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13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 COUNTY OF SAN DIEGO

15 TENZIN PELING, an Individual,

16 Plaintiff,

17 v.

18 GROSSMONT UNION HIGH SCHOOL
19 DISTRICT; GROSSMONT UNION HIGH
20 SCHOOL DISTRICT BOARD OF
21 TRUSTEES; and DOES 1-25, Inclusive,

22 Defendants.

Case No.:

COMPLAINT FOR DAMAGES AND OTHER
RELIEF

DEMAND FOR JURY TRIAL

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1 Plaintiff Tenzin Peling (“Ms. Peling” or “Plaintiff”), by her attorneys, brings this action on
2 behalf of herself against Grossmont Union High School District (“GUHSD” or “the District”),
3 Grossmont Union High School District Board of Trustees (the “GUHSD Board”), and DOES 1-25
4 (collectively, “Defendants”). Ms. Peling makes the following allegations upon information and
5 belief (except those allegations as to Ms. Peling or her attorneys which are based on personal
6 knowledge), based upon an investigation that is reasonable under the circumstances, which
7 allegations are likely to have evidentiary support after a reasonable opportunity for further
8 investigation and/or discovery.

9 NATURE OF THE ACTION

10 1. School board elections, once considered minor ballot races by voters, have taken on
11 new significance in recent years. Across the country, extreme conservative and religious action
12 groups have targeted local school board races as a means to seize control of public education
13 systems. Their objective is explicit: to dismantle diversity, equity, and inclusion (“DEI”) initiatives
14 and replace secular, inclusive curricula with ideologically driven agendas hostile to LGBTQ
15 communities. This fringe movement has become so pervasive and harmful that, on September 25,
16 2023, California’s Governor signed into law Assembly Bill (“AB”) 1078, prohibiting school boards
17 from banning books based on LGBTQ content¹ and affirmatively requiring school districts to foster
18 equitable learning environments in which all students and staff—including LGBTQ individuals—
19 are welcomed and protected.²

20 2. That same anti-diversity movement has taken hold in San Diego County and
21 embedded itself within GUHSD’s School Board. Four Board members—Dr. Gary Woods, Jim Kelly,
22 Robert Shield, and Scott Eckert (the “Anti-LGBTQ Board Members”)—now control the five-

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25 ¹ “LGBTQ” is an abbreviation for lesbian, gay, bisexual, transgender, queer or questioning,
26 intersex, asexual, and more. These terms are used to describe a person’s sexual orientation or gender
identity or expression, also sometimes referred to as “LGBTQ+” and “LGBTQIA.”

27 ² See Office of Governor Gavin Newsom, “California Bans Book Bans and Textbook
28 [Censorship in Schools](https://www.gov.ca.gov/2023/09/25/california-bans-book-bans-and-textbook-censorship-in-schools/)” (Sept. 25, 2023), <https://www.gov.ca.gov/2023/09/25/california-bans-book-bans-and-textbook-censorship-in-schools/>.

1 member Board. Each of these Board members is a white male with deeply held Christian beliefs
2 that they have weaponized to oppose diversity and LGBTQ inclusion in public education. They are
3 staunch believers in and vocal advocates of “East County Values,” which they have unequivocally
4 defined as being anti-LGBTQ and “anti-woke.”³ Meaning, even though California has clear anti-
5 discrimination laws, the majority board members believe they are above the law and can impose a
6 Christian, anti-LGBTQ agenda on GUHSD’s students and staff.

7 3. As discussed below, the Anti-LGBTQ Board Members did not act alone. With the
8 assistance of their co-conspirators—including their private attorney, John Wayne Howard (“Mr.
9 Howard”), and his former paralegal turned District administrator, Jerry Hobbs (“Mr. Hobbs”)—they
10 engaged in deceptive and fraudulent schemes to manipulate elections, mislead voters, and
11 unlawfully obtain and retain control of the GUHSD Board. Once in power, the Anti-LGBTQ Board
12 Members made their discriminatory agenda unmistakably clear. They have unashamedly displayed
13 their anti-LGBTQ views in open public board meeting sessions and in internal text messages and
14 emails later revealed through media reporting.⁴ In direct violation of California anti-discrimination
15 laws, the Education Code, and GUHSD’s own policies, they launched a coordinated campaign to
16 purge the District of LGBTQ-affirming programs and personnel. Their actions include, among other
17 things: banning books with LGBTQ content; terminating a long-standing relationship with a mental
18 health provider solely because it served LGBTQ youth; canceling programs that included LGBTQ-
19 related materials; inserting church-created lessons into school curricula; interfering with hiring
20 decisions to exclude candidates perceived as “woke” or LGBTQ-supportive; targeting such
21 educators with sham investigations; and taking adverse employment actions against staff—

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24 ³ “Anti-woke” is a term used by opponents of anti-discriminatory social movements to
25 mockingly imply that “wokeness” is insincere performative activism. The term is used to mock the
26 pro-diversity community for being “woke” on social injustice as if discrimination, prejudice, and
27 social injustice in the United States is artificial.

28 ⁴ Lest there be any doubt of their discriminatory bias, one need only watch the videotaped
board meetings on July 20, 2023, August 14, 2023, and August 30, 2023, among others. *See* GUHSD
Board Meeting Videos, <https://vimeo.com/user19457081> (last visited Apr. 9, 2026). Board meetings
are generally to be open to the public. Gov’t Code §54954.3.

1 including Ms. Peling—who identify as LGBTQ, support LGBTQ students, or do not adhere to
2 Christian beliefs.

3 4. Ms. Peling is a member of the LGBTQ community, a Tibetan Buddhist woman, and
4 an advocate for LGBTQ students and staff. She served GUHSD for over four years in exemplary
5 fashion. Unfortunately, she is one of the many victims of the Anti-LGBTQ Board Members’
6 discriminatory campaign.

7 5. Beginning in or around late 2023, Ms. Peling became the target of a coordinated
8 campaign of discrimination, harassment, and retaliation orchestrated by the Anti-LGBTQ Board
9 Members and their co-conspirators. Despite her spotless performance as a Director II in the Special
10 Education Department, she was subjected to two successive reductions-in-force (“RIFs”)—in
11 March 2024 and March 2025—resulting in her demotion from Director to Vice Principal and then
12 to classroom teacher. She was denied compensation for work she performed and selectively
13 excluded from reinstatement opportunities while similarly situated employees were restored to their
14 prior positions. These actions were motivated by her sexual orientation, her non-Christian beliefs,
15 and her advocacy for LGBTQ students.

16 6. For Ms. Peling, the District’s pattern of discrimination destroyed the possibility of
17 continued employment without self-erasure—ending a career built over years of service, silencing
18 her advocacy, and subjecting her sexual orientation to stigma and shame. This case is not an isolated
19 incident. Similar discriminatory actions have been documented in related litigation, including the
20 case of GUHSD’s former Director of Special Education Rose Tagnesi—Ms. Peling’s supervisor—
21 who was also targeted for being a lesbian and for supporting LGBTQ staff and students, and the
22 cases of nine former GUHSD librarians whose positions were eliminated because of their LGBTQ
23 advocacy, opposition to book bans, and support for inclusive curricula. The cumulative effect of this
24 hostile work environment targeting Ms. Peling and her colleagues created intolerable working
25 conditions that forced Ms. Peling’s constructive discharge on or around October 3, 2025.

26 7. To redress the harms suffered, Ms. Peling brings claims against Defendants for: (1)
27 discrimination based on sexual orientation, gender identity, gender expression, religion or the
28 intersection or combination of those characteristics in violation of the Fair Employment and Housing

1 Act (“FEHA”), Government Code §12940(a); (2) discrimination in violation of Government Code
2 §11135; (3) retaliation for reporting and opposing discrimination in violation of the FEHA,
3 Government Code §12940(h); (4) harassment based on sexual orientation, gender identity, gender
4 expression, religion or the intersection or combination of those characteristics in violation of the
5 FEHA, Government Code §12940(j); (5) failure to prevent discrimination, harassment, and
6 retaliation in violation of the FEHA, Government Code §12940(k); (6) retaliation in violation of
7 Labor Code §1102.5; (7) political discrimination in violation of Labor Code §§98.6(a), 1101, and
8 1102; (8) constructive discharge in violation of public policy; (9) unlawful serial meetings / private
9 deliberations in violation of the Ralph M. Brown Act, Government Code §§54950, *et seq.*; (10)
10 violation of free speech rights under the California Constitution, Article I, §2(a); (11) declaratory
11 relief under Code of Civil Procedure §1060; and (12) injunctive relief.

12 JURISDICTION AND VENUE

13 8. The Superior Court of the State of California has jurisdiction over this action
14 pursuant to Article VI §10 of the California Constitution because this case is a cause not given by
15 statute to other trial courts. Federal jurisdiction does not exist in this case because there is no federal
16 question implicated and because there is not complete diversity of citizenship.

17 9. This Court has personal jurisdiction over Defendants because Defendants do
18 business in, and conduct a substantial amount of business within, the State of California. During the
19 relevant period, Defendants did sufficient business in, had sufficient contacts with, and intentionally
20 availed themselves of the laws and markets of California through the operation of GUHSD, as to
21 render exercise of jurisdiction by California courts permissible. The violations of law described
22 hereinafter were carried out within the County of San Diego, State of California.

23 10. Venue is proper in the County of San Diego in accordance with Code of Civil
24 Procedure §§395 and 395.5 because Defendants hired Ms. Peling to work in this County, and many
25 of the acts and practices giving rise to Ms. Peling’s claims occurred in this County.

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1 **THE PARTIES**

2 **Plaintiff**

3 11. Plaintiff Tenzin Jangchub Peling is a natural person, over 18 years old, residing in
4 the State of California. Ms. Peling was an employee of GUHSD from on or about March 29, 2021,
5 until her constructive discharge on or around October 3, 2025, during which time Ms. Peling was a
6 resident of and performing services for GUHSD and the GUHSD Board in the County of San Diego,
7 State of California. Ms. Peling, a lesbian and non-Christian Tibetan Buddhist, is a member of a
8 protected class within the meaning of the California Fair Employment and Housing Act,
9 Government Code §12940, *et seq.* (“FEHA”), because of her sex, sexual orientation, religion, and
10 protected activity.

11 12. At relevant times, Ms. Peling was a certificated “public school employee” within the
12 meaning of the Educational Employment Relations Act (“EERA”), Government Code §3540.1(j).

13 **Defendants**

14 13. Defendant GUHSD is a “public school employer” within the meaning of the EERA,
15 Government Code §3540.1(k), with its principal place of business at 1100 Murray Drive, El Cajon,
16 California, 92020. GUHSD receives funds directly by the state, and/or receives financial assistance
17 from the state. GUHSD is subject to Title 2 of the Education Code, §§33000-650001. During the
18 relevant period, GUHSD was an “employer” of Ms. Peling within the meaning of the FEHA,
19 Government Code §12926(d) (employer includes “the state or any political or civil subdivision of
20 the state, and cities”).

21 14. Defendant GUHSD Board is a “public school employer” or “employer” within the
22 meaning of EERA, Government Code §3540.1(k), and the FEHA. Every school district shall be
23 “under the control of a board of school trustees or a board of education,” and the “governing board
24 of each school district shall prescribe and enforce rules *not inconsistent with the law.*” Cal. Educ.
25 Code §35010(a), (b) (emphasis added). Further, the governing board of any “school district may
26 initiate or carry on any program, activity, or may otherwise act in any manner *which is not in conflict*
27 *with or inconsistent with*, or preempted by, *any law* and which is not in conflict with the purposes
28 for which school districts are established.” Cal. Educ. Code §35160 (emphasis added); *see also* Cal.

1 Educ. Code §§35160.1, 35161, 35166. The “governing board may sue and be sued.” Cal. Educ.
2 Code §35162; *see Essah v. Governing Bd. of the L.A. Unified Sch. Dist.*, No. EDCV 20-2628-FWS
3 (AGR), 2023 U.S. Dist. LEXIS 114461, at *8-9 (C.D. Cal. Feb. 23, 2023) (“California law makes
4 clear that the Board is the District for the purposes of litigation.”) (citation omitted).

5 15. From the start of Plaintiff’s employment at GUHSD through 2023, the GUHSD
6 Board consisted of the following members: (1) Dr. Gary Woods (President, Area 3 Trustee); (2)
7 Robert Shield (Vice President, Area 4 Trustee); (3) Jim Kelly (Member, Area 5 Trustee); (4) Chris
8 Fite (Member, Area 1 Trustee); and (5) Elva Salinas (Member, Area 2 Trustee). Beginning in 2024
9 and continuing to the present, Scott Eckert (Clerk, Area 2 Trustee) replaced Elva Salinas as the Area
10 2 Trustee.

