

charge of hiring and supervising educators, and is also in charge of providing and enforcing all educational policy.

5. Defendant, Jon A. Jamison ("Jamison"), is a resident of Champaign County, Illinois, and at all times relevant herein was employed as a teacher's aide, school bus driver, coach, and/or teacher by the St. Joseph-Ogden District.

6. Defendant, Chad Uphoff ("Uphoff"), is a resident of Will County, Illinois and during the 2006-2007 school year was employed by the St. Joseph-Ogden District as the Principal of St. Joseph-Ogden High School located in St. Joseph, Champaign County, Illinois.

7. Defendant, Brian Brooks ("Brooks"), is a resident of Champaign County, Illinois and during the 2007-2008 school year and at all subsequent times relevant herein was employed by the St. Joseph-Ogden District as the Principal of St. Joseph-Ogden High School located in St. Joseph, Champaign County, Illinois.

8. Defendant, James M. Acklin ("Acklin"), is a resident of Champaign County, Illinois and at all times relevant herein was employed as the Superintendent of the St. Joseph-Ogden District located in St. Joseph, Champaign County, Illinois.

Non-Party Identities

9. Alicia Maxey is a Champaign County Resource Officer assigned to St. Joseph-Ogden High School.

10. JANE DOE-2 was a minor female student at St. Joseph-Ogden High School during the 2006-2007 school year.

11. JANE DOE-3 was a student at St. Joseph-Ogden High School during the 2006-2007 school year.

12. JANE DOE-4 was a student at St. Joseph-Ogden High School during the 2006-2007 school year.

13. JOHN DOE-5 was a student at St. Joseph-Ogden High School during the 2006-2007 school year.

14. JANE DOE-6 was a student at St. Joseph-Ogden High School during the 2006-2007 school year.

15. JANE DOE-7 was a student at St. Joseph-Ogden High School during the 2007-2008 school year.

16. JANE DOE-8 is the mother of JANE DOE-7.

Definitions

17. Sexual grooming: "Sexual grooming" includes any and all verbal and/or physical acts that constitute the process of cultivating trust with a minor for the purpose of gradually introducing sexual abuse. Sexual grooming may include playing games and/or giving of food, alcohol, gifts, prizes or treats, and/or designation for special treatment of a Minor and/or doing favors for a Minor.

18. Childhood Sexual Abuse: "Childhood Sexual Abuse" includes any and all verbal and/or physical acts of a sexual nature performed with a minor. "Sexual Abuse" includes but is not limited to: sexual conduct and penetration as defined in Section 11-0.1 of the Criminal Code of 1961. "Sexual Abuse" also includes hugging or kissing of a minor for purposes of sexual gratification, describing sexual conduct to a minor, asking a minor to commit sexual conduct, and asking the minor about any sexual matter.

19. Ministerial Act: “Ministerial act” refers to acts which a person performs on a given set of facts in a prescribed manner in obedience to a legal mandate without reference to discretion as to the propriety of the act.

20. Mandated Reporting: “Mandated Reporting” refers to reporting required by the Illinois Abused and Neglected Child Reporting Act, 325 ILCS 5/4 and includes the requirement to timely report child abuse or neglect, and suspected child abuse or neglect, and risk of child abuse or neglect, to Illinois Department of Children and Family Services (“DCFS”).

Facts Relating to JANE DOE-1

21. During the 2007-2008, 2008-2009, and 2009-2010 school years, JANE DOE-1 was a minor female student at St. Joseph-Ogden High School in St. Joseph, Illinois.

Facts Relating to Misconduct at St. Joseph-Ogden High School

22. Uphoff, Brooks, and Acklin were at all times acting within the scopes of their employments.

23. Uphoff, Brooks, and Acklin were at all times mandated reporters under the Illinois Abused and Neglected Child Reporting Act.

24. Mandated Reporting is a ministerial act and any failure to make a mandated report is a breach of duty in performance of a ministerial act.

25. In August, 2007 and at all times thereafter, Jamison was incompetent, unfit, and dangerous for employment as teacher’s aide, coach, or school bus driver because of:

- a. Jamison’s known prior sexual harassment of minor female students;
- b. Jamison’s known prior sexual grooming of minor female students;
- c. Jamison’s known prior sexual abuse of minor female students.

