.
13. On August 26, 2024, the ESD Board read the "Solution Focused" feedback from ESD staff.
14. On August 27, 2024, ESD Superintendent Dan Snowberger sent out an email to me, and all of the other employees of the ESD. In that email he stated that "[s]adly, some staff members did seem to misunderstand the request [for feedback] and somehow felt the request was an opening for harsh feedback to the Board on their decision" to ban books. Superintendent Snowberger specifically called out my feedback by stating that the feedback that called the actions of the Board "racist" "crossed the lines of professional and ethical behavior." Specifically, Superintendent Snowberger stated that this feedback would lead to "further disciplinary action[.]" Superintendent Snowberger made it clear that I, and my fellow educators, "work at the pleasure" of the ESD Board. It was clear to me that I would be retaliated against for protesting racism within ESD.
15. Over the next month, I did the hard work of being the Academic Advisor at Elizabeth Middle School. I encountered racism on a daily basis at ESD. I stepped in to prevent racism from occurring within the school, which was a challenge as I heard students use racial epithets on a daily basis, including "nigger" to refer to Black students and "beano" to refer to Hispanic students. I witnessed, and intervened to stop, Hispanic students from being told to go back where they came from by White students.
16. On October 1, 2024, I was asked by Principal Runyan to come to her office so that Superintendent Snowberger could have a conversation with me. When I walked into Principal Runyan's office, Superintendent Snowberger was there, along with Human Resources Director John Rogerson. Superintendent Snowberger told me that I was being terminated and used budgetary reasons as an excuse. It was clear to me, however, that I was being terminated because I was a Black woman who dared to speak up and call the Board racist for their decision to ban books by Black authors and about the Black experience in this country.
17. It was even more apparent to me that Superintendent Snowberger's made-up excuse for my termination was not the true reason when I saw a job posting by ESD for another administrative position, Board

**COLORADO CIVIL RIGHTS DIVISION
 FORM 5 –CHARGE OF DISCRIMINATION, ADDITIONAL TEXT
 LEELEN CONDRY CHARGE NO.
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Charging Party Initials LC

Certified Behavior Analyst. The position deals with the behaviors that I dealt with at Elizabeth Middle School and was similar to my position. The job posting also listed a salary that was between \$15,000 and \$20,000 higher than my salary.

18. As a result of ESD’s conduct, I have suffered damages.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies 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.

NOTARY (When necessary for State & Local Requirements)
 Subscribed and sworn to before me this date

 Date Signature

I declare under penalty of perjury that the foregoing is true and correct

NOTARY STAMP

01/27/25

LeEllen Condry
 LeEllen Condry (Jan 27, 2025 18:21 MST)

Date

Charging Party (signature)


2025-01-27 - Condry v. Elizabeth - Charge Of Discrimination (Elizabeth School District)


Final Audit Report


2025-01-28


Created:	2025-01-28
By:	Andrew McNulty (andy@newman-mcnulty.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAALBxtXaky6ZpelSeHPkeDbCWP5RrqxOqs


"2025-01-27 - Condry v. Elizabeth - Charge Of Discrimination (Elizabeth School District)" History

 Document created by Andrew McNulty (andy@newman-mcnulty.com)
2025-01-28 - 0:31:48 AM GMT

 Document emailed to LeEllen Condry (nemourslm@yahoo.com) for signature
2025-01-28 - 0:31:52 AM GMT

 Email viewed by LeEllen Condry (nemourslm@yahoo.com)
2025-01-28 - 1:20:24 AM GMT

 Document e-signed by LeEllen Condry (nemourslm@yahoo.com)
Signature Date: 2025-01-28 - 1:21:48 AM GMT - Time Source: server

 Agreement completed.
2025-01-28 - 1:21:48 AM GMT