11 16. The GUHSD Board members, as well as the current and former GUHSD
12 Superintendents and current and former GUHSD Directors during the relevant period, were
13 “supervisors” of Ms. Peling within the meaning of the FEHA, Government Code §12926(t), because
14 they had the authority, in the interest of GUHSD and the GUHSD Board, to hire, transfer, suspend,
15 lay off, recall, promote, discharge, assign, reward, or discipline Ms. Peling or the responsibility to
16 direct her, or to adjust her grievances, or effectively to recommend that action. In connection with
17 the foregoing, the exercise of that authority was not of a merely routine or clerical nature, but
18 required the use of independent judgment. The Anti-LGBTQ Board Members were responsible for
19 taking harassing, discriminatory, and retaliatory adverse employment actions against Ms. Peling.

20 17. Defendants engaged in the acts alleged herein and/or condoned, permitted,
21 authorized, and/or ratified the conduct of their employees, subcontractors, and agents, and are
22 vicariously liable for the wrongful conduct of their employees, subcontractors, and agents alleged
23 herein.

24 18. Ms. Peling does not know the true names and capacities of defendants DOES 1
25 through 25, inclusive, and therefore sues them by these fictitious names. Ms. Peling will amend this
26 Complaint to include their names and capacities once they are known. Ms. Peling is informed and
27 believes, and on that basis alleges, that each of the defendants designated as a DOE is legally
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1 responsible in some manner for the occurrences alleged in this Complaint, and unlawfully caused
 2 the injuries and damages to Ms. Peling as alleged in this Complaint.

3 19. Ms. Peling is informed and believes, and thereon alleges, that each defendant is, and
 4 at all times mentioned was, the agent, employee, or representative of each other defendant. Each
 5 defendant, in doing the acts, or in omitting to act as alleged in this Complaint, were subsequently
 6 ratified and adopted by each other defendant as principal.

7 **EXHAUSTION OF REMEDIES**

8 20. On March 9, 2026, Ms. Peling filed a charge of discrimination with the California
 9 Civil Rights Department (“CRD”) against GUHSD and the GUHSD Board. That same day, the CRD
 10 closed Ms. Peling’s case against GUHSD and the GUHSD Board and issued a Right-to-Sue letter.
 11 See Exhibit 1 attached hereto. Therefore, Ms. Peling has exhausted her administrative remedies
 12 under the FEHA.

13 21. On December 4, 2025, Ms. Peling filed her claims against GUHSD and the GUHSD
 14 Board in compliance with the requirements of the California Tort Claims Act (Government Code
 15 §§810-996.6). GUHSD and the GUHSD Board were given more than 45 days to review Ms. Peling’s
 16 claims and take action. On January 15, 2026, GUHSD and the GUHSD Board rejected Ms. Peling’s
 17 claims. As such, Ms. Peling exhausted any administrative duties under the California Government
 18 Claims Act, entitling her to pursue all her claims in Court.

19 **FACTS COMMON TO ALL CAUSES OF ACTION**

20 *Anti-Discrimination Laws and GUHSD’s Affirmative Duty to Provide a*
 21 *Non-Discriminatory Educational Environment*

22 22. GUHSD is a public school district in eastern San Diego County, California, serving
 23 high school, adult school, and regional occupational programs to students in the cities of El Cajon,
 24 Lemon Grove, La Mesa, and Santee, as well as several unincorporated communities (including
 25 Alpine, Casa de Oro, Crest, Lakeside, Rancho San Diego, and Spring Valley). GUHSD operates 13
 26 high schools. With more than 2,300 employees plus hundreds of hourly and contract staff, GUHSD
 27 is the largest employer in eastern San Diego County, serving over 16,000 students across 470 square
 28 miles.

1 23. California law establishes a clear and unequivocal mandate for equity in public
2 education. “It is the policy of the State of California to afford all persons in public schools,
3 **regardless of their . . . gender identity, gender expression, . . . religion, [and/or] sexual orientation**
4 . . . equal rights and opportunities in the educational institutions of the state.” Educ. Code §200
5 (emphasis added); *see also* Educ. Code §§220, 234.1; 5 Cal. Code Regs. §4900. California’s public
6 schools therefore have an affirmative obligation to combat racism, sexism, and other forms of bias,
7 and a corresponding responsibility to provide equal educational opportunity to all students. Educ.
8 Code §201(b); *see also* Educ. Code §202(c).

9 24. Consistent with these mandates, “**California schools must create an equitable**
10 **learning environment where all pupils, including lesbian, gay, bisexual, transgender, queer, and**
11 **questioning (LGBTQ) pupils . . . feel welcome, including through . . . the diversity of gender and**
12 **sexual orientation that reflects the lived reality of those pupils.**” Educ. Code §202(c) (emphasis
13 added); *see also* Educ. Code §220 (“No person shall be subjected to discrimination on the basis of
14 . . . gender identity, gender expression, [or] sexual orientation . . . in any program or activity conducted
15 by an educational institution that receives, or benefits from, state financial assistance, or enrolls
16 pupils who receive state student financial aid.”); Educ. Code §234(b); Cal. Const. art. I, §28(a)(7).

17 25. In addition to providing supportive school-site resources for LGBTQ students,
18 California school districts are required to ensure access to local “physical and mental health
19 providers with experience in treating and supporting LGBTQ youth.” Educ. Code §218(c)(2)(B).
20 Any “**efforts to categorically exclude topics related to . . . sexual orientation, or other protected**
21 **characteristics . . . from . . . curricula . . . constitute censorship that violates California law and**
22 **policy.**” Educ. Code §202(e) (emphasis added).

23 26. The FAIR Education Act requires that curricula and instructional materials include
24 the contributions and history of LGBTQ individuals and prohibits negative or adverse portrayals.
25 Educ. Code §§ 51204.5, 51500, 51501, 60040, 60044. Consistent with these protections, “[t]he
26 governing board of a school district . . . shall not refuse to approve or prohibit the use of any
27 textbook, instructional material, supplemental instructional material, or other curriculum for
28 classroom instruction or any book or other resource in a school library on the basis that it includes

1 a study of the role and contributions of any . . . minority individual or group,” including LGBTQ
2 individuals. Educ. Code § 243.

3 27. The “Superintendent and other state officials and agencies have the authority to
4 enforce federal and state laws that protect pupils from unlawful discrimination . . . and that require
5 local education agencies *to create an equitable learning environment for all pupils, regardless of*
6 *. . . sexual orientation.*” Educ. Code §202(f) (emphasis added). “This authority includes the power
7 to ensure that local educational agencies comply with laws supporting pupils’ right to receive
8 accurate and inclusive education in California’s schools.” *Id.*

9 28. Beyond the District’s obligations to students, California law protects school
10 employees from discrimination and retaliation in their workplace. The FEHA makes it unlawful for
11 an employer to discriminate against or harass any employee based on religion or sexual orientation,
12 among other protected characteristics. Gov’t Code §12940(a), (j). Public school employees also
13 enjoy free speech protections under the California Constitution, which provides that “[e]very person
14 may freely speak, write and publish his or her sentiments on all subjects, being responsible for the
15 abuse of this right.” Cal. Const. art. I, §2(a). These constitutional protections extend to public
16 employees’ speech on matters of public concern, including advocacy for anti-discrimination
17 policies, support for LGBTQ students and staff, and opposition to discriminatory practices in public
18 education.

19 29. Taken together, these legal frameworks ensure that school staff who advocate for
20 inclusive education, openly identify as LGBTQ, practice non-Christian faiths, or oppose
21 discriminatory practices are protected from adverse employment actions based on their protected
22 characteristics, beliefs, or speech activities.

23 30. As detailed below, GUHSD failed to meet these legal obligations. Through these
24 actions and omissions detailed below, GUHSD and the Anti-LGBTQ Board Members violated
25 California’s anti-discrimination laws and their affirmative duties to foster safe, inclusive, and
26 equitable educational environments. Multiple individuals within the District, including Ms. Peling,
27 were subjected to discrimination based on sexual orientation, gender identity, religion, and/or gender
28 expression.

The Anti-LGBTQ Board Members, Their Co-Conspirators, and Their Rise to Power over GUHSD

31. GUHSD is overseen by a five-member governing board. The day-to-day operations are to be run by the Superintendent, who is appointed by the board. While California’s Education Code provides the Superintendent shall be “the chief executive officer of the governing board of the school district” (Educ. Code §35035(a); *see also* Educ. Code §§35124, 35160.1(b)), for the last several years, the majority board members of GUHSD have acted as a four-person dictatorship without regard to the Superintendent or public opinion.

32. Since 2024, the five-member GUHSD Board has consisted of: (1) Dr. Gary Woods; (2) Jim Kelly; (3) Robert Shield; (4) Scott Eckert; and (5) Chris Fite. Four of these board members—Dr. Woods, Mr. Kelly, Mr. Shield, and Mr. Eckert—constitute the “Anti-LGBTQ Board Members” referenced throughout this Complaint. These four white males with strongly-held Christian and anti-diversity beliefs have openly advocated for “East County Values,” which they have been unequivocally defined as being anti-LGBTQ and “anti-woke.”

Anti-LGBTQ Majority Board Members

Gary Woods



Robert Shield



Jim Kelly



Scott Eckert



33. Board Member Dr. Gary Woods is the President of the GUHSD Board. He is outspokenly anti-LGBTQ, is the Executive Director of Equip Biblical Institute, which provides so-called “leadership development” in biblical studies based out of El Cajon, California, and is affiliated with the Shadow Mountain Community Church, a Baptist megachurch located in El Cajon.

1 Shadow Mountain Church is also affiliated with Christian Unified Schools, a private religious
2 school network. Dr. Woods has published several documents with the Equip Biblical Institute where
3 he has made clear he rejects secular education and science-based academia in favor of extreme
4 religious doctrine.

5 34. In his published writings, Dr. Woods states that all Christians like him are “under
6 obligation” to make the “will of Christ supreme” not only in “our own lives” but in all “human
7 society” and must oppose “*all forms of sexual immorality*” including “*homosexuality*.” Dr. Woods
8 explicitly declares that “*Marriage is the uniting of one man and one woman*” and that “a wife is
9 to submit herself graciously to the servant leadership of her husband even as the church willingly
10 submits to the headship of Christ.” Dr. Woods has also written disparagingly about atheists,
11 Muslims, women, and others, stating that Muslims force “their beliefs on others” and he suggests
12 they are “violent.” He has also published so-called “Logical-Mathematical Formulas for Students
13 and Teachers,” wherein he ascribes “*atheism*” as equaling “*delusion*,” “*purposeless*,” and
14 “*valueless*.” According to his formula: “*Marriage = Man + Wife*.”

15 35. Board Member Jim Kelly, who is anti-LGBTQ, is a member of the Skyline Church,
16 which is an evangelical Christian megachurch known for its leading role in organizing conservative
17 religious groups to support California Proposition 8, which banned same-sex marriage in California
18 before the Supreme Court’s holding in *Obergefell v. Hodges*, 576 U.S. 644 (2015). Indeed, on motion
19 by Mr. Kelly, the GUHSD Board endorsed Proposition 8 to add to the California State Constitution
20 a provision that reads: “*Only marriage between a man and woman is valid or recognized in*
21 *California*.” In supporting Proposition 8, Mr. Kelly stated: “*we need family-friendly schools*.” He
22 then compared gay couples to animals, stating: “*If same-sex marriage is allowed, then once you*
23 *start that game, why is it two people? Why can’t it be more people? Why can’t it be animals? You*
24 *destroy the institution*.” Mr. Kelly openly opined that if gay marriage was allowed, then “state
25 curriculum[s] are certain to follow” where children could learn about such rights.

26 36. Board Member Robert Shield, who is also outspokenly anti-LGBTQ, has affiliations
27 with Foothills Christian High School, a private religious institution. Like Mr. Kelly, Mr. Shield
28 endorsed Proposition 8 and joined a federal lawsuit challenging an anti-discrimination bill

1 applicable to public schools signed into law by California’s Governor in October 2007, actively
2 working with conservative groups to overturn anti-discrimination laws aimed at protecting LGBTQ
3 individuals.