26. In August, 2007 Jamison was hired as a teacher's aide, coach, and school bus driver by St. Joseph-Ogden District.

27. In August, 2008 Jamison was re-hired as a teacher's aide, coach, and school bus driver by St. Joseph-Ogden District.

28. In August, 2009 Jamison was re-hired as a teacher's aide, coach, and school bus driver by St. Joseph-Ogden District.

29. During the 2006-2007, 2007-2008, 2008-2009, and 2009-2010 school years, Jamison committed the following acts of sexual harassment and/or sexual grooming and/or sexual abuse through use of his power and authority as a teacher's aide, coach, and school bus driver at St. Joseph-Ogden District:

- a. hugging female students;
- b. kissing female students;
- c. holding hands with female students;
- d. suggestively touching female students;
- e. rubbing the thighs of female students;
- f. sending suggestive electronic messages to female students;
- g. suggesting to female students that they accompany him to the girl's locker room;
- h. suggesting to female students that they accompany him alone to a private house;
- i. suggesting to female students that they dance provocatively for him;
- j. providing alcohol to female students;
- k. drinking alcohol with female students;
- l. sexually harassing and/or sexually grooming and/or sexually abusing JANE DOE-1.

30. During the 2006-2007 school year, JANE DOE-3 and JANE DOE-4 informed a St. Joseph-Ogden High School teacher, Mrs. Rein, of the following acts of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2:

- a. Jamison provided special favors for JANE DOE-2, allowing her to sit next to him on every road trip, allowing her to wear his hat, coat, and sunglasses;
- b. Jamison held JANE DOE-2's hand while driving;
- c. Jamison fed cheesecake to JANE DOE-2;
- d. Jamison often walked off alone with JANE DOE-2;
- e. Jamison went off alone with JANE DOE-2 during a bonfire party at Jamison's house;
- f. Jamison texted or telephoned JANE DOE-2 every night;
- g. Jamison hugged JANE DOE-2 while they were alone at night on a school bus;
- h. Jamison blew on JANE DOE-2's face "for good luck;"
- i. Jamison provided unusual personal assistance to JANE DOE-2 during practices;
- j. Jamison and JANE DOE-2 had each other's picture on their cell phones.

31. Uphoff spoke to JANE DOE-3, JANE DOE-4 and their mothers regarding the allegations made by JANE DOE-3 and Melissa S to Mrs. Rein.

32. Uphoff took it upon himself to investigate the allegations made by Anna W and JANE DOE-4, but failed to make a mandated report.

33. Uphoff, Brooks, and Acklin had actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students at St. Joseph-Ogden District.

34. During the summer of 2007 Jamison began to flirt with JANE DOE-1.

35. During the 2007-2008 school year Jamison committed the following acts of sexual harassment and/or sexual grooming and/or sexual abuse against JANE DOE-1: +

- a. Jamison flirted with her;
- b. Jamison sent sexually suggestive electronic messages to her;
- c. Jamison made sexually suggestive telephone calls to her;
- d. Jamison used an electronic social media site ("MySpace") to send her pictures of his bare chest, asking if she "liked it;"
- e. On more than one occasion Jamison kissed her briefly;
- f. On more than one occasion Jamison kissed her passionately;
- g. Jamison attempted to shove his tongue into her mouth;
- h. On more than one occasion Jamison provided her and other minor female students with alcohol;
- i. On more than one occasion Jamison drank alcohol with her;
- j. On more than one occasion Jamison rubbed her thigh;
- k. Jamison suggested that she accompany him alone to a private house;
- l. Jamison suggested that she dance provocatively for him;
- m. On more than one occasion Jamison rubbed her back sensuously.

36. On February 4, 2008, JANE DOE-8 informed Brooks that her daughter, JANE DOE-7, reported the following acts of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1:

- a. Jamison used MySpace to "friend" minor female students;
- b. Jamison had a telephone conversation with JANE DOE-1 while JANE DOE-1 was in her bathroom;
- c. Jamison "flirted" with minor female students in the lunchroom.

37. Brooks took it upon himself to investigate the allegations made by JANE DOE-8, but failed to make a mandated report.

38. On February 4, 2008, Brooks directed Alicia Maxey to investigate Jamison's MySpace activity. +

39. On February 5, 2008, Brooks interviewed JANE DOE-7 about JANE DOE-8's allegations.

40. On February 6, 2008, Brooks confronted then 15-year-old JANE DOE-1 about JANE DOE-8's allegations, without either of JANE DOE-1's parents being present. JANE DOE-1 instinctively denied that anything inappropriate was going on.

41. On February 6, 2008 Brooks and Acklin met with Jamison concerning the allegations of Jamison's conduct with JANE DOE-1. During that meeting Brooks and Acklin:

- a. instructed Jamison to remove all students from his MySpace page;
- b. instructed Jamison not to allow any more students access to his MySpace page;
- c. informed Jamison that his conduct was not in his best interest;
- d. informed Jamison that "if anything else came up regarding this circumstance or similar to these issues," he would be dismissed.

