

3. Nekesha Burnette (“Defendant Burnette”) is a resident of Davidson County, Tennessee. She is an employee of Defendant Metro as the Executive Principal of Antioch High School, at all relevant times.

II. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action pursuant to Tenn. Code Ann. § 4-21-311(a), which expressly confers subject matter jurisdiction upon chancery courts over claims based on the deprivation of rights secured by the THRA. A violation of the Tennessee Disability Act is a violation of the THR. Tenn. Code Ann. § 8-50-103(e).
5. Venue is proper in this Court pursuant to Tenn. Code Ann. § 20-4-104(1) because the events or omissions giving rise to Plaintiff’s claims occurred in Davidson County, Tennessee.
6. At all times stated herein, Defendant Metro is an employer subject to the provisions of the Tennessee Human Rights Act, Tenn. Code Ann. § 4-21-101, *et seq.*, and the Tennessee Disability Act, Tenn. Code Ann. § 8-50-103, 104.

III. FACTS

7. Dr. Latham was employed by Defendant Metro at all relevant times.¹
8. At all relevant times, Defendant Metro acted as Dr. Latham’s employer through the Metro Nashville Public Schools (“MNPS”).
9. Dr. Latham began her role with MNPS as an English teacher at Stratford High School in 2003 and was promoted to Assistant Principal in 2014.
10. Dr. Latham served as Assistant Principal at John F. Kennedy Middle School in 2014.
11. Dr. Latham transferred to Antioch High School in 2017 as an Assistant Principal.

¹ Employment Contract attached as Exhibit 1.

12. Defendant Burnette was the Executive Principal at Antioch High School from 2023 to 2025.
13. On January 22, 2025, Antioch High School experienced what no person should ever have to experience: the devastating reality of a school shooting.
14. Dr. Latham was present and, immediately upon hearing calls for help, ran towards the cafeteria. She then heard gunshots and continued to run towards where the shots were being fired. She was the first administrator on the scene.
15. Dr. Latham helped students evacuate, called for help from School Resource Officers, and an ambulance after witnessing the student shooter shoot himself.
16. Dr. Latham continued to take charge in this crisis by organizing the evacuation and dismissal of students alongside law enforcement.
17. Defendant Burnette's reaction was to run away from the crisis, which she later expressed concern over how her response impacted her image as the Executive Principal of Antioch High School.
18. A similar pattern of Defendant Burnette's behavior can be seen in an earlier event. On May 8, 2024, during a meeting with assistant principals, Defendant Burnette gasped at an alert on her phone showing a report of a gun on campus. When asked, she handed the phone to Dr. Latham, who, along with another assistant principal, immediately ran towards the scene, while Defendant Burnette remained in the conference room. The threat was later found to be only a water gun. The next day, however, Defendant Burnette held a staff meeting where she falsely claimed she had responded by running to the incident, demonstrating concern for her image rather than the decisive action expected of an executive principal.

19. Defendant Burnette's concern over her image continued to show in her treatment of her administrative team in the following weeks and months after the school shooting. She demonstrated her insecurity through constant complaints about her administrative team, demands for personal support from them, and frequent outbursts of anger and threats to replace the current administrative staff, including Dr. Latham.
20. Dr. Latham and other staff members underwent extreme trauma from the school shooting, as well as Defendant Burnette's and MNPS's treatment of them following the shooting.
21. Dr. Latham was diagnosed with Post Traumatic Stress Disorder following the events of January 22, 2025, and all that she witnessed that day as she continued to act as Assistant Principal through the crisis and guide the students to safety and help those who had been wounded.
22. On January 24, 2025, all administrators were required to attend a meeting and assist with the student item pickup since the facilities were still closed to the public. The day was long and both physically and mentally exhausting, as they were forced to revisit the events from two days prior. At the end of the day, Defendant Burnette called all administrators into her office. Another assistant principal recommended they all head home for the day, to which Defendant Burnette lashed out, yelling and crying, calling the administrators ungrateful, and stormed out of her office.
23. Teachers were given SEL lesson plans² to complete the week of January 28-31st, a week after the school shooting. The entire administration team complained about the timing and expectations to MNPS; the complaints went unaddressed by the Defendants.

² Social and Emotional Learning (SEL) refers to lesson plans designed to help students build and practice key skills such as self-awareness, self-management, social awareness, relationship-building, and responsible decision-making.