4 37. To advance their anti-diversity agenda, the Anti-LGBTQ Board Members relied on
5 a “hired gun”: Dr. Woods’ close friend and personal attorney, John Wayne Howard. On information
6 and belief, Mr. Howard shares the same political and religious ties as Mr. Kelly.⁵

7 38. With Mr. Howard’s assistance, Mr. Kelly, Mr. Shield, and Dr. Woods formed a
8 campaign committee for the 2022 GUHSD general election entitled Kelly, Shields, Woods for
9 Grossmont Union High School District 2022 (the “*Kelly, Shield, Woods Campaign*”). In October
10 2022, Mr. Howard contributed at least \$2,000 to that campaign.

11 39. Immediately after the trio was re-elected on November 4, 2022, the Anti-LGBTQ
12 Board Members voted to award Mr. Howard a lucrative contract authorizing him to conduct
13 “*confidential independent*” investigations “*at any time and for any reason*” at GUHSD between
14 December 14, 2022 and June 30, 2023. Mr. Howard does not specialize in education law, and the
15 contract was awarded without any competitive bidding process. Rather, as discussed below, the Anti-
16 LGBTQ Board Members vested Mr. Howard with unbridled authority to launch discriminatory and
17 retaliatory witch hunts labeled “confidential independent” investigations to purge GUHSD of
18 employees who opposed the board majority’s anti-LGBTQ agenda.

19 40. In fiscal year 2023-2024 alone (July 1, 2023 – June 30, 2024), GUHSD paid Mr.
20 Howard \$569,137 in legal fees for so-called “Employee Investigations” – by far *the largest*
21 *expenditure of legal fees in GUHSD’s history*. On July 20, 2023, the Anti-LGBTQ Board Members
22 approved an extension of Mr. Howard’s contract for fiscal year 2023–2024, and again on June 30,
23 2024, for fiscal year 2024–2025, each time renewing the same terms and rates. Through 2024,

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25 ⁵ Mr. Howard, through his law firm JW Howard Attorneys, serially files lawsuits supporting
26 his “anti-woke,” far right-wing agenda, including by (1) representing a white male challenging
27 hiring practices by a business that hires diverse employees such as LGBTQ individuals, (2)
28 representing plaintiffs in a lawsuit brought by Donald Trump against Twitter relating to censorship
of Mr. Trump, and (3) filing several cases promoting his anti-Covid vaccination and anti-masking
views.

1 GUHSD paid Mr. Howard more than \$732,000 in legal fees for his “investigation” work to carry
2 out the Board’s anti-LGBTQ agenda.

3 41. During these so-called “Employee Investigations,” Mr. Howard was assisted by his
4 then-paralegal, Jerry Hobbs. Mr. Hobbs is a former GUHSD teacher who resigned from GUHSD
5 pending disciplinary proceedings for “persistently engaging in threatening, intimidating and
6 aggressive behavior toward numerous employees; persistently using *racist* and *sexist* slurs;
7 persistently making *racist, sexist, and grossly inappropriate comments on campus*; and, *subjecting*
8 *employees and students to an intimidating, threatening, hostile and/or offensive work and*
9 *educational environment.*” Some of the many racial and sexist slurs and comments cited in the
10 Statement of Charges against Mr. Hobbs include the N-word; “*Now that Trump is President, I’m*
11 *going to send you back to Africa*”; and “*Women belong in the kitchen, barefoot and pregnant.*”
12 The Anti-LGBTQ Board Members’ decision to entrust these investigations to an individual with this
13 documented history underscores the pretextual nature of the process and further evidences the
14 discriminatory intent underlying the investigations themselves.

15 42. In addition to the conflicts of interest stated above, the *Kelly, Shield, Woods*
16 *Campaign* engaged in fraudulent and deceptive campaign tactics in violation of the Levine Act,
17 Gov’t Code §84308 *et seq.*, to maintain their board seats. For example, the *Kelly, Shield, Woods*
18 *Campaign* circulated pamphlets falsely portraying themselves as members of the Democratic Party
19 and advancing “progressive values.” The fraudulent campaign pamphlet was intended to deceive
20 Democrat voters to maintain their power. Of course, the *Kelly, Shield, Woods Campaign* was not
21 endorsed by the San Diego Democratic Party—it was endorsed by the Republican Party of San
22 Diego and received significant monetary campaign contributions from Political Action Committees
23 (“PACs”), groups, and individuals sharing their extreme conservative political and religious
24 ideologies, including “Citizens for a Better East County,” “Reform California,” and “Continuing the
25 Republican Revolution,” among other related groups.

26 43. Board Member Scott Eckert, the fourth member of the Anti-LGBTQ Board
27 Members, is affiliated with Heritage Christian School San Diego. He was elected to the GUHSD
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1 Board in 2024 through these same—if not worse—deceptive tactics coordinated by the Anti-
2 LGBTQ Board Members and their co-conspirators.

3 44. Specifically, on July 11, 2024, the Anti-LGBTQ Board Members unlawfully
4 deployed three “decoy” political candidates (Marsha Christman, Azure Chrisawn, and Debra
5 Harrington) who were not intended to win the school board election but used solely to draw votes
6 away from the group’s progressive opposition candidates. These decoy candidates had campaign
7 statements, printed in official voter guides, that portrayed them as standing for “progressive values”
8 to appeal to Democratic voters—such as inclusion of students having a civil right of gender
9 expression, supporting use of pronouns, promoting DEI, and creating a sanctuary for all regardless
10 of race, immigration status, or sexual orientation. However, their real affiliations and social media
11 presence reflected their true values, which were anything but progressive. The decoy candidates did
12 not pay for these deceptive campaign statements—Mr. Howard secretly paid over \$3,000 for them;
13 however, neither Mr. Howard nor the decoy candidates lawfully reported Mr. Howard’s
14 contributions.⁶

15 45. The deception paid off. The decoy candidates collectively captured 34% of the vote,
16 causing the true progressive candidate to lose to Mr. Eckert. Worse, Mr. Howard contributed \$2,500
17 directly to Mr. Eckert’s campaign, and within seven months after receiving Mr. Howard’s
18 contribution, Mr. Eckert officially voted along with Mr. Kelly to prolong Mr. Howard’s
19 “Confidential Investigations” contract in blatant violation of the Levine Act.

20 46. In short, by using deceptive campaign practices, making illicit contributions, and
21 awarding unlawful pay-to-play contracts in violation of the Levine Act, the Anti-LGBTQ Board
22 Members have obtained and retained seats to carry out their unlawful discriminatory agenda —
23 including the campaign waged against Ms. Peling.

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26 ⁶ See generally Kristen Taketa, ‘Ghost’ Candidates, Pay-to-Play Accusations: Grossmont
27 School Board Critics Say Messages Suggest ‘Wildly Unethical’ Campaign Efforts, S.D. UNION
28 TRIBUNE, July 6, 2025, at 5:00 AM, <https://www.sandiegouniontribune.com/2025/07/06/spoiler-candidates-pay-to-play-accusations-grossmont-school-board-critics-say-messages-suggest-wildly-unethical-campaign-efforts/>.

The Anti-LGBTQ Board Members’ Discriminatory Animus and Ongoing Campaign to Cleanse GUHSD of “Woke” Supporters

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3 47. After securing control of the GUHSD Board, the Anti-LGBTQ Majority Board
4 Members launched a coordinated campaign to remove people, programs, and materials that did not
5 conform to their discriminatory ideology. Their efforts targeted not only LGBTQ individuals, but
6 also employees and programs they perceived as advancing a “trans militant agenda” or being
7 “woke.” This campaign fostered a hostile work environment that affected Ms. Peling and other
8 employees who supported LGBTQ students and inclusive education.

9 48. Beginning in or around 2022, GUHSD intentionally refused to commit to or adopt
10 clear and transparent book-approval procedures for library collections and English and social studies
11 curricula. This refusal was deliberate and orchestrated by the Anti-LGBTQ Board majority to
12 facilitate the banning of books featuring diverse characters, inclusive themes, and LGBTQ-centered
13 stories.

14 49. On July 20, 2023, at the direction of the Anti-LGBTQ Board Members, GUHSD
15 terminated its decades-long contract with San Diego Youth Services (“SDYS”), a nonprofit
16 organization that provided critical mental health services to District students. The stated reason for
17 the termination was that SDYS served LGBTQ students and supported gender identity–related
18 issues. During the Board meeting, Dr. Woods expressly stated that GUHSD needed mental health
19 providers aligned with “East County Values,” making clear that support for LGBTQ youth was
20 inconsistent with those values. Community members widely protested this decision at Board
21 meetings on August 14 and August 30, 2023, but the Anti-LGBTQ Board Members refused to
22 reverse course.

23 50. Before the start of the 2023/2024 school year, GUHSD hosted its annual professional
24 development event, known as “Learning Launch,” for teachers. The event was scheduled to include
25 opening remarks, a keynote address, and more than twenty teacher- and administrator-led breakout
26 sessions. Two of the planned breakout sessions focused on LGBTQ inclusivity and were titled: (1)
27 “From Surviving to Thriving/Safe Is Not Enough – Creating an LGBTQ-Inclusive Classroom,” and
28 (2) “The LGBTQ+ Friendly Classroom.”

1 51. Just three days before the event, after the final schedule had been released, the
2 Superintendent abruptly placed the event “on hold” and informed staff that the two LGBTQ-related
3 sessions had to be removed. The Superintendent explained that Board Members Jim Kelly and Dr.
4 Gary Woods were likely to attend the event, and that Board Member Robert Shield “was with the
5 other two” on LGBTQ issues, stating that “there is no openness to exploring these topics at
6 GUHSD.” Rather than allowing the LGBTQ-focused sessions to proceed, GUHSD cancelled all
7 breakout sessions for the entire event.

8 52. In November 2022, a student broke into a classroom at Granite Hills High School,
9 stole a PRIDE flag, and burned it. GUHSD leadership initially expelled the student and
10 characterized the incident as a hate crime. However, the Anti-LGBTQ Board Members later
11 intervened, reopened the matter, and removed the “hate crime” designation, signaling that anti-
12 LGBTQ conduct would be tolerated.

13 53. On information and belief, the Anti-LGBTQ Majority Board also systematically
14 interfered with hiring decisions to block candidates they perceived as LGBTQ or “woke.” Board
15 Members inserted themselves into interview processes and flagged candidates as “too woke” to
16 advance.

17 54. On information and belief, Dr. Woods personally visited school campuses and
18 questioned principals about whether they had an “LGBTQ agenda,” creating a climate of fear and
19 surveillance. One such Principal was targeted and harassed by Dr. Woods on this basis and was
20 ultimately forced out of her position following Board pressure.

21 55. In or around September 2023, GUHSD abruptly halted plans for a Resource Center
22 at Granite Hills High School that was intended to provide student support services. The project was
23 stopped without explanation after Board inquiries regarding LGBTQ-related programming.

24 56. The Board’s targeting of LGBTQ employees and allies is further documented
25 through related litigation. Rose Tagnesi, Ms. Peling’s direct supervisor and GUHSD’s Director of
26 Special Education, openly identified as a member of the LGBTQ community. After over thirty years
27 of exemplary service in the District, the Anti-LGBTQ Board Members launched a pretextual
28 confidential investigation against Ms. Tagnesi, led by Mr. Howard and Mr. Hobbs, for unspecified

1 reasons in mid-2023. On August 17, 2023, she was placed on forced administrative leave, required
2 to clear out her office, and escorted off GUHSD property. In February 2024, the Board voted to
3 demote Ms. Tagnesi based on a purported “loss of confidence in her ability to function effectively”
4 as the Director of Special Education, but never disclosed any alleged reason for the so-called loss
5 in confidence. She was ultimately forced out of the District and filed a civil action alleging
6 discrimination and retaliation based on sexual orientation. (Case No. 24CU006064C, San Diego
7 Superior Court.)

8 57. On March 12, 2024, the District proposed to layoff all GUHSD Instructional
9 Technology employees and other employees in the Educational Services department (collectively
10 “Ed Services”)—positions that championed diversity, equity, and inclusion initiatives. The Anti-
11 LGBTQ Board Members claimed the decision was due to financial necessity.

12 58. In October 2024, the Anti-LGBTQ Board Members, specifically Dr. Woods, sought
13 to replace secular, state-approved curricula with Christian-aligned materials that reflected their
14 religious ideology. Internal text messages revealed Dr. Woods' planned to freeze all library funding
15 and instead purchase the conservative Hillsdale College curriculum and Liberty University home-
16 schooling curriculum, which is Bible-based.