42. Uphoff, Brooks, and Acklin failed to further investigate complaints against Jamison for sexual harassment and/or sexual grooming and/or sexual abuse of his female students and failed to make mandated reports.

43. After February 6, 2008, Uphoff, Brooks, and Acklin concealed reports of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse from students and parents including, but not limited to, JANE DOE-1.

44. Jamison informed JANE DOE-1 of his meeting with Brooks and Acklin, and informed JANE DOE-1 that they needed to cool things down for a while.

45. During the summer of 2008 and during the 2007-2008 and 2008-2009 school years Jamison committed the following acts of sexual harassment and/or sexual grooming and/or sexual abuse against JANE DOE-1:

- a. Jamison flirted with her;
- b. Jamison asked her to go into the girl's locker room with him;
- c. Jamison kissed her.

46. On February 7, 2012, Jamison was charged with Criminal Sexual Assault of minor female students at St. Joseph-Ogden High School as a result of incidents that occurred in 2003 and 2006.

47. Jamison continued to sexually harass and/or sexually groom and/or sexually abuse minor female students, including JANE DOE-1, until his arrest on February 7, 2012.

COUNT I.
Battery
(JANE DOE-1 v. Jamison)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count I against the Defendant Jon A. Jamison, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times Jamison acted with intent to make physical contact of an insulting or provoking nature with JANE DOE-1.

49. Between summer 2008 and Fall 2010, Jamison made physical contact of an insulting or provoking nature with JANE DOE-1 by hugging, kissing, and caressing her.

50. Jamison's batteries of JANE DOE-1 were done with deliberate violence and oppression and were willful, wanton and malicious and were part of a pattern of ongoing and escalating misconduct.

51. Jamison's batteries of JANE DOE-1 used his power and authority as her coach and school bus driver.

52. Jamison's batteries of JANE DOE-1 were committed on the premises of St. Joseph-Ogden High School, St. Joseph, Illinois and/or while attending official school functions.

53. Jamison's batteries against JANE DOE-1 caused JANE DOE-1 to suffer ongoing injury and severe emotional distress and educational harm that will continue into the future.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant Jon A. Jamison for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT II.
Illinois Hate Crime, 720 ILCS 5/12-7.1
(JANE DOE-1 v. Jamison)

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Plaintiff, JANE DOE-1, by and through her attorney pleads this Count II against the Defendant Jon A. Jamison, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Between summer 2008 and Fall 2010, Jamison made physical contact of an insulting or provoking nature with JANE DOE-1 by hugging, kissing, and caressing her.

49. Jamison's batteries against JANE DOE-1 were hate crimes in that:

- a. They were motivated in whole or in part by JANE DOE-1's gender; and,
- b. They used his power and authority as her coach and school bus driver.

50. Jamison's hate crimes of JANE DOE-1 were committed on the premises of St. Joseph-Ogden High School, St. Joseph, Illinois and/or while attending official school functions.

51. 720 ILCS 5/12-7.1 allows JANE DOE-1 a private right of action against Jamison for actual damages, including damages for emotional distress, or punitive damages, plus attorney's fees and costs.

52. Jamison's hate crimes against JANE DOE-1 caused JANE DOE-1 to suffer ongoing injury and severe emotional distress and educational harm that will continue into the future.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant Jon A. Jamison for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT III.
Illinois Hate Crime, 720 ILCS 5/12-7.1
(JANE DOE-1 v. St. Joseph-Ogden District (Respondeat Superior))

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count III against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Jamison's hate crimes as set forth in Count II above were performed within the scopes of his employments and in service to St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable for Jamison's hate crimes, under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

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COUNT IV.
Intentional Infliction of Emotional Distress
(JANE DOE-1 v. Uphoff, Brooks, and Acklin)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count IV against the Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Uphoff, Brooks, and Acklin owed JANE DOE-1 a duty to inform of harm and of known threats of harm to JANE DOE-1.

49. At all relevant times, Uphoff, Brooks, and Acklin owed JANE DOE-1 a duty not to conceal threats and to give true information relating to JANE DOE-1's safety.

50. At all relevant times, Uphoff, Brooks, and Acklin knew of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students, but they concealed this knowledge from JANE DOE-1.

51. At all relevant times, Uphoff, Brooks, and Acklin intentionally concealed known threats of harm to JANE DOE-1.

52. Uphoff, Brooks, and Acklin intentionally concealed from JANE DOE-1 all of the following facts:

- a. That there had been complaints of sexual harassment and/or sexual grooming and/or sexual abuse lodged against Jamison;
- b. That Defendants had a duty to make mandated reports to DCFS of suspected abuse;
- c. That Defendants failed to make mandated reports regarding JANE DOE-1.