24. On January 30, Principal Burnette, accompanied by three Executive Directors, ordered Dr. Latham and all assistant principals to publicly critique a teacher's lesson in front of students. Dr. Latham complied quietly in an effort to avoid disrupting instruction or embarrassing the teacher. Defendant Burnette then pulled Dr. Latham into the hallway, gave feedback, and sent her back, only to personally remain in the classroom and loudly criticize the teacher in front of students, staff, and administrators. Defendant Burnette's conduct was unprofessional and caused such distress that more than 30% of staff called out sick the following day, requiring central office personnel to cover classrooms.
25. In the weeks after the school shooting, MNPS and Defendant Burnette called multiple meetings with various administrators and staff to discuss Defendant Burnette's need for support and both Defendant Burnette's and the Executive Director's disappointment with her administrators in public areas. Dr. Latham discovered this was not true after discussing the accusation with Executive Director Carter. One of these meetings took place on January 29, 2025, and Defendant Burnette told her assistant principals they were horrible assistants and that she would have a whole new administration team for the following school year. Defendant Burnette frequently engaged in such outbursts whenever she was angry or upset, and, more often than not, these incidents involved threats to her team's job security.
26. Dr. Latham was approved for intermittent family medical leave, which allowed her to miss three (3) days a week; however, she chose not to take that much time off. On February 17, 2025, she submitted on-the-job injury documentation ("IOD Claim") related to the psychological injuries she sustained and continues to suffer from, as a result of the school shooting.

27. On February 10, 2025, Dr. Latham emailed David Hines, the Director of Employee Benefits at MNPS, in an effort to help her IOD Claim move forward. David Hines connected her with Harold Finch, the Director of Workplace Safety at MNPS.
28. On March 7, 2025, Dr. Latham contacted Harold Finch about transferring schools for the 2025-2026 school year, given the traumatic events that impacted her mental health and the transfer window opening.
29. Dr. Latham's transfer request and IOD Claim received minimal response. Despite multiple follow-up emails, the only update she received, on May 27th, stated that the investigation of her claim was complete and was awaiting a final determination from senior leadership, providing, in effect, no substantive update at all.³
30. On March 8, 2025, Dr. Latham met with Defendant Burnette and expressed the possibility of transferring at the end of the school year due to mental health concerns. During this discussion, Defendant Burnette asked for confirmation that the decision was not related to her personally, then indicated she would assist if a transfer occurred.
31. Following spring break, upon returning on March 17, 2025, Dr. Latham observed within a few days that she had been removed from communications regarding the master schedule, English planning, and other prior assignments.⁴

³ Emails attached as Exhibit 2.

⁴ During the Spring semester, each school creates its master schedule for the following year using student class choices and required classes. Dr. Latham has been part of the master schedule team since 2017. Dr. Latham was never removed, but was omitted from correspondence and did not receive invitations to the master schedule meetings. Additionally, Dr. Latham had overseen the entire English Department since she began at Antioch High School in 2017.

32. On April 11, 2025, all assistant principals had unexpected one-on-one meetings with Defendant Burnette to inform them that she was rehiring her administration team, and all current assistant principals would need to reapply for their current positions.
33. Dr. Latham reapplied for her current position on April 13, 2025, and her interview was held on April 23, 2025.
34. According to the MNPS Human Resource SharePoint timeline, employees, including Assistant Principals, should receive official written documentation regarding non-renewals. By April 25, Dr. Latham should have received a "Conference Summary Notification" scheduling a meeting for April 28th or 29th, where Dr. Latham would then be informed of her status for the 2025–26 school year. Dr. Latham never received these required documents; the only written communication she received was an interview invitation from Defendant Burnette. The timeline further shows deadlines in March and April for principals, executive directors, and human resources to submit and share lists of recommended displacements and non-renewals. Since Dr. Latham had not received any official notice by May 2nd, she believed she had secured her position as Assistant Principal for the 2025–26 school year.
35. The Defendants failed to adhere to their established timeline, procedures, and notification system for employees during the renewal and displacement process.
36. On May 2, 2025, Dr. Latham received a call from Defendant Burnette informing her that she did not retain her position as assistant principal.
37. Dr. Latham was not rehired despite being named the best instructional Assistant Principal by the staff at Antioch High School.