17 59. In December 2024, despite Mr. Hobbs' documented history of racist and sexist
18 conduct, the Anti-LGBTQ Board Members voted to approve a settlement agreement that cleared
19 Mr. Hobbs' disciplinary record and made him eligible for rehire at GUHSD. Internal emails later
20 revealed that Mr. Hobbs had drafted his own settlement agreement and inserted unauthorized
21 language granting himself tenure while turning off track changes to conceal the insertion.

22 60. In January 2025, the Anti-LGBTQ Board Members officially hired Mr. Hobbs as
23 Director I, Student and Family Engagement and Learning effective January 17, 2025, and then
24 immediately promoted him on February 6, 2025 to Chief of Staff with a salary of approximately
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1 \$187,000 per year—all without public job postings or a competitive hiring process. The position
2 was created specifically for Mr. Hobbs.⁷

3 61. In or around Spring of 2025, Mr. Hobbs proposed replacing GUHSD’s secular, state-
4 sanctioned ethnic studies curriculum. Mr. Hobbs even went so far as to prepare talking points and a
5 script for Dr. Woods to use at the board meeting to push for the replacement curriculum. In internal
6 text messages, Dr. Woods stated he would be using the curriculum adoption process as an
7 opportunity to test administrators’ “loyalty” to the Board’s ideological agenda.

8 62. On February 27, 2025, the Anti-LGBTQ Majority Board voted 4–1 to eliminate all
9 nine Teacher Librarian positions in the District. These librarians had advocated for LGBTQ students,
10 requested approval of books with LGBTQ themes, displayed Pride symbols, and publicly opposed
11 the Board’s discriminatory policies. The GUHSD teachers’ union, Grossmont Education
12 Association, CTA/NEA, filed an Unfair Practice Charge to the Public Employment Relations Board
13 on behalf of the nine librarians on November 7, 2025, based on these facts as well as the deceptive
14 campaign practices of the Anti-LGBTQ Board Members. The nine librarians also filed claims
15 pursuant to the Government Claims Act against the District on November 13, 2025.

16 63. The Board’s escalating discriminatory campaign and the resulting public outcry drew
17 media scrutiny. On June 13, 2025, the *San Diego Union-Tribune* published an exposé detailing the
18 actions of the Anti-LGBTQ Majority Board. The article relied on records obtained through
19 California Public Records Act (“CPRA”) requests, including emails and text messages showing that
20 Board Members and their co-conspirators held serial meetings outside of public view in violation
21 of the Ralph M. Brown Act to coordinate personnel decisions and predetermine outcomes. These
22 secret “war room” meetings took place at, among other locations, a Denny’s restaurant on Navajo
23 Road in El Cajon.

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26 ⁷ After Mr. Hobbs’ settlement manipulation and hiring scheme were exposed by media
27 reporting in May 2025, he was forced to resign but still received a \$186,878.75 settlement payout.
28 *See, e.g.,* Kristen Taketa & Jemma Stephenson, *Years Before Grossmont Hired Him as a Top
Administrator, He Was Disciplined for Racial Slurs, Sexism*, S.D. UNION TRIBUNE, May 13, 2025,
at 7:38 PM, <https://www.sandiegouniontribune.com/2025/05/13/years-before-grossmont-hired-him-as-a-top-administrator-he-was-disciplined-for-racial-slurs-sexism/>.

1 64. The public records further revealed explicit animus toward LGBTQ-supportive staff.
2 Text messages show Anti-LGBTQ Board Members and their allies targeting librarians for their
3 perceived “anti-Board” views and for supporting what they described as “*woke books that affirm*
4 *the crazy ideas of confused teenagers.*” Other messages among the Anti-LGBTQ Board Members,
5 Mr. Hobbs, and intermediaries included statements such as “*RIF RIF RIF!!!*,” calls to “*end DEI!*,”
6 and discussions about freezing library funds and micromanaging purchases to eliminate materials
7 deemed inconsistent with “*East County Values.*”

8 65. This documented pattern of discrimination, retaliation, and coordinated targeting of
9 LGBTQ employees and allies created the hostile environment in which Ms. Peling worked. Her
10 experience was not isolated, but part of a broader, systematic campaign—reflected in multiple
11 lawsuits, public records, and media coverage—showing deliberate coordination between the Anti-
12 LGBTQ Board Members, Mr. Howard, and Mr. Hobbs to purge GUHSD of staff who did not
13 conform to their discriminatory “East County Values.”

14 ***Ms. Peling’s Professional Background and Commitment to Inclusive Education***

15 66. It was within this environment of escalating hostility toward inclusive education that
16 Ms. Peling served as a highly visible administrator, advocate, and ally.

17 67. Ms. Peling is a special education professional with extensive experience serving
18 students with disabilities. She holds a Bachelor of Arts in Liberal Studies, a Master of Arts in
19 Education, and an Administrative Services Credential. Ms. Peling also holds a California Special
20 Education Teaching Credential and has specialized training in moderate and severe disabilities.

21 68. Before joining GUHSD, Ms. Peling served in leadership roles within San Diego
22 Unified School District, including as a Lead Teacher and administrative designee at Whittier K–12
23 High School. She also supported the development and implementation of district-wide resources to
24 assist special education teachers in delivering distance learning to students with disabilities in
25 response to the emergency school closures during the COVID-19 pandemic. She supervised staff,
26 led complex IEP meetings involving advocates and attorneys, and represented the District on behalf
27 of her school site in mediations and due process hearings. Her supervisors consistently praised her
28 leadership, legal knowledge, and ability to collaborate with families and stakeholders.

1 69. GUHSD hired Ms. Peling on March 29, 2021, as a Program Specialist in the Special
2 Education Department. Based on her exceptional performance, GUHSD promoted her effective
3 August 1, 2022, to Director II, Special Education. In that role, Ms. Peling oversaw Adult Transition
4 Programs, Community-Based Instruction across fourteen school sites, the Special Education Career
5 Connections program, and special education services at the District’s two charter schools and the
6 community-based Tailored Adult Student Services program.

7 70. Throughout her employment, GUHSD issued Ms. Peling annual written performance
8 evaluations. In every evaluation, she received ratings of “Meets Standards” or “Satisfactory” in all
9 categories, with consistently positive feedback from her supervisors, including Ms. Tagnesi, former
10 Director I of Special Education.

11 71. Ms. Peling is a Tibetan Buddhist woman. Ms. Peling’s name, Tenzin Jangchub
12 Peling, translates to “The holder of Buddha Dharma” in Tibetan. Throughout her employment at
13 GUHSD, Ms. Peling was open with colleagues who asked about her unusual name, including that
14 she is Tibetan and Buddhist.

15 72. Likewise, Ms. Peling is a proud member of the LGBTQ community. She brought her
16 girlfriend to district events and posted publicly about their relationship on social media accessible
17 to colleagues. She wore a “You Are Safe With Me” LGBTQ pin daily and visibly displayed LGBTQ
18 support during meetings at which the Anti-LGBTQ Board Members were actively discussing
19 eliminating staff positions.

20 ***Ms. Peling Is Targeted by the Anti-LGBTQ Board Members and Their***
21 ***Conspirators with Multiple Sequential Demotions in 2024 and 2025***

22 73. As the Board intensified its campaign to oust LGBTQ employees and allies in mid-
23 2023, including against Ms. Peling’s boss, Ms. Tagnesi, Ms. Peling reasonably feared that her
24 identity and advocacy would make her a target. She was correct.

25 74. Following Mr. Howard’s pretextual investigation of Ms. Tagnesi, Mr. Howard—who
26 was acting solely as outside counsel—inserted himself into the Special Education Department,
27 including by visiting the office and participating in personnel-related decisions. At the same time,
28 Mr. Hobbs—who likewise was not a District employee and had no legitimate role—was “watching”

1 Ms. Peling throughout 2024, even though she was not under investigation and had no performance
2 issues.

3 75. On March 12, 2024, the Anti-LGBTQ Board Members voted to eliminate Ms.
4 Peling’s Director II, Special Education position, citing purported budgetary constraints, and issued
5 her a reduction-in-force (“RIF”) notice on March 13, 2024.

6 76. The stated justification was false. Denise Shrin, the Special Education Budget
7 Supervisor responsible for overseeing departmental funding, admitted to Ms. Peling that a Director
8 II position was still allocated in the Special Education Department’s budget, despite the RIFs and
9 contrary statements made by the Anti-LGBTQ Board Members. On information and belief, Ms.
10 Shrin is a staunch supporter of the Anti-LGBTQ Board Members. Throughout 2024, Ms. Shrin
11 openly displayed anti-LGBTQ animus, including a derogatory bumper sticker on the back of her car
12 mocking transgender and non-binary individuals.

13 77. The elimination of Ms. Peling’s Director II position—and GUHSD’s refusal to
14 reinstate her—were driven by discriminatory bias, not fiscal necessity. During her tenure in the
15 Special Education Department, Ms. Peling’s performance, budgeting, and strategic partnerships
16 generated more than one million dollars in reimbursement for District services. Within the same
17 fiscal year as Ms. Peling’s March 2024 RIF, GUHSD hired two *new* Director II employees in the
18 Special Education Department while selectively refusing to reinstate Ms. Peling.

19 78. As a result of the March 2024 RIF, Ms. Peling was demoted to Vice Principal at
20 Mount Miguel High School in August 2024. During her transition to Vice Principal, then-
21 Superintendent Mike Fowler asked her to take on additional responsibilities to support the Special
22 Education Department and ensure that services were in place for the 2024–2025 school year, as the
23 recent RIFs and Board actions had left the Department understaffed and lacking personnel with the
24 institutional knowledge necessary to prepare for the new school year. Ms. Peling was promised
25 compensation for this additional work outside her role of Vice Principal at Mount Miguel High
26 School. Ms. Peling performed the work and submitted timecards, but Assistant Superintendent of
27 Human Resources Bobbi Burkett—who was installed at the direction of the Anti-LGBTQ Board
28 Members and Mr. Hobbs—refused to pay her.

1 79. On March 12, 2025, Ms. Peling was selected for a second RIF, resulting in her
2 demotion from Vice Principal at Mount Miguel High School to a classroom teaching position with
3 a significant pay cut. District-wide, ten Vice Principals—including Ms. Peling—received RIF
4 notices. Notably, Ms. Peling’s co-Vice Principal at Mount Miguel High School was *not* selected for
5 the RIF, despite having less seniority and less administrative experience than her.

6 80. Of the ten Vice Principals who were RIF’d, three secured positions outside GUHSD
7 following their demotions. Six were reinstated to Vice Principal positions within the District. *Ms.*
8 *Peling was the only Vice Principal who was not reinstated*—despite having greater administrative
9 experience than several reinstated colleagues and a vacant Vice Principal position existing at her
10 own school site.

11 81. Around this time, Ms. Peling engaged in protected activity when she raised concerns
12 about student safety and compliance with federal immigration enforcement practices. Multiple
13 teachers reported to Ms. Peling that they lacked clear guidance on how to respond if Immigration
14 and Customs Enforcement (“ICE”) stopped them while supervising students during Community
15 Based Instruction (“CBI”)—an educational program that teaches students with disabilities to
16 navigate workplaces, public transportation, and appropriate social behaviors in the community. The
17 absence of District guidance caused teachers to pause CBI trips, creating potential compliance issues
18 with Individualized Education Program (“IEP”) implementation and parent concerns.

19 82. In or around February 2025, Ms. Peling raised the issue to District leadership. She
20 discussed the matter with Special Education Department management. At their request, Ms. Peling
21 drafted recommendations to the Special Education Department and District leadership that remained
22 broad, complied with existing CBI procedures, and addressed how staff should respond to student
23 disclosures and any encounter with law enforcement or officials attempting to enforce immigration-
24 related documentation while students were under District supervision. When Ms. Peling received
25 no response from the central office regarding this safety concerns, she provided her team with
26 guidance to support staff and families questions about this matter and to get the CBI activities
27 resumed for the students’ benefit. Ms. Peling’s advocacy sought to protect vulnerable students and
28 ensure compliance with legal obligations—protected activity under California law.

1 83. Several months later, on or around May 19, 2025, Ms. Peling engaged in protected
2 whistleblowing when she reported to Ms. Burkett serious concerns about improper guidance
3 provided by HR Director I Jessica Merschtina—another favored appointee of and conspirator with
4 the Anti-LGBTQ Board Members—regarding a parent complaint involving disability harassment
5 of a student. After a parent raised allegations of verbal abuse and disability-based harassment by a
6 paraeducator, Ms. Peling sought guidance from Ms. Merschtina, who improperly advised that no
7 investigation was required because the email was not an “official complaint” and then failed to direct
8 the parent to any complaint process. Recognizing that this response violated the District’s
9 obligations under the ADA, FEHA, and the Education Code, Ms. Peling reported Ms. Merschtina’s
10 conduct to Ms. Burkett and continued to follow up on the parent’s complaint pursuant to standard
11 procedure. Ms. Burkett ignored Ms. Peling’s report. This failure to act on a whistleblower report
12 concerning disability discrimination reflects Defendants’ deliberate indifference and retaliatory
13 pattern toward Ms. Peling for advocating for vulnerable students and families.