53. Uphoff's, Brooks', and Acklin's concealment was extreme and outrageous towards JANE DOE-1.

54. Uphoff's, Brooks', and Acklin's concealment was done intentionally or with reckless disregard for the safety and emotional well-being of JANE DOE-1.

55. As a direct and proximate result of Uphoff's, Brooks', and Acklin's extreme and outrageous concealment, JANE DOE-1 suffered severe emotional distress.

56. Uphoff's, Brooks', and Acklin's concealment was willful and wanton behavior, with complete and gross disregard for and utter indifference to the safety and emotional well-being of JANE DOE-1.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT V.
Intentional Infliction of Emotional Distress
(JANE DOE-1 v. St. Joseph-Ogden District (Respondeat Superior))

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count V against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Uphoff's, Brooks', and Acklin's willful and wanton concealment from JANE DOE-1 as set forth in Count IV above was done within the scopes of their employments and in the service of St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable for the Uphoff's, Brooks', and Acklin's willful and wanton concealment under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT VI.
Negligent Hiring (Ministerial Act Regarding Prior Complaints of Jamison's Conduct) +
(JANE DOE-1 v. St. Joseph-Ogden District)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count VI against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, St. Joseph-Ogden District acted through its agents and employees.

49. At all relevant times, St. Joseph-Ogden District owed a duty of reasonable care to JANE DOE-1 to hire a competent, fit, qualified, and safe employee because St. Joseph-Ogden District knew or should have known that its employee would come in contact with JANE DOE-1 through his employment as a teacher's aide, coach or school bus driver.

50. In August, 2007, Jamison was incompetent, unfit, and dangerous for employment as teacher's aide, coach, or school bus driver because of:

- a. Jamison's known prior sexual harassment of minor female students;
- b. Jamison's known prior sexual grooming of minor female students;
- c. Jamison's known prior sexual abuse of minor female students.

51. St. Joseph-Ogden District knew or should have known of Jamison's incompetence, unfitness, and danger as an teacher's aide, coach, and school bus driver when it hired him.

52. St. Joseph-Ogden District breached its duty of reasonable care by hiring Jamison in August, 2007 as a teacher's aide, coach, and school bus driver.

53. St. Joseph-Ogden District breached its duty of reasonable care by again hiring Jamison in August, 2008 as a teacher's aide, coach, and school bus driver.

54. St. Joseph-Ogden District breached its duty of reasonable care by again hiring Jamison in August, 2009 as a teacher's aide, coach, and school bus driver.

55. In its hiring and re-hiring of Jamison, St. Joseph-Ogden District's agents and employees omitted and/or poorly performed ministerial acts including, but not limited to, reporting to DCFS prior complaints of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

56. In its hiring and re-hiring of Jamison, St. Joseph-Ogden District's agents and employees omitted and/or poorly performed ministerial acts including, but not limited to, seeking further information concerning prior complaints of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

57. At all relevant times, St. Joseph-Ogden District knew or should have known that its omissions and/or poor performances of the ministerial acts of reporting to DCFS and seeking further information concerning prior complaints of Jamison's conduct would cause sexual harassment and/or sexual grooming and/or sexual abuse of minor female students including JANE DOE-1.

58. St. Joseph-Ogden District's omission and/or poor performances of the ministerial acts of reporting to DCFS and seeking further information concerning prior complaints of Jamison's conduct caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

59. The failure of St. Joseph-Ogden District to exercise reasonable care was a proximate cause of the injuries and loss suffered by JANE DOE-1.

53. St. Joseph-Ogden District breached its duty of reasonable care by again hiring Jamison in August, 2008 as a teacher's aide, coach, and school bus driver.

54. St. Joseph-Ogden District breached its duty of reasonable care by again hiring Jamison in August, 2009 as a teacher's aide, coach, and school bus driver.

55. In its hiring and re-hiring of Jamison, St. Joseph-Ogden District's agents and employees omitted and/or poorly performed ministerial acts including, but not limited to, reporting to DCFS prior complaints of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

56. In its hiring and re-hiring of Jamison, St. Joseph-Ogden District's agents and employees omitted and/or poorly performed ministerial acts including, but not limited to, seeking further information concerning prior complaints of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

57. At all relevant times, St. Joseph-Ogden District knew or should have known that its omissions and/or poor performances of the ministerial acts of reporting to DCFS and seeking further information concerning prior complaints of Jamison's conduct would cause sexual harassment and/or sexual grooming and/or sexual abuse of minor female students including JANE DOE-1.