38. Dr. Latham requested feedback on her interview performance, which the Defendants initially denied until after the hiring process had concluded.
39. Dr. Latham continued performing work duties but noted that no assistant principal positions were posted within the district, which was atypical.⁵
40. On May 7, 2025, Dr. Latham was called to Defendant Burnette's office, where Burnette accused her of being unprofessional and "disrupting the educational environment" by telling a colleague about her displacement, which had upset other staff. During the exchange, Defendant Burnette waved a copy of the administrative evaluation rubric while yelling at Dr. Latham.
41. That same day, Dr. Latham received a reprimand from Defendant Burnette for neglect of duty and insubordination stemming from an incident that occurred on November 20, 2024. Dr. Latham was requested to begin a bullying investigation by Defendant Burnette. During the investigation, it was discovered that there was no bullying present, so Dr. Latham ended the investigation as required under the Procedure for Reporting and Investigating Bullying, Cyber Bullying, Harassment, Discrimination, Intimidation, and Hazing. *Metro Nashville Pub. Sch., Policies and Procedures, Policy 6.304.1 (2019), <https://www.mnps.org/about/board-of-education/policies-and-procedures>. Metro. Nashville Pub. Sch., Policy 6.312.*⁶

⁵ Normally, if a school has three assistant principal openings, three positions are posted on the portal. At Antioch High School, only one position was posted during the entire hiring window of 2025 for the 2026 school year, concealing the fact that multiple openings existed. This suggested there was an effort to conceal that several assistant principals were being displaced.

⁶ Policy No. 6.304.1 attached as Exhibit 3.

42. The reprimand brought by Defendant Burnette claims that Dr. Latham was given the verbal directive to change the student's schedule. However, Dr. Latham did not receive such direction, verbal or written.
43. Dr. Latham was denied the opportunity to appeal this reprimand because the Defendants argued the grievance process only applies to cases where the health of safety would have been threatened if the educator had complied with the directive of a supervisor⁷, despite the Memorandum of Understanding between Metropolitan Nashville Public Schools & Metropolitan Nashville Education Association ("MOU") stating that any professional employee may appeal a reprimand. Metro. Nashville Pub. Sch., Memorandum of Understanding at p. 16-17 (June 25, 2024) (on file with the Metropolitan Nashville Public Schools).⁸
44. Aside from the suspiciously timed reprimand at issue, the only other reprimand Dr. Latham received during her long career with Defendants was in August 2024.
45. The August 2024 reprimand outlined a concern over Dr. Latham's failure to report a threat. However, Dr. Latham reported the threat to both Dean Davis, the guardian of the student who made the threat, and the School Resource Officers.
46. There were two issues with the August reprimand under the MOU, which requires that employees be allowed to correct mistakes and that, except in cases of child abuse, workplace violence, or other emergencies, professional employees receive at least 24 hours' notice of investigatory or disciplinary meetings. Dr. Latham acknowledged fault that she did not report the threat to Defendant Burnette, but was not allowed to correct her

⁷ Email denying Dr. Latham the opportunity to appeal the reprimand attached as Exhibit 4.

⁸ MOU attached as Exhibit 5.

behavior, and the August 28 reprimand was issued without the required 24-hour notice, as she was notified only shortly before the meeting. *Id.*

47. On May 12, 2025, Dr. Latham reported to MNPS that Defendant Burnette was undermining her professional reputation by telling potential employers at other local schools that Dr. Latham could not be trusted.

48. On May 26, 2025, Dr. Latham filed a formal grievance against Defendant Burnette for failing to follow established protocol in issuing two reprimands and requested that both reprimands be removed from her personnel file.⁹

49. Dr. Latham is struggling to find comparable administrative positions; she is currently working in a teaching position at McMurray Middle School, which caused a diminution in Dr. Latham's salary by \$36,000 a year.

50. Dr. Latham was dismissed without cause following the school shooting, the subsequent mental disability that resulted from the incident, Defendant Burnette's pretextual reprimands, and MNPS's extreme delay in processing her on-duty injury paperwork.

51. Defendant Burnette, embarrassed by her own inaction during the school shooting, directed unprofessional conduct toward the administrative team, including Dr. Latham, failed to follow MNPS protocols in her interactions and dealings with Dr. Latham, as set forth in the MOU, and interfered with Dr. Latham's business relationship with MNPS by removing her as assistant principal and speaking negatively about Dr. Latham to potential employers.