14 84. On October 3, 2025, after enduring two consecutive demotions, selective non-
15 reinstatement, and years of exposure to a hostile work environment targeting LGBTQ and non-
16 Christian students and staff, Ms. Peling was constructively discharged. In her resignation letter, she
17 expressly stated that the District’s actions were “improperly motivated, retaliatory, and
18 discriminatory.”

19 ***Ms. Peling Has Suffered Economic, Psychological and Professional Harm***

20 85. As a direct and proximate result of Defendants’ discriminatory and retaliatory
21 conduct, Ms. Peling has suffered substantial economic losses. These losses include past and future
22 lost wages, diminished earning capacity, and lost retirement benefits, which will continue to harm
23 her throughout her career and into retirement and amount to hundreds of thousands of dollars in
24 lifetime losses.

25 86. Defendants’ misconduct inflicted profound emotional and psychological harm on
26 Ms. Peling. She has suffered persistent anxiety, humiliation, shame, and chronic stress, accompanied
27 by physical symptoms including insomnia, teeth grinding, and ongoing stress-related pain. The
28 cumulative emotional toll forced her into isolation, straining her relationships and cutting her off

1 from loved ones. Most heartbreakingly, out of fear of further retaliation, Ms. Peling felt compelled
 2 to hide who she is—letting go of her partner’s hand in public and referring to her girlfriend as “just
 3 a friend” when encountering coworkers.

4 87. Defendants’ actions have further caused lasting damage to Ms. Peling’s professional
 5 reputation and career prospects. The discrimination derailed her career trajectory in the highly
 6 specialized field of special education administration. Her employment history now reflects a pattern
 7 of unjustified demotions rather than advancement, significantly impairing her future opportunities
 8 within the small, interconnected special education community in San Diego County.

9 **FIRST CAUSE OF ACTION**

10 **FEHA Discrimination Based on Sexual Orientation, Gender**
 11 **Identity, Gender Expression, Religion or the Intersection or**
 12 **Combination of Those Characteristics**
 13 **In Violation of Government Code §12940(a)**

14 **(Against All Defendants)**

15 88. Ms. Peling realleges and incorporates herein by reference each allegation in the
 16 preceding and subsequent paragraphs.

17 89. At all relevant times alleged herein, Defendants were Ms. Peling’s employer within
 18 the meaning of the FEHA, Government Code §12926(d) (“Employer” includes any person regularly
 19 employing five or more persons, or any person acting as an agent of an employer, directly or
 20 indirectly, the state or any political or civil subdivision of the state). *See also* Gov’t Code §3540.1(k)
 21 (GUHSD Board is an “employer” within the meaning of EERA).

22 90. Under the FEHA, it is unlawful “[f]or an employer, because of the . . . religious creed
 23 . . . gender identity, gender expression [or] . . . sexual orientation . . . of any person . . . to discharge
 24 the person from employment . . . or to discriminate against the person in compensation or in terms,
 25 conditions, or privileges of employment.” Gov’t Code §12940(a).

26 91. FEHA’s protections extend not only to individuals who personally possess a
 27 protected characteristic, but also to individuals who are discriminated against because of their
 28 association with, advocacy for, or perceived alignment with members of a protected class. Gov’t
 Code §12926(o) (the enumerated protected characteristics include not only a “perception that the

1 person has any of those characteristics” but also a “perception that the person is associated with a
2 person who has, or is perceived to have, any of those characteristics”); 2 Cal. Code Regs. §11022(a)
3 (“It is unlawful for an employer . . . to deny employment benefits to, harass, or intimidate any . . .
4 employee because the employer . . . disapproves generally of the . . . employee’s association with
5 individuals because they are in a category enumerated in the Act.”).

6 92. Discrimination may be based on one protected characteristic of an employee or a
7 combination of two or more protected characteristics and/or a perception that the person has any of
8 those characteristics or any combination of those characteristics. Gov’t Code §12926(o)(1). For
9 example, “when a plaintiff is claiming race *and* sex bias, it is necessary to determine whether the
10 employer discriminates on the basis of that *combination* of factors, not just whether it discriminates
11 against people of the same race or of the same sex.” *See Lam v. Univ. of Haw.*, 40 F.3d 1551, 1562
12 (9th Cir. 1994). The U.S. Equal Employment Opportunity Commission recognizes and refers to the
13 combination of multiple protected characteristics as “intersectional” discrimination – the
14 intersection of two or more protected characteristics, which may, in fact, “compound the harm” of
15 unlawful harassment and/or discrimination. *See* U.S. EEOC, Enforcement Guidance on Harassment
16 in the Workplace (Apr. 29, 2024).

17 93. As a lesbian, Buddhist woman, Ms. Peling was in multiple protected classes of
18 persons because of her sexual orientation and religious creed under the FEHA, Government Code
19 §12926(s). She is also a passionate ally to LGBTQ students and staff targeted by the Anti-LGBTQ
20 Board Members and co-conspirators. Defendants knew, perceived, and treated Ms. Peling as being
21 in these protected classes and/or advocating on behalf of these protected classes.

22 94. The Anti-LGBTQ Board Members, GUHSD Superintendents, and GUHSD
23 Directors were Ms. Peling’s “supervisors” as defined within the meaning of the FEHA, because they
24 had the authority, in the interest of GUHSD and the GUHSD Board, to hire, transfer, suspend, lay
25 off, recall, promote, discharge, assign, reward, or discipline Ms. Peling or the responsibility to direct
26 her, or to adjust her grievances, or effectively to recommend that action. In connection with the
27 foregoing, the exercise of that authority was not of a merely routine or clerical nature, but required
28

1 the use of independent judgment. These supervisors, among others, were responsible for taking
2 discriminatory adverse employment actions against Ms. Peling.

3 95. Defendants took several discriminatory adverse actions against Ms. Peling, including
4 subjecting her to multiple sequential demotions, selectively refusing to reinstate her, refusing to pay
5 her earned compensation, ignoring her protected whistleblower complaint, and engaging in conduct
6 that resulted in Ms. Peling's constructive discharge. Ms. Peling's sexual orientation, religion, her
7 advocacy on behalf of LGBTQ individuals and/or the intersection or combination of those
8 characteristics was a substantial motivating reason for Defendants' adverse employment actions
9 against Ms. Peling.

10 96. Ms. Peling was subjected to working conditions that violated public policy, the
11 FEHA, the Education Code, GUHSD's anti-discrimination policies, and the Anti-Discrimination
12 Laws. Defendants intentionally created and knowingly permitted these hostile working conditions.
13 Their conduct made it difficult, if not impossible, for Ms. Peling to fulfill any job position at GUHSD
14 without facing discrimination and retaliation. The working conditions were so intolerable that a
15 reasonable person in Ms. Peling's position would have had no reasonable alternative except to
16 resign. As such, on October 3, 2025, Ms. Peling was left with no choice but to resign from GUHSD
17 because of the hostile working conditions – she was constructively terminated. A “constructive
18 discharge is legally regarded as a firing rather than a resignation.” *Mullins v. Rockwell Int'l Corp.*,
19 15 Cal. 4th 731, 737 (1997) (citation omitted). Constructive discharge occurs when the employer
20 creates “working conditions that are intolerable under an objective standard, or by failing to remedy
21 objectively intolerable working conditions that actually are known to the employer.” *Id.* In other
22 words, “an employer may, in an attempt to avoid liability for wrongful termination, ‘refrain from
23 actually firing an employee, preferring instead to engage in conduct causing him or her to quit.’”
24 *Vasquez v. Franklin Mgmt. Real Estate Fund, Inc.*, 222 Cal. App. 4th 819, 826-27 (2013) (citation
25 omitted). “If the employer's conduct ‘effectively forces an employee to resign,’ this is a constructive
26 discharge, and is ‘legally regarded as a firing rather than a resignation.’” *Id.* at 827 (citation omitted).

27 97. As a proximate result of GUHSD's wrongful conduct, Ms. Peling has suffered, and
28 continues to suffer, substantial losses in earnings, earning capacity, and other benefits of

1 employment, all in an amount to be determined according to proof at the time of trial. Ms. Peling
 2 will also suffer tax consequences due to GUHSD’s failure to pay Ms. Peling money owed, which
 3 will come due in a lump sum in the future. Accordingly, Ms. Peling is entitled to an additional
 4 amount of damages to offset the tax consequences of a lump sum award for lost earnings, plus
 5 interest.

6 98. As a further proximate result of GUHSD’s wrongful conduct, Ms. Peling has
 7 suffered, and continues to suffer, humiliation, embarrassment, emotional distress, and mental
 8 anguish, all in an amount to be determined according to proof at the time of trial.

9 99. Ms. Peling is also entitled to attorneys’ fees and costs pursuant to Government Code
 10 §12965(c)(6), because of GUHSD’s wrongful conduct.

11 **SECOND CAUSE OF ACTION**

12 **Discrimination in Violation of Government Code §11135**

13 **(Against All Defendants)**

14 100. Ms. Peling realleges and incorporates herein by reference each allegation in the
 15 preceding and subsequent paragraphs.

16 101. “No person in the State of California shall, on the basis of . . . religion . . . [or] sexual
 17 orientation, be unlawfully denied full and equal access to the benefits of, or be unlawfully subjected
 18 to discrimination under, any program or activity that is conducted, operated, or administered by the
 19 state or by any state agency, is funded directly by the state, or receives any financial assistance from
 20 the state.” Gov’t Code §11135. “The protected bases used in this section include a perception that a
 21 person has any of those characteristics or that the person is associated with a person who has, or is
 22 perceived to have, any of those characteristics.” *Id.* (emphasis added).

23 102. “This article and regulations adopted pursuant to this article may be enforced by a
 24 civil action for equitable relief, which shall be independent of any other rights and remedies.” Gov’t
 25 Code §11139; *see Donovan v. Poway Unified Sch. Dist.*, 167 Cal. App. 4th 567, 594 (2008) (a victim
 26 of discrimination “need not pursue administrative or any other remedies prior to, or instead of,
 27 bringing an action for equitable relief, nor would any victim be required to elect one remedy”)

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1 (quoting Assem., 3d reading analysis of Assem. Bill No. 677 (2001–2002 Reg. Sess.) as amended
2 Apr. 25, 2001, p. 3).

3 103. Defendants’ programs and activities are conducted, operated, and/or administered by
4 the state or by a state agency, and/or they are funded directly by the state, and/or receive financial
5 assistance from the state.

6 104. Plaintiff suffered severe, pervasive, and offensive harassment and discrimination
7 because of her sexual orientation and/or non-Christian faith which effectively deprived Plaintiff of
8 the right of equal access to benefits and opportunities. Defendants had actual knowledge of the
9 harassment and discrimination, but acted with deliberate indifference in the face of such knowledge.

10 105. As a proximate result of Defendants’ wrongful conduct, Ms. Peling has suffered, and
11 continues to suffer, substantial losses in earnings, earning capacity, and other benefits of
12 employment. As a further proximate result of Defendants’ wrongful conduct, Ms. Peling has
13 suffered, and continues to suffer, humiliation, embarrassment, emotional distress, and mental
14 anguish.

15 106. Accordingly, Plaintiff brings this action for the following equitable relief: (1) to have
16 Defendants’ discriminatory demotions voided, (2) to have declaratory, equitable, and injunctive
17 relief prohibiting the Anti-LGBTQ Majority Board from taking discriminatory actions, and (3) to
18 have Defendants maintain a workplace free of discrimination, harassment, and retaliation in
19 compliance with the FEHA, the Education Code, GUHSD’s anti-discrimination policies, and the
20 Anti-Discrimination Laws. Because the GUHSD Board has “control” of the school district (Cal.
21 Educ. Code §35010), they are appropriate actors to enjoin from engaging in their unlawful conduct.
22 *See Freedom from Religion Found., Inc. v. Chino Valley Unified Sch. Dist. Bd. of Educ.*, 896 F.3d
23 1132, 1141 (9th Cir. 2018).