58. St. Joseph-Ogden District's omission and/or poor performances of the ministerial acts of reporting to DCFS and seeking further information concerning prior complaints of Jamison's conduct caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

59. The failure of St. Joseph-Ogden District to exercise reasonable care was a proximate cause of the injuries and loss suffered by JANE DOE-1.

60. St. Joseph-Ogden District's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT VII.
Negligent Supervision
(JANE DOE-1 v. St. Joseph-Ogden District)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count VII against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, St. Joseph-Ogden District acted through its agents and employees.

49. At all relevant times, St. Joseph-Ogden District owed a duty of to supervise Jamison when he was dealing with students. Specifically, St. Joseph-Ogden District had a duty to JANE DOE-1 to supervise Jamison to ensure the safety of JANE DOE-1 from the injury that Jamison inflicted on JANE DOE-1 as described above.

50. St. Joseph-Ogden District breached its duty of supervision over Jamison by not supervising Jamison adequately, in that:

- a. Jamison was permitted to be alone with female students, including JANE DOE-1;
- b. Jamison was permitted to hug female students, including JANE DOE-1;
- c. Jamison was permitted to kiss female students, including JANE DOE-1;
- d. Jamison was permitted to hold hands with female students, including JANE DOE-1;
- e. Jamison was permitted to caress female students, including JANE DOE-1;
- f. Jamison was permitted to rub the thighs of female students, including JANE DOE-1;

- g. Jamison was permitted to send suggestive electronic messages to female students, including JANE DOE-1;
- h. Jamison was permitted to make sexual remarks and suggestions to female students, including JANE DOE-1;
- i. Jamison was permitted to provide alcohol to female students, including JANE DOE-1;
- j. Jamison was permitted to drink alcohol with female students, including JANE DOE-1;
- k. Jamison was permitted to sexually harass and/or sexually groom and/or sexually abuse female students, including JANE DOE-1.

51. St. Joseph-Ogden District's omission and/or poor performances of the ministerial acts of reporting to DCFS and seeking further information concerning prior complaints of Jamison's conduct caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

52. St. Joseph-Ogden District's breach of its supervisory duty to JANE DOE-1 caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

53. St. Joseph-Ogden District's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT VIII.
Negligent Retention
(JANE DOE-1 v. St. Joseph-Ogden District)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count VIII against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, St. Joseph-Ogden District acted through its agents and employees.

49. Upon information and belief, St. Joseph-Ogden District had received complaints from students, parents, and third parties, including former co-employees and former supervisors, concerning Jamison's incompetence, demeanor, and attitude as a teacher's aide, coach, and school bus driver.

50. St. Joseph-Ogden District had knowledge, either constructive or actual, of at least one incident in which one of Jamison's students, parents, former students, former parents, former co-workers, or former supervisors complained about Jamison's behavior, whereby he:

- a. hugged female students;
- b. kissed female students;
- c. held hands with female students;
- d. provided special favors to female students;
- e. fed sweets to female students;
- f. was alone with female students ;
- g. suggestively touched female students;
- h. rubbed the thighs of female students;

- i. sent suggestive electronic messages and photos to female students;
- j. suggested to female students that they accompany him to the girl's locker room;
- k. suggested to female students that they accompany him alone to his home;
- l. suggested to female students that they dance provocatively for him;
- m. provided alcohol to female students;
- n. drank alcohol with female students;
- o. sexually harassed and/or sexually groomed and/or sexually abused female students.

51. St. Joseph-Ogden District had a duty to JANE DOE-1 to retain only competent, qualified, and safe employees.

52. St. Joseph-Ogden District breached its duty of retention to JANE DOE-1 in retaining Jamison in its employ despite knowing that Jamison was a danger to others due to Jamison's history of engaging in sexual harassment and/or sexual grooming and/or sexual abuse of female students.

53. St. Joseph-Ogden District's actions in failing to exercise its duty to JANE DOE-1 in retaining an incompetent, unfit, and dangerous employee caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

54. St. Joseph-Ogden District's actions in failing to exercise its duty to JANE DOE-1 in retaining an incompetent, unfit, and dangerous employee further caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

55. St. Joseph-Ogden District's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT IX.
Premises Liability
(JANE DOE-1 v. St. Joseph-Ogden District)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count IX against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, St. Joseph-Ogden District acted through its agents and employees.

49. At all times relevant hereto, there was in force and effect an Act known as the Premises Liability Act, 740 ILCS 130/2, which required the Defendant St. Joseph-Ogden District to maintain its property in a reasonably safe condition.