⁹ Formal Grievance attached as Exhibit 6.

IV. CAUSES OF ACTION

COUNT 1: MALICIOUS INTERFERENCE WITH A BUSINESS RELATIONSHIP

52. Dr. Latham has an existing business relationship with MNPS through her work with the agency since 2003, and the continued renewal of her employment contract with MNPS;
53. Defendant Burnette was aware of Dr. Latham's ongoing relationship with MNPS, as she served as Executive Principal during Dr. Latham's time as assistant principal at Antioch High School, and knew of Dr. Latham's efforts to seek reemployment by applying for assistant principal positions within the district both before and after Defendant Burnette removed her as assistant principal;
54. Months after the school shooting, Defendant Burnette removed Dr. Latham as assistant principal at Antioch High School because Burnette was embarrassed that Dr. Latham saw her flee from students in danger, while Dr. Latham assumed leadership during the crisis;
55. Defendant Burnette speaks negatively about Dr. Latham to potential employers with the intent to terminate Dr. Latham's business relationship with MNPS and cause her continued trouble in seeking comparable assistant principal positions within the district after the Defendant removed Dr. Latham;
56. Defendant Burnette had no legitimate cause to interfere with Dr. Latham's business relationships. Her actions were motivated solely by concern for her personal image following the school shooting and by perceived threats to her position as Executive Principal. Dr. Latham had directly witnessed Burnette's conduct during the shooting and was also a qualified candidate to replace her in that role.

57. Dr. Latham was removed from her position as Assistant Principal at Antioch High School without cause and has been unable to secure a comparable position, causing her damages of at least \$36,000.00 a year.

COUNT 2: VIOLATION OF THE TENNESSEE HUMAN RIGHTS ACT, T.C.A. § 4-21-101, et seq., and VIOLATION OF THE TENNESSEE DISABILITY ACT, T.C.A. § 8-50-103, 104

58. Dr. Latham is an individual with post-traumatic stress disorder (PTSD), a qualified disability;

59. Dr. Latham was able to perform the essential functions of her job as assistant principal with MNPS and continued to do so after the event that caused her disability; and

60. As a result of Dr. Latham's PTSD, she requested a transfer to another school and filed an IOD claim. Defendants failed to treat either request seriously or provide appropriate support. Instead, they removed Dr. Latham from her position and failed to assist her in securing a comparable role, causing her substantial financial and professional loss.

COUNT 3: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

61. Defendants' conduct intentionally or recklessly inflicted emotional distress on the Plaintiff and/or their conduct was substantially certain to inflict severe emotional distress. Plaintiff, after eleven years of dedicated and highly praised service with MNPS, was subjected to a significant pay cut under deeply troubling circumstances. Only months after experiencing the trauma of a school shooting and continuing to serve as a steady leader for her students while her executive principal fled from danger, Plaintiff was targeted with pretextual reprimands. These reprimands were issued in direct violation of the policies and procedures outlined in the MOU. Instead of being supported, the Plaintiff was forced to reapply for the very position she had successfully maintained for eleven (11) years, only to be unjustly

displaced without cause. This occurred while her IOD claim and transfer request, both related to a documented mental disability, remained pending and unanswered for months.

62. Defendant's actions, especially in light of the events Plaintiff was subject to while working as assistant principal for the Defendants, were so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as intolerable in a civilized community.

63. Defendant's conduct has caused the Plaintiff extreme and emotional distress.

64. No reasonable person could be expected to endure the emotional distress experienced by Plaintiff.

V. PRAYER FOR RELIEF

WHEREFORE, Dr. Latham requests the following relief:

65. That a jury trial of twelve (12) be held on all causes of action contained herein;

66. That the Plaintiff be awarded back pay, front pay, including all sums of money she would have earned, together with such other increases and benefits to which she would be entitled had she not been discriminated against;

67. That the Plaintiff be awarded compensatory damages in an amount to be determined by the trier of fact;

68. That Plaintiff be reimbursed for punitive damages against Defendant Burnette for her intentional and willful interference with Plaintiff's business relationship;

69. That Plaintiff be reimbursed for reasonable attorney fees and costs incurred in bringing this action pursuant to Tenn. Code Ann. § 4-21-311(b); and

70. That Plaintiff be granted all other specific and general relief to which he may be entitled to, as this Court may deem appropriate.

Respectfully submitted,

FREEMAN & FUSON

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