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THIRD CAUSE OF ACTION

**FEHA Retaliation for Reporting and Opposing Discrimination
In Violation of Government Code §12940(h)**

(Against All Defendants)

107. Ms. Peling realleges and incorporates herein by reference each allegation in the preceding and subsequent paragraphs.

108. Government Code §12940(h) makes it unlawful for an employer to retaliate against, or otherwise “discriminate against any person because the person has opposed any practices forbidden” by the FEHA or because the employee “has filed a complaint, testified, or assisted in any proceeding under this part.” Gov’t Code §12940(h).

109. As set forth in greater detail, *supra*, Ms. Peling opposed the Anti-LGBTQ Board Members’ discriminatory campaign against LGBTQ staff, students and allies by wearing visible symbols of LGBTQ advocacy in response to discriminatory District actions; opposing the Conservative Trustees’ discriminatory RIFs; and advocating for colleagues targeted with discrimination. She also made protected complaints to GUHSD regarding lack of guidance related to ICE immigration stops and HR Director Jessica Merschinta’s failure to address a disability discrimination complaint at GUHSD in violation of the ADA, FEHA, and the Education Code.

110. Defendants retaliated against Ms. Peling for opposing and reporting GUHSD’s discrimination by targeting her with surveillance, demoting her in March 2024, selectively refusing to reinstate her, demoting her in March 2025, selectively refusing to reinstate her, refusing to honor promised compensation for work performed, ignoring her protected complaints, and ultimately creating conditions forcing her constructive discharge.

111. As a proximate result of Defendants’ wrongful conduct, Ms. Peling has suffered, and continues to suffer, substantial losses in earnings, earning capacity, and other benefits of employment, all in an amount to be determined according to proof at the time of trial. Ms. Peling will also suffer tax consequences due to Defendants’ failure to pay Ms. Peling money owed, which will come due in a lump sum in the future. Accordingly, Ms. Peling is entitled to an additional

1 amount of damages to offset the tax consequences of a lump sum award for lost earnings, plus
2 interest.

3 112. As a further proximate result of Defendants' wrongful conduct, Ms. Peling has
4 suffered, and continues to suffer, humiliation, embarrassment, emotional distress, and mental
5 anguish, all in an amount to be determined according to proof at the time of trial.

6 113. Ms. Peling is also entitled to attorneys' fees and costs pursuant to Government Code
7 §12965(c)(6), because of Defendants' wrongful conduct.

8 **FOURTH CAUSE OF ACTION**

9 **FEHA Harassment Based on Sexual Orientation, Gender** 10 **Identity, Gender Expression, Religion or the Intersection or** 11 **Combination of Those Characteristics** 12 **In Violation of Government Code §12940(j)**

13 **(Against All Defendants)**

14 114. Ms. Peling realleges and incorporates herein by reference each allegation in the
15 preceding and subsequent paragraphs.

16 115. It is unlawful for an employer, or another person, to harass an employee because of
17 her sexual orientation and/or her religious faith. Gov't Code §12940(j). FEHA further prohibits
18 harassment based on an employee's association with, advocacy for, or perceived alignment with
19 individuals in a protected class, including LGBTQ individuals. Gov't Code §12926(o) (the
20 enumerated protected characteristics include not only a "perception that the person has any of those
21 characteristics" but also a "perception that the person is associated with a person who has, or is
22 perceived to have, any of those characteristics"); 2 Cal. Code Regs. §11022(a) ("It is unlawful for
23 an employer . . . to deny employment benefits to, harass, or intimidate any . . . employee because
24 the employer . . . disapproves generally of the . . . employee's association with individuals because
25 they are in a category enumerated in the Act.").

26 116. "Loss of tangible job benefits shall not be necessary in order to establish
27 harassment." Gov't Code §12940(j). Also, the "existence of a hostile work environment depends
28 upon the totality of the circumstances and a discriminatory remark, even if not made directly in the
context of an employment decision or uttered by a nondecision maker, may be relevant,

1 circumstantial evidence of discrimination.” Gov’t Code §12923(c). “A single incident of harassing
2 conduct is sufficient to create a triable issue regarding the existence of a hostile work environment
3 if the harassing conduct has unreasonably interfered with the plaintiff’s work performance or created
4 an intimidating, hostile, or offensive working environment.” Gov’t Code §12923(b).

5 117. California courts evaluate harassment claims based on the totality of the
6 circumstances, and do not require plaintiffs to disaggregate discriminatory conduct by protected
7 category. *See, e.g.*, Gov’t Code §12923(a). Like discrimination, harassment under the FEHA may
8 be based on one protected characteristic or the intersection of multiple protected characteristics,
9 including an employer’s perception that an employee possesses one or more such characteristics.
10 Gov’t Code §12926(o)(1). Where harassment is motivated by a combination of protected traits, the
11 proper inquiry is whether the conduct occurred because of the intersection of those characteristics,
12 rather than whether the employer discriminated on the basis of each characteristic in isolation. As
13 the Ninth Circuit has explained, “when a plaintiff is claiming race *and* sex bias, it is necessary to
14 determine whether the employer discriminates on the basis of that *combination* of factors, not just
15 whether it discriminates against people of the same race or of the same sex.” *Lam*, 40 F.3d at 1562.
16 The U.S. EEOC likewise recognizes this form of unlawful conduct as “intersectional”
17 discrimination, meaning discrimination or harassment arising from the intersection of two or more
18 protected characteristics, which may compound the severity and harm of the misconduct. U.S.
19 EEOC, Enforcement Guidance on Harassment in the Workplace (Apr. 29, 2024).

20 118. In violation of the FEHA, Defendants, through their managing agents, including the
21 Anti-LGBTQ Majority Board, subjected Plaintiff to unwanted harassment because of her own
22 sexual orientation and religion and because of her association with and advocacy for LGBTQ
23 individuals by, among other things: creating a severe and pervasive hostile workplace, making
24 discriminatory comments, taking discriminatory actions and taking adverse employment actions
25 against her, including demoting her. The harassing conduct was severe and pervasive. *Matthews v.*
26 *Superior Court*, 34 Cal. App. 4th 598, 605 (1995) (“When the workplace is permeated with
27 discriminatory intimidation, ridicule and insult that is “sufficiently severe or pervasive to alter the
28

1 conditions of the victim’s employment and create an abusive working environment,” the law is
2 violated.”) (citation omitted).

3 119. Plaintiff considered the work environment to be hostile, intimidating, offensive,
4 oppressive, and abusive, and a reasonable person in Plaintiff’s circumstances would have had the
5 same consideration. The harassing conduct sufficiently offended, humiliated, and distressed
6 Plaintiff, and disrupted her emotional tranquility in the workplace. It affected Plaintiff’s ability to
7 perform her job as usual and otherwise interfered with and undermined Plaintiff’s personal sense of
8 well-being.

9 120. Plaintiff’s supervisors, including, without limitation, the Anti-LGBTQ Majority
10 Board, GUHSD Superintendents and GUHSD Directors, engaged in the harassing conduct. In
11 addition, GUHSD, the GUHSD Board, and their managing agents, knew or should have known of
12 the conduct and failed to take immediate and appropriate corrective action.

13 121. As a proximate result of Defendants’ wrongful conduct, Ms. Peling has suffered and
14 continues to suffer economic harm including substantial losses in earnings and job benefits, and
15 potential career opportunities, in an amount to be determined according to proof at the time of trial.
16 Ms. Peling will also suffer tax consequences due to Defendants’ misconduct, which will come due
17 in a lump sum in the future. Accordingly, Ms. Peling is entitled to an additional amount of damages
18 to offset the tax consequences of a lump sum award for lost earnings, plus interest.

19 122. As a proximate result of Defendants’ wrongful conduct, Ms. Peling has suffered and
20 continues to suffer non-economic harm including humiliation, embarrassment, loss of enjoyment of
21 life, emotional distress, and mental anguish, all in an amount to be determined according to proof at
22 the time of trial.

23 123. Ms. Peling is also entitled to attorneys’ fees and costs pursuant to Government Code
24 §12965(c)(6), because of GUHSD’s wrongful conduct.

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FIFTH CAUSE OF ACTION

**Failure to Prevent Discrimination, Harassment, and Retaliation
In Violation of Government Code §12940(k)**

(Against All Defendants)

124. Ms. Peling realleges and incorporates here by reference each allegation in the preceding and subsequent paragraphs.

125. The FEHA makes it unlawful “[f]or an employer . . . to fail to take all reasonable steps necessary to prevent discrimination and harassment from occurring.” Gov’t Code §12940(k).

126. At all relevant times, Defendants were aware of the discriminatory, retaliatory, and harassing conduct toward Ms. Peling and failed to take reasonable steps to prevent and/or correct such conduct from occurring. Thus, Defendants violated Government Code §12940(k).

127. As a proximate result of Defendants’ wrongful conduct, Ms. Peling has suffered, and continues to suffer, substantial losses in earnings, earning capacity, and other benefits of employment, all in an amount to be determined according to proof at the time of trial. Ms. Peling will also suffer tax consequences due to GUHSD’s failure to pay Ms. Peling money owed, which will come due in a lump sum in the future. Accordingly, Ms. Peling is entitled to an additional amount of damages to offset the tax consequences of a lump sum award for lost earnings, plus interest.

128. As a further proximate result of GUHSD’s wrongful conduct, Ms. Peling has suffered, and continues to suffer, humiliation, embarrassment, emotional distress, and mental anguish, all in an amount to be determined according to proof at the time of trial.

129. Ms. Peling is also entitled to attorneys’ fees and costs pursuant to Government Code §12965(c)(6), because of GUHSD’s wrongful conduct.

SIXTH CAUSE OF ACTION

Retaliation in Violation of California Labor Code § 1102.5

(Against All Defendants)

130. Ms. Peling realleges and incorporates herein by reference each allegation in the preceding and subsequent paragraphs.

1 131. California Labor Code §1102.5 prohibits an employer from retaliating against an
2 employee for disclosing information, providing information, or opposing conduct that the employee
3 reasonably believes violates state or federal law, including laws prohibiting discrimination,
4 harassment, or retaliation.

5 132. At all relevant times, Plaintiff engaged in protected activity under Labor Code
6 §1102.5 by opposing conduct she reasonably believed to be unlawful discrimination and exclusion
7 based on sexual orientation, gender identity, and LGBTQ status, including conduct that violated
8 FEHA, the California Constitution, and state and federal civil rights laws.

9 133. As set forth in greater detail, *supra*, Ms. Peling opposed the Anti-LGBTQ Board
10 Members' discriminatory campaign against LGBTQ staff, students and allies by wearing visible
11 symbols of LGBTQ advocacy in response to discriminatory District actions; opposing the Anti-
12 LGBTQ Board Members' discriminatory RIFs; and advocating for colleagues targeted with
13 discrimination. She also made protected complaints to GUHSD regarding the District's lack of
14 guidance related to ICE immigration stops and HR Director Jessica Merschinta's failure to address
15 a disability discrimination complaint at GUHSD in violation of the ADA, FEHA, and the Education
16 Code.

17 134. Plaintiff's reports and opposition were made in good faith and based on a reasonable
18 belief that Defendants' conduct was unlawful. Plaintiff was not required to prove an actual violation
19 of law to be protected under Labor Code §1102.5.

20 135. Defendants knew of Plaintiff's protected activity and perceived Plaintiff as an
21 employee who opposed LGBTQ discrimination and exclusionary practices and who supported
22 equality, equity, inclusion, and compliance with anti-discrimination laws.

23 136. Defendants retaliated against Ms. Peling for opposing and reporting GUHSD's
24 unlawful conduct by committing adverse actions against her including, but not limited to: targeting
25 her with surveillance, demoting her in March 2024, demoting her in March 2025, selectively
26 refusing to reinstate her, refusing to honor promised compensation for work performed, ignoring
27 her protected complaints and ultimately creating conditions forcing her constructive discharge.

28

1 employment, or other adverse consequences to adopt, follow, or refrain from adopting or following
2 any particular course of political action or political activity.

3 144. California Labor Code §98.6(a) makes it unlawful for an employer to discharge,
4 discriminate, retaliate, or take any adverse action against an employee because the employee
5 engaged in conduct protected under Labor Code §§101 or 1102. When read together, these statutes
6 prohibit retaliation, demotion, or termination motivated by an employee's political beliefs,
7 advocacy, or protected political activity. *See Napear*, 669 F. Supp. 3d 948; *Couch v. Morgan Stanley*
8 *& Co.*, 656 F. App'x 841, 843 (9th Cir. 2016); *Surdak v. DXC Tech.*, No. 5:22-cv-00921-SB-KK,
9 2022 U.S. Dist. LEXIS 229114 (C.D. Cal. Dec. 20, 2022).