50. At all relevant times, St. Joseph-Ogden District had actual or constructive notice of the following dangerous conditions on St. Joseph-Ogden District's premises:

- a. Jamison's unauthorized isolation of female students during school bus trips and/or during practice;
- b. Jamison's prior acts of sexual harassment and/or sexual grooming and/or sexual abuse of minor female students in the gymnasium and on board school buses.

51. The dangerous conditions on St. Joseph-Ogden District's premises presented an unreasonable risk of harm to children in that it promoted or facilitated Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of children, including JANE DOE-1.

52. At all relevant times, St. Joseph-Ogden District had unique knowledge and awareness of the dangerous conditions on its premises and of the risk of harm to children.

53. St. Joseph-Ogden District's deliberate indifference to the dangerous conditions on its premises increased the danger of harm to JANE DOE-1.

54. At all relevant times, it was reasonably foreseeable that JANE DOE-1 would fail to protect herself against such danger.

55. At all relevant times, it was reasonably foreseeable that the dangerous conditions on St. Joseph-Ogden District's premises would cause harm to JANE DOE-1.

56. St. Joseph-Ogden District's deliberate indifference to dangerous conditions on its premises caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

57. St. Joseph-Ogden District's deliberate indifference to dangerous conditions on its premises caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

58. St. Joseph-Ogden District's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

53. St. Joseph-Ogden District's deliberate indifference to the dangerous conditions on its premises increased the danger of harm to JANE DOE-1. +

54. At all relevant times, it was reasonably foreseeable that JANE DOE-1 would fail to protect herself against such danger.

55. At all relevant times, it was reasonably foreseeable that the dangerous conditions on St. Joseph-Ogden District's premises would cause harm to JANE DOE-1.

56. St. Joseph-Ogden District's deliberate indifference to dangerous conditions on its premises caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

57. St. Joseph-Ogden District's deliberate indifference to dangerous conditions on its premises caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

58. St. Joseph-Ogden District's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT X.
Negligence- Ministerial Act Mandated Reporting
(JANE DOE-1 v. Uphoff, Brooks, and Acklin)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count X against the Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Uphoff, Brooks, and Acklin had duties of reasonable care.

49. At all relevant times, Uphoff, Brooks, and Acklin had mandated reporting duties.

50. Mandated reporting is a ministerial act.

51. Uphoff, Brooks, and Acklin violated their mandated reporting duties in all of the

following:

a. Uphoff did not timely make a mandated report of the 2006-2007 school year reports by JANE DOE-3 and JANE DOE-4 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2:

b. Acklin did not timely make a mandated report of the 2006-2007 school year reports by JANE DOE-3 and JANE DOE-4 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2:

c. Brooks did not timely make a mandated report of the February 2008 report by JANE DOE-8 and JANE DOE-7 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1:

d. Acklin did not timely make a mandated report of the February 2008 report by JANE DOE-8 and JANE DOE-7 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1.

52. Uphoff's, Brooks', and Acklin's failure to make mandated reports caused JANE DOE-1 to suffer additional sexual harassment and/or sexual grooming and/or sexual abuse.

53. It was reasonably foreseeable to Uphoff, Brooks, and Acklin that their failure to perform the ministerial act of timely mandated reporting would cause female students, including JANE DOE-1, to suffer additional sexual harassment and/or sexual grooming and/or sexual abuse.

54. Uphoff's, Brooks', and Acklin's failures to make ministerial mandated reports caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

55. Uphoff's, Brooks', and Acklin's failure to make ministerial mandated reports caused JANE DOE-1 to suffer severe bodily injury and emotional distress and educational harm, all of which will continue into the future.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT XI.
Negligence- Ministerial Act Mandated Reporting
(JANE DOE-1 v. St. Joseph-Ogden District (Respondeat Superior))

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XI against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Uphoff's, Brooks', and Acklin's violations of their ministerial mandated reporting duties as set forth in Count X above were done within the scopes of their employments and in the service of St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable for Uphoff's, Brooks', and Acklin's violations of ministerial mandated reporting duties under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT XII.
Willful and Wanton Mandated Reporting Failures
(JANE DOE-1 v. Uphoff, Brooks, and Acklin)

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Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XII against the Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Uphoff, Brooks, and Acklin had duties of reasonable care.

49. At all relevant times, Uphoff, Brooks, and Acklin had mandated reporting duties.

50. Uphoff, Brooks, and Acklin violated their mandated reporting duties in all of the

following:

a. Uphoff did not timely make a mandated report of the 2006-2007 school year reports by JANE DOE-3 and JANE DOE-4 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2:

b. Acklin did not timely make a mandated report of the 2006-2007 school year reports by JANE DOE-3 and JANE DOE-4 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2:

c. Brooks did not timely make a mandated report of the February 2008 report by JANE DOE-8 and JANE DOE-7 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1:

d. Acklin did not timely make a mandated report of the February 2008 report by JANE DOE-8 and JANE DOE-7 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1.

51. Uphoff's, Brooks', and Acklin's failures to make mandated reports caused JANE DOE-1 to suffer additional sexual harassment and/or sexual grooming and/or sexual abuse.

52. It was reasonably foreseeable to Uphoff, Brooks, and Acklin that their failures to make mandated reports would cause minor female students, including JANE DOE-1, to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

53. Uphoff's, Brooks', and Acklin's failures to make mandated reports caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

54. Uphoff's, Brooks', and Acklin's failures to make mandated reports caused JANE DOE-1 to suffer severe bodily injury and emotional distress and educational harm, all of which will continue into the future.

55. Uphoff's, Brooks', and Acklin's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XIII against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Uphoff's, Brooks', and Acklin's willful and wanton violations of their mandated reporting duties as set forth in Count XII above were done within the scopes of their employments and in the service of the St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable for Uphoff's, Brooks', and Acklin's willful and wanton violations of mandated reporting duties under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT XIV.
Willful and Wanton Indifference to Known Sexual Harassment
(JANE DOE-1 v. Uphoff, Brooks, and Acklin)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XIV against the Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Uphoff, Brooks, and Acklin had a duty of reasonable care towards JANE DOE-1 and other female minor students.

49. At all relevant times, St. Joseph-Ogden District had actual notice of sexual harassment and/or sexual grooming and/or sexual abuse suffered by JANE DOE-1. St. Joseph-Ogden District's actual notice includes, but is not limited to:

- a. The 2006-2007 school year reports by JANE DOE-3 and JANE DOE-4 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against JANE DOE-2;
- b. The February 2008 report by JANE DOE-8 and JANE DOE-7 of sexual harassment and/or sexual grooming and/or sexual abuse by Jamison against minor female students, including JANE DOE-1.

50. Uphoff, Brooks, and Acklin were indifferent to their actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse.

51. Uphoff, Brooks, and Acklin failed to report or investigate Jamison's sexual harassment and/or sexual grooming and/or sexual abuse.

52. Uphoff's, Brooks', and Acklin's indifference to actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse caused JANE DOE-1 to suffer further and additional sexual harassment and/or sexual grooming and/or sexual abuse.

53. Uphoff's, Brooks', and Acklin's indifference to actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse was done in reckless disregard of JANE DOE-1's and other minor female students' safety.

54. At all times relevant, it was reasonably foreseeable that Uphoff's, Brooks', and Acklin's indifference to actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse would cause harm to minor female students, including JANE DOE-1.

55. Uphoff's, Brooks', and Acklin's misconduct caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

56. Uphoff's, Brooks', and Acklin's actions and omissions were willful and wanton behavior, with complete and gross disregard for and utter indifference to JANE DOE-1's safety and well-being.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants Chad Uphoff, Brian Brooks, and James M. Acklin, for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT XV.

**Willful and Wanton Indifference to Known Sexual Harassment
(JANE DOE-1 v. St. Joseph-Ogden District (Respondent Superior))**

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XV against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Uphoff's, Brooks', and Acklin's willful and wanton indifference to actual knowledge of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of JANE DOE-1 as set forth in Count XIV above was done within the scopes of their employments and in the service of St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable for Uphoff's, Brooks', and Acklin's willful and wanton indifference to known sexual harassment under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully prays this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant St. Joseph-Ogden CHSD #305 Board of Directors for compensatory damages in excess of \$50,000.00, and for other such relief as this Court deems just and proper.

COUNT XVI.
Conspiracy to Violate Mandated Reporting Act
(JANE DOE-1 v. Uphoff and Acklin)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XVI against the Defendants Chad Uphoff and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Uphoff and Acklin were mandated reporters.

49. During the 2006-2007 school year, Uphoff and Acklin entered into an agreement that they would not make mandated reports to the Illinois Department of Children and Family Services.

50. In furtherance of their agreement, Uphoff and Acklin failed to make mandated reports of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

51. Uphoff's and Acklin's failures to make mandated reports were unlawful acts.

52. Uphoff's and Acklin's failure to make mandated reports caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

53. Uphoff's and Acklin's failures to make mandated reports was willful and wanton behavior, with complete and gross disregard for and utter indifference to the safety and well-being of JANE DOE-1 and other minor female students.