10 145. These provisions safeguard "the fundamental right of employees in general to engage
11 in political activity without interference by employers." *Gay Law Students Ass'n v. Pac. Tel. & Tel.*
12 *Co.*, 24 Cal. 3d 458, 487 (1979). The California Supreme Court has defined "political activity"
13 broadly to include not only partisan politics, but also "the espousal of a candidate *or a cause*, and
14 some degree of action to promote the acceptance thereof by other persons." *Id.* (emphasis added).

15 146. At all relevant times, Plaintiff engaged in protected political activity within the
16 meaning of Labor Code §§1101 and 1102 by opposing and speaking out against conduct she
17 reasonably believed constituted unlawful discrimination and exclusion based on sexual orientation,
18 gender identity, gender expression and LGBTQ status, including conduct that violated FEHA, the
19 California Constitution, the California Education Code, and state and federal civil rights laws.

20 147. As set forth in greater detail, *supra*, Ms. Peling opposed the Anti-LGBTQ Board
21 Members' discriminatory campaign against LGBTQ staff, students, and allies by wearing visible
22 symbols of LGBTQ advocacy in response to discriminatory District actions; opposing the Anti-
23 LGBTQ Board Members' discriminatory RIFs; advocating for colleagues targeted due to their
24 protected status or advocacy; and objecting to policies and practices that marginalized LGBTQ
25 individuals and undermined inclusive education.

26 148. Defendants knew of Plaintiff's protected political activity and perceived Plaintiff as
27 an advocate for LGBTQ rights, inclusive education, and compliance with anti-discrimination laws.
28

1 reporting or opposing unlawful conduct under the Labor Code, Education Code and Government
2 Code.

3 156. As set forth above, Ms. Peling, as well as her LGBTQ colleagues and allies, suffered
4 years of escalating harassment and discrimination by the Anti-LGBTQ Board Members and their
5 co-conspirators on the basis of her sexual orientation and non-Christian faith. She refused to
6 participate in and reported GUHSD's unlawful harassing and discriminatory conduct which
7 violated, *inter alia*, Government Code §§12940, *et seq.* As such, on October 3, 2025, Ms. Peling
8 was left with no choice but to resign from GUHSD because of the hostile working conditions – she
9 was constructively terminated. The working conditions were so intolerable that a reasonable person
10 in Ms. Peling's position would have had no reasonable alternative except to resign.

11 157. As a proximate result of GUHSD's wrongful conduct, Ms. Peling has suffered, and
12 continues to suffer, substantial losses in earnings and job benefits in an amount to be determined
13 according to proof at the time of trial.

14 158. As a further proximate result of GUHSD's wrongful conduct, Ms. Peling has
15 suffered, and continues to suffer, humiliation, embarrassment, emotional distress, and mental
16 anguish, all in an amount to be determined according to proof at the time of trial.

17 159. Ms. Peling is also entitled to costs and reasonable attorneys' fees pursuant to Code
18 of Civil Procedure §1021.5 and any other applicable provision for attorneys' fees and costs.

19 **NINTH CAUSE OF ACTION**

20 **Unlawful Serial Meetings / Private Deliberation in Violation of**
21 **the Ralph M. Brown Act (Government Code §§54950, *et seq.*)**

22 **(Against All Defendants)**

23 160. Ms. Peling hereby incorporates by reference the foregoing allegations as if fully set
24 forth herein.

25 161. The Ralph M. Brown Act ("Brown Act") embodies California's strong public policy
26 that the actions and deliberations of local legislative bodies be conducted openly and publicly, so
27 that citizens may remain informed and retain control over the instruments they have created. Gov't
28 Code §54950. Accordingly, the Brown Act mandates that all meetings of a legislative body of a

1 local agency be open and public, and prohibits the body from taking action or engaging in collective
2 deliberation outside of a properly noticed public meeting. Gov't Code §54953(a).

3 162. The Brown Act further prohibits a majority of the members of a legislative body
4 from using a series of communications, whether direct or indirect, to discuss, deliberate, or develop
5 concurrence on any item of business outside of a public meeting. Gov't Code §54952.2(b)(1). These
6 prohibitions apply regardless of the location of the communications and include in-person
7 gatherings in informal or social settings.

8 163. GUHSD is a local agency subject to the Brown Act, and its Board of Trustees is a
9 legislative body within the meaning of the Act. Gov't Code §§54951, 54952.

10 164. Based on information and belief, during the relevant period, a majority of the Board,
11 acting as an Anti-LGBTQ voting bloc, met and communicated outside of noticed public meetings,
12 including through private in-person "war room" gatherings at restaurants such as Denny's, for the
13 purpose of discussing, deliberating, and reaching agreement regarding reduction-in-force ("RIF")
14 decisions.

15 165. During these private gatherings and related communications, Board members
16 developed collective concurrence regarding which positions would be eliminated, including the
17 decision to eliminate Ms. Peling's position, before any public meeting was convened. These
18 discussions involved specific employment decisions, including the elimination of Plaintiff's
19 position and the selective refusal to reinstate her, which were later presented at public Board
20 meetings as foregone conclusions.

21 166. By engaging in private gatherings and serial communications involving a majority
22 of Board members to deliberate and reach agreement on RIF decisions, Defendants violated the
23 Brown Act's prohibition on secret meetings and serial deliberations, in violation of Government
24 Code §§54952.2(b)(1) and 54953(a).

25 167. As a direct and proximate result of Defendants' Brown Act violations, Plaintiff was
26 deprived of the transparency, accountability, and procedural protections guaranteed by law, and
27 suffered adverse employment action, including the elimination of her position and refusal to
28 reinstate her.

1 to: targeting Plaintiff with surveillance; targeting Plaintiff for elimination through reduction-in-force
2 decisions; selectively refusing to reinstate Plaintiff to available positions; refusing to pay her
3 promised compensation; and treating Plaintiff differently because of her visible LGBTQ, non-
4 Christian identity and expression.

5 175. Defendants' actions were motivated by hostility toward Plaintiff's protected
6 expression and were taken for the purpose and effect of chilling speech, discouraging open
7 expression of her LGBTQ, non-Christian identity, and signaling that employees who openly express
8 same-sex relationships or LGBTQ, non-Christian identities would suffer adverse consequences.

9 176. Defendants lacked any legitimate, compelling, or narrowly tailored justification for
10 retaliating against Plaintiff's protected expression, and their conduct was arbitrary, discriminatory,
11 and unconstitutional.

12 177. Defendants' actions violated Plaintiff's rights to free speech and expression under
13 Article I, §2(a) of the California Constitution, causing Plaintiff to suffer economic loss, emotional
14 distress, reputational harm, and loss of professional standing.

15 178. Defendants' conduct was willful, malicious, and carried out with reckless disregard
16 for Plaintiff's constitutional rights.

17 179. As a direct and proximate result of Defendants' unlawful conduct, Plaintiff has
18 suffered damages in an amount to be proven at trial.

19 180. Plaintiff seeks all available relief, including general and special damages, injunctive
20 and declaratory relief, costs, interest, and such other relief as the Court deems just and proper.

21 **ELEVENTH CAUSE OF ACTION**

22 **Declaratory Relief Under Code of Civil Procedure §1060**

23 **(Against GUHSD and DOES 1-25)**

24 181. Ms. Peling realleges and incorporates here by reference each allegation in the
25 preceding and subsequent paragraphs.

26 182. Any person interested under a written instrument or contract, or who desires a
27 declaration of his or her rights concerning another may, in cases of actual controversy relating to the
28 legal rights and duties of the respective parties, bring an original action in the superior court for a

1 declaration of his or her rights and duties. C.C.P. §1060. Plaintiff may ask for a declaration of rights
2 or duties and the court may make a binding declaration of these rights or duties. *Id.* The declaration
3 may be affirmative or negative in form and effect, and the declaration shall have the force of a final
4 judgment. *Id.* This declarative remedy is cumulative, and shall not be construed as restricting any
5 remedy, provisional or otherwise, provided by law for the benefit of any party to the action. C.C.P.
6 §1062.

7 183. An actual and present controversy exists between the parties concerning their
8 respective rights and obligations under the Brown Act, including the legality of Defendants'
9 reduction-in-force decisions and whether Defendants violated Plaintiff's statutory rights by
10 deliberating and acting outside of properly noticed public meetings.

11 184. Plaintiff therefore seeks a judicial declaration that Defendants' actions eliminating
12 Ms. Peling from the positions of Director II, Special Education in March 2024 and Assistant
13 Principal at Mount Miguel High School in March 2025 were unlawful, void, and of no force or
14 effect, and were taken in violation of the Brown Act.

15 TWELFTH CAUSE OF ACTION

16 Injunctive Relief

17 (Against GUHSD and DOES 1-25)

18 185. Ms. Peling realleges and incorporates here by reference each allegation in the
19 preceding and subsequent paragraphs.

20 186. Plaintiff seeks prospective injunctive relief to prevent Defendants from continuing
21 to engage in unlawful conduct, including violations of the Brown Act, retaliation and discrimination
22 under FEHA, and infringements of constitutional rights, as alleged herein.

23 187. As set forth above, Defendants have engaged in a pattern and practice of unlawful
24 conduct, including but not limited to: deliberating and reaching decisions outside of properly noticed
25 public meetings in violation of the Brown Act; engaging in deceptive and fraudulent campaign
26 tactics in violation of the Levine Act; targeting Plaintiff through pretextual reduction-in-force
27 decisions; retaliating against Plaintiff for protected expression and identity; and selectively refusing
28 to reinstate Plaintiff while reinstating similarly situated employees.

1 188. Unless enjoined by this Court, Defendants are likely to continue engaging in the same
2 or similar unlawful practices, causing ongoing and irreparable harm to Plaintiff and to the public
3 interest in transparent, lawful, and nondiscriminatory governance of a public school district.

4 189. Plaintiff has no adequate remedy at law to prevent Defendants' ongoing and future
5 violations. Monetary damages alone cannot remedy the loss of constitutional rights, statutory
6 protections, transparency in public governance, or the chilling effect on protected expression.

7 190. Injunctive relief is necessary to ensure Defendants' future compliance with the
8 Brown Act and Levine Act; to prevent further retaliation or discrimination against Plaintiff and
9 others similarly situated; and to protect the constitutional and statutory rights implicated by
10 Defendants' conduct.

11 191. Plaintiff therefore seeks preliminary and permanent injunctive relief, including but
12 not limited to orders requiring Defendants to: comply strictly with the open-meeting and anti-serial-
13 meeting requirements of the Brown Act; refrain from deliberating or reaching collective concurrence
14 on personnel or budgetary decisions outside of properly noticed public meetings; refrain from
15 fraudulent and deceptive campaign tactics; cease retaliatory or discriminatory practices based on
16 sexual orientation, gender identity, or protected expression; implement training for Board members
17 and District leadership regarding Brown Act compliance and anti-discrimination obligations; and
18 take all necessary steps to prevent future violations of Plaintiff's rights and the rights of other
19 employees.

20 192. The requested injunctive relief is narrowly tailored to remedy Defendants' unlawful
21 conduct, prevent its recurrence, and serve the public interest in lawful, transparent, and equitable
22 governance.

23 193. Plaintiff is entitled to injunctive relief pursuant to Government Code §§54960 and
24 54960.1, the California Constitution, FEHA, and principles of equity.

25 194. Plaintiff seeks all further relief the Court deems just and proper, including
26 enforcement of the injunction and continuing jurisdiction to ensure compliance.
27
28

1 **PRAYER**

2 WHEREFORE, Ms. Peling seeks judgment as follows:

3 A. For compensatory damages, including unpaid wages (past and future), loss of wages
4 and benefits (past and future), and emotional distress damages (past and future) according to proof
5 at trial;

6 B. For civil penalties pursuant to Labor Code §§1102.5(f) and 98.6(b)(3);

7 C. For attorneys’ fees and costs of suit pursuant to Government Code §12965(c)(6),
8 Code of Civil Procedure §1021.5, Labor Code §§1102.5(j) and 98.6(b)(1), and any other applicable
9 provision for attorneys’ fees and costs;

10 D. For pre-judgment and post-judgment interest to the extent allowable by law;

11 E. For restitution and injunctive and declaratory relief;

12 F. For an injunction restraining Defendants from continuing to engage in unlawful and
13 unfair practices; and

14 G. For such other and further relief as the Court deems just and proper.

15 **DEMAND FOR JURY TRIAL**

16 Ms. Peling demands a trial by jury on all claims.

17 Dated: April 9, 2026

HAEGGQUIST & ECK, LLP
ALREEN HAEGGQUIST (221858)
AARON M. OLSEN (259923)
ANNA C. SCHWARTZ (346268)

20
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25 Telephone: (619) 342-8000
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26 Attorneys for Plaintiff Tenzin Peling
27
28

HAEGGQUIST & ECK, LLP

EXHIBIT 1



Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

March 9, 2026

Anna Schwartz
Haeggquist & Eck, LLP, 225 Broadway, #2050
San Diego, CA 92101

RE: **Notice to Complainant's Attorney**
CRD Matter Number: 202603-33957509
Right to Sue: Peling / Grossmont Union High School District et al.