54. Uphoff's and Acklin's agreement to violate their mandated reporting duties caused JANE DOE-1 to suffer bodily injury and severe emotional distress and education harm, all of which will continue into the future.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants, Chad Uphoff and James M. Acklin, for compensatory + damages in excess of \$50,000.00, and other such relief as this Court deems just and proper.

COUNT XVII.
Conspiracy to Violate Mandated Reporting Act
(JANE DOE-1 v. Brooks, and Acklin)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XVII against the Defendants Brian Brooks, and James M. Acklin, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. At all relevant times, Brooks and Acklin were mandated reporters.

49. During the 2007-2008 school year, Brooks and Acklin entered into an agreement that they would not make mandated reports to the Illinois Department of Children and Family Services.

50. In furtherance of their agreement, Brooks and Acklin failed to make mandated reports of Jamison's sexual harassment and/or sexual grooming and/or sexual abuse of minor female students.

48. Brooks' and Acklin's failures to make mandated reports were unlawful acts.

49. Brooks' and Acklin's failure to make mandated reports caused JANE DOE-1 to suffer sexual harassment and/or sexual grooming and/or sexual abuse.

50. Brooks' and Acklin's failures to make mandated reports was willful and wanton behavior, with complete and gross disregard for and utter indifference to the safety and well-being of JANE DOE-1 and other minor female students.

51. Brooks' and Acklin's agreement to violate their mandated reporting duties caused JANE DOE-1 to suffer bodily injury and severe emotional distress and education harm, all of which will continue into the future.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendants, Brian Brooks and James M. Acklin, for compensatory damages in excess of \$50,000.00 and other such relief as this Court deems just and proper.

COUNT XVIII.
Conspiracy to Violate Mandated Reporting Act
(JANE DOE-1 v. St. Joseph-Ogden District (Respondeat Superior))

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XVIII against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. Uphoff's, Brooks', and Acklin's acts or omissions set forth in Counts XVI and XVII occurred within the scopes of their employment with St. Joseph-Ogden District and was for the purpose of serving St. Joseph-Ogden District.

49. St. Joseph-Ogden District is liable to JANE DOE-1 for conspiracy to violate the mandated reporting requirements of the State of Illinois under the doctrine of *respondeat superior*.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant, St. Joseph-Ogden CHSD #305 Board of Directors, for compensatory damages in excess of \$50,000.00, and other such relief as this Court deems just and proper.

COUNT XIX.
State-Created Danger
(JANE DOE-1 v. St. Joseph-Ogden District)

Plaintiff, JANE DOE-1, by and through her attorney pleads this Count XIX against the Defendant St. Joseph-Ogden CHSD #305 Board of Directors, in the alternative to all other Counts contained herein, as follows:

1-47. Plaintiff incorporates by reference paragraphs 1 through 47 and all sub-parts of Facts Common to All Allegations previously stated herein.

48. JANE DOE-1's harm at the hands of Jamison was foreseeable in that she was a minor female student at the time Jamison was hired and re-hired by St. Joseph-Ogden District.

49. JANE DOE-1's harm at the hands of Jamison was a direct result of St. Joseph-Ogden District employees' acts which have been previously alleged herein.

50. Uphoff's, Brooks', and Acklin's previously alleged acts were undertaken with deliberative thought.

51. As a result of Uphoff's, Brooks', and Acklin's previously alleged acts, St. Joseph-Ogden District affirmatively placed JANE DOE-1 in a position of danger.

52. As a result of Uphoff's, Brooks', and Acklin's previously alleged acts, JANE DOE-1 was placed in a position of danger that she would not have faced if Jamison had not been employed by the St. Joseph-Ogden District.

53. Uphoff's, Brooks', and Acklin's previously alleged acts in hiring, assisting, and comforting a person known to engage in sexual harassment and/or sexual grooming, and/or sexual abuse against minor female students constituted egregious behavior that shocks the conscience.

54. Uphoff's, Brooks', and Acklin's misconduct caused JANE DOE-1 to suffer severe bodily harm and emotional distress and educational harm, all of which will continue into the future.

WHEREFORE, Plaintiff respectfully pray this Court enter Judgment in favor of Plaintiff, JANE DOE-1, and against Defendant, St. Joseph-Ogden CHSD #305 Board of Directors, for compensatory damages in excess of \$50,000.00, and other such relief as this Court deems just and proper.

Respectfully submitted:

JANE DOE-1, Plaintiff,

By: THOMAS A. BRUNO & ASSOCIATES



Thomas Bruno
Attorney for Plaintiff

Thomas A. Bruno and Associates
301 West Green Street
Urbana, IL 61801
Telephone: 217-328-6000
Facsimile: 217-328-6535
Email: tombruno@tombruno.com