Dear Anna Schwartz:

Attached is a copy of your complaint of discrimination filed with the Civil Rights Department (CRD) pursuant to the California Fair Employment and Housing Act, Government Code section 12900 et seq. Also attached is a copy of your Notice of Case Closure and Right to Sue.

Pursuant to Government Code section 12962, CRD will not serve these documents on the employer. You must serve the complaint separately, to all named respondents. Please refer to the attached Notice of Case Closure and Right to Sue for information regarding filing a private lawsuit in the State of California. A courtesy "Notice of Filing of Discrimination Complaint" is attached for your convenience.

Be advised that the CRD does not review or edit the complaint form to ensure that it meets procedural or statutory requirements.

Sincerely,

Civil Rights Department



Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

March 9, 2026

RE: Notice of Filing of Discrimination Complaint

CRD Matter Number: 202603-33957509

Right to Sue: Peling / Grossmont Union High School District et al.

To All Respondent(s):

Enclosed is a copy of a complaint of discrimination that has been filed with the Civil Rights Department (CRD) in accordance with Government Code section 12960. This constitutes service of the complaint pursuant to Government Code section 12962. The complainant has requested an authorization to file a lawsuit. A copy of the Notice of Case Closure and Right to Sue is enclosed for your records.

This matter may qualify for CRD's Small Employer Family Leave Mediation Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Reproductive Loss Leave, or Bereavement Leave (Government Code sections 12945.2, 12945.6, or 12945.7) has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. You may contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@calcivilrights.ca.gov and include the CRD matter number indicated on the Right to Sue notice.

Please refer to the attached complaint for a list of all respondent(s) and their contact information.

No response to CRD is requested or required.

Sincerely,

Civil Rights Department



Civil Rights Department

651 Bannan Street, Suite 200 | Sacramento | CA | 95811
1-800-884-1684 (voice) | 1-800-700-2320 (TTY) | California's Relay Service at 711
calcivilrights.ca.gov | contact.center@calcivilrights.ca.gov

March 9, 2026

Tenzin Peling
225 Broadway Cir. #2050
San Diego, CA 92101

RE: Notice of Case Closure and Right to Sue
CRD Matter Number: 202603-33957509
Right to Sue: Peling / Grossmont Union High School District et al.

Dear Tenzin Peling:

This letter informs you that the above-referenced complaint filed with the Civil Rights Department (CRD) has been closed effective March 9, 2026 because an immediate Right to Sue notice was requested.

This letter is also your Right to Sue notice. According to Government Code section 12965, subdivision (b), a civil action may be brought under the provisions of the Fair Employment and Housing Act against the person, employer, labor organization or employment agency named in the above-referenced complaint. The civil action must be filed within one year from the date of this letter.

This matter may qualify for CRD's Small Employer Family Leave Mediation Program. Under this program, established under Government Code section 12945.21, a small employer with 5 -19 employees, charged with violation of the California Family Rights Act, Reproductive Loss Leave, or Bereavement Leave (Government Code sections 12945.2, 12945.6, or 12945.7) has the right to participate in CRD's free mediation program. Under this program both the employee requesting an immediate right to sue and the employer charged with the violation may request that all parties participate in CRD's free mediation program. The employee is required to contact the Department's Dispute Resolution Division prior to filing a civil action and must also indicate whether they are requesting mediation. The employee is prohibited from filing a civil action unless the Department does not initiate mediation within the time period specified in section 12945.21, subdivision (b) (4), or until the mediation is complete or is unsuccessful. The employee's statute of limitations to file a civil action, including for all related claims not arising under section 12945.2, is tolled from the date the employee contacts the Department regarding the intent to pursue legal action until the mediation is complete or is unsuccessful. Contact CRD's Small Employer Family Leave Mediation Pilot Program by emailing DRDOnlineRequests@calcivilrights.ca.gov and include the CRD matter number indicated on the Right to Sue notice.



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After receiving a Right-to-Sue notice from CRD, you may have the right to file your complaint with a local government agency that enforces employment anti-discrimination laws if one exists in your area that is authorized to accept your complaint. If you decide to file with a local agency, you must file before the deadline for filing a lawsuit that is on your Right-to-Sue notice. Filing your complaint with a local agency does not prevent you from also filing a lawsuit in court.

To obtain a federal Right to Sue notice, you must contact the U.S. Equal Employment Opportunity Commission (EEOC) to file a complaint within 30 days of receipt of this CRD Notice of Case Closure or within 300 days of the alleged discriminatory act, whichever is earlier.

Sincerely,

Civil Rights Department

1 **COMPLAINT OF EMPLOYMENT DISCRIMINATION**
2 **BEFORE THE STATE OF CALIFORNIA**
3 **Civil Rights Department**
4 **Under the California Fair Employment and Housing Act**
5 **(Gov. Code, § 12900 et seq.)**

6 **In the Matter of the Complaint of**

7 Tenzin Peling

CRD No. 202603-33957509

8 Complainant,

9 vs.

10 Grossmont Union High School District
11 1100 Murray Drive
12 El Cajon, CA 921020

13 Grossmont Union High School District Board or
14 Trustees
15 1100 Murray Drive
16 El Cajon, CA 92020

17 Respondents

18
19 **1.** Respondent **Grossmont Union High School District** is an **employer** subject to suit under
20 the California Fair Employment and Housing Act (FEHA) (Gov. Code, § 12900 et seq.).

21 **2.** Complainant is naming **Grossmont Union High School District Board or Trustees**
22 business as Co-Respondent(s).

23 **3.** Complainant **Tenzin Peling**, resides in the City of **San Diego**, State of **CA**.

24 **4.** Complainant alleges that on or about **October 3, 2025**, respondent took the
25 following adverse actions:

26 **Complainant was harassed** because of complainant's national origin (includes language
27 restrictions), religious creed - includes dress and grooming practices, sex/gender, gender
28 identity or expression, sexual orientation, other, association with a member of a protected
class, race (includes hairstyle and hair texture).

Complainant was discriminated against because of complainant's national origin
(includes language restrictions), religious creed - includes dress and grooming practices,
gender identity or expression, sexual orientation, other, association with a member of a
protected class, race (includes hairstyle and hair texture) and as a result of the

1 discrimination was terminated, laid off, forced to quit, denied hire or promotion, demoted,
2 other, denied work opportunities or assignments, denied or forced to transfer, given
3 additional work responsibilities or assignments.

3 **Complainant experienced retaliation** because complainant reported or resisted any form
4 of discrimination or harassment, participated as a witness in a discrimination or harassment
5 complaint and as a result was terminated, laid off, forced to quit, denied hire or promotion,
6 demoted, denied any employment benefit or privilege, other, denied work opportunities or
7 assignments, denied or forced to transfer, given additional work responsibilities or
8 assignments.

7 **Additional Complaint Details:** School board elections, once considered minor ballot races
8 by voters, have taken on new significance in recent years. Across the country, extreme
9 conservative and religious action groups have targeted local school board races as a means
10 to seize control of public education systems. Their objective is explicit: to dismantle diversity,
11 equity, and inclusion (“DEI”) initiatives and replace secular, inclusive curricula with
12 ideologically driven agendas hostile to LGBTQ communities. This fringe movement has
13 become so pervasive and harmful that, on September 25, 2023, California’s Governor
14 signed into law Assembly Bill (“AB”) 1078, prohibiting school boards from banning books
15 based on LGBTQ content¹ and affirmatively requiring school districts to foster equitable
16 learning environments in which all students and staff—including LGBTQ individuals— are
17 welcomed and protected. That same anti-diversity movement has taken hold in San Diego
18 County and embedded itself within GUHSD’s School Board. Four Board members—Dr.
19 Gary Woods, Jim Kelly, Robert Shield, and Scott Eckert (the “Anti-LGBTQ Board
20 Members”)—now control the five-member Board. Each of these Board members is a white
21 male with deeply held Christian beliefs that they have weaponized to oppose diversity and
22 LGBTQ inclusion in public education. They are staunch believers in and vocal advocates of
23 “East County Values,” which they have unequivocally defined as being anti-LGBTQ and
24 “anti-woke.” Meaning, even though California has clear antidiscrimination laws, the majority
25 board members believe they are above the law and can impose a Christian, anti-LGBTQ
26 agenda on GUHSD’s students and staff. As discussed below, the Anti-LGBTQ Board
27 Members did not act alone. With the assistance of their co-conspirators—including their
28 private attorney, John Wayne Howard (“Mr. Howard”), and his former paralegal turned
District administrator, Jerry Hobbs (“Mr. Hobbs”)—they engaged in deceptive and fraudulent
schemes to manipulate elections, mislead voters, and unlawfully obtain and retain control of
the GUHSD Board. Once in power, the Anti-LGBTQ Board Members made their
discriminatory agenda unmistakably clear. They have unashamedly displayed their anti-
LGBTQ views in open public board meeting sessions and in internal text messages and
emails later revealed through media reporting. In direct violation of California anti-
discrimination laws, the Education Code, and GUHSD’s own policies, they launched a
coordinated campaign to purge the District of LGBTQ-affirming programs and personnel.
Their actions include, among other things: banning books with LGBTQ content; terminating
a long-standing relationship with a mental health provider solely because it served LGBTQ
youth; canceling programs that included LGBTQ-related materials; inserting church-created
lessons into school curricula; interfering with hiring decisions to exclude candidates

1 perceived as “woke” or LGBTQ-supportive; targeting such educators with sham
2 investigations; and taking adverse employment actions against staff including Ms. Peling—
3 who identify as LGBTQ, support LGBTQ students, or do not adhere to Christian beliefs. Ms.
4 Peling is a member of the LGBTQ community, a Tibetan Buddhist woman, and an advocate
5 for LGBTQ students and staff. She served GUHSD for over four years in exemplary fashion.
6 Unfortunately, she is one of the many victims of the Anti-LGBTQ Board Members’
7 discriminatory campaign. Beginning in or around late 2023, Ms. Peling became the target of
8 a coordinated campaign of discrimination, harassment, and retaliation orchestrated by the
9 Anti-LGBTQ Board Members and their co-conspirators. Despite her spotless performance
10 as a Director II in the Special Education Department, she was subjected to two successive
11 reductions-in-force (“RIFs”)—in March 2024 and March 2025—resulting in her demotion
12 from Director to Vice Principal and then to classroom teacher. She was denied
13 compensation for work she performed and selectively excluded from reinstatement
14 opportunities while similarly situated employees were restored to their prior positions. These
15 actions were motivated by her sexual orientation, her non-Christian beliefs, and her
16 advocacy for LGBTQ students. For Ms. Peling, the District’s pattern of discrimination
17 destroyed the possibility of continued employment without self-erasure—ending a career
18 built over years of service, silencing her advocacy, and subjecting her sexual orientation to
19 stigma and shame. This case is not an isolated incident. Similar discriminatory actions have
20 been documented in related litigation, including the case of GUHSD’s former Director of
21 Special Education Rose Tagnesi—Ms. Peling’s supervisor— who was also targeted for
22 being a lesbian and for supporting LGBTQ staff and students, and the cases of nine former
23 GUHSD librarians whose positions were eliminated because of their LGBTQ advocacy,
24 opposition to book bans, and support for inclusive curricula. The cumulative effect of this
25 hostile work environment targeting Ms. Peling and her colleagues created intolerable
26 working conditions that forced Ms. Peling’s constructive discharge on or around October 3,
27 2025.

1 VERIFICATION

2 I, **Anna Schwartz**, am the **Attorney** in the above-entitled complaint. I have read the
3 foregoing complaint and know the contents thereof. The matters alleged are based on
4 information and belief, which I believe to be true. The matters alleged are based on
information and belief, which I believe to be true.

5 On March 9, 2026, I declare under penalty of perjury under the laws of the State of
6 California that the foregoing is true and correct.

7 **San Diego, CA**

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Date Filed: March 9, 2026

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