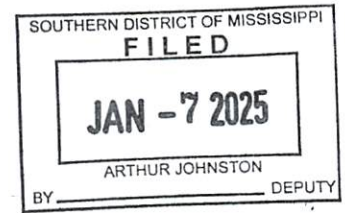


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



LINDA RUSH

PLAINTIFF

VS.

CIVIL ACTION NO. 3:25-cv-6-TSL-ASH

MARCUS THOMPSON, IN HIS INDIVIDUAL
AND OFFICIAL CAPACITIES, KYLON WINFIELD,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITIES,
AND JACKSON STATE UNIVERSITY

DEFENDANTS

COMPLAINT
JURY TRIAL DEMANDED

COMES NOW, Plaintiff Linda Rush, by and through her attorney, and files this
her Complaint, as follows:

JURISDICTION

1. This suit is authorized and instituted pursuant to the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States by and through 42 U.S.C. § 1983, Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq., and the Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621-634. Jurisdiction of the Court is invoked pursuant to 28 U.S.C. § 1331.

VENUE

2. Venue is proper pursuant to 28 U.S.C. § 1391(b). A substantial part of the events or omissions complained of by Plaintiff occurred in the Northern Division of Southern District

of Mississippi.

PARTIES

3. Plaintiff Linda Rush (hereinafter “Rush”) is an adult resident citizen of Hinds County, Mississippi.

4. Defendant Marcus Thompson (“Thompson”) is the 13th President, also known as the Institutional Executive Officer of Jackson State University (“JSU”). Thompson is being sued in his individual and official capacities. He may be served with process of this Court wherever he may be found.

5. Defendant Kylon Alford-Windfield (“Windfield”) is the Vice President of Enrollment at JSU. Alford-Windfield is being sued in his individual and official capacities. He may be served with process of this Court wherever he may be found.

6. Defendant Jackson State University (“JSU”) is a public university. JSU may be served with process by service on Lynn Fitch, Attorney General of the State of Mississippi, 450 High Street, Suite 1200, Jackson, Ms. 39201.

STATEMENT OF FACTS

7. In August of 2023, Linda Rush was named Interim Vice President for the Division of Enrollment Management. Linda Rush is a 61-year-old female. Approximately three months later, Thompson was named the 13th President of JSU by the Mississippi Board of Institutions of Higher Learning (“IHL”). Three days after Thompson’s selection as President, he travelled to ---- with Alford-Windfield and other candidates and/or graduates of the Executive PH.D in Urban Higher Education program.

8. Thompson received his PH.D in Urban Higher Education from JSU on or about

July 27, 2023. Upon information and belief, Alford-Windfield, Thompson's Kappa Alpha Psi, Inc.'s fraternity brother, was tapped on January 14, 2024 to serve as the Vice President for the Division of Enrollment Management.

9. On the same day, Thompson hired Alford-Windfield without posting the position so all qualified applicants could apply, Thompson demoted Linda Rush to the position of Executive Director of Admissions. Linda Rush's demotion came less than two months after she and Thompson discussed her interests in serving as Vice President of Enrollment Management. When meeting with Linda Rush and her team leads met with Thompson, he extolled Linda Rush's abilities and stated that Linda Rush would not be affected when he named the Vice President of Enrollment Management. Thompson stated, "Mrs. Rush is a gift to the university. Folk refer her as Miss JSU. Her contributions are invaluable. She will not be going anywhere because she is JSU."

10. After Thompson hired Alford-Windfield without posting the position so all qualified applicants could apply, Linda Rush was demoted to the position of Executive Director of Admissions. Linda Rush, however, at the direction of Alford-Windfield continued to perform the duties of the Vice President for the Division of Enrollment Management including but not limited to running the division, supervising (1) The Office of Admissions, (2) Recruitment, (3) Financial Aid, (4) C2C, (5) Communication Specialist and the (6) Office of the Registrar. Linda Rush had full autonomy of the division's focus, and day to day expectancies of each department.

11. After her demotion, Linda Rush (1) cultivated collaborative relationships with University stakeholders and external constituencies to ensure consistent strategic

enrollment updates towards enrollment success (2) Created /Completed enrollment projections report for the next three years; that provided a road map to analyze impact, revenue outcomes and to influence future strategic outcomes; (3) Kept abreast of the demographic shifts, and shrinking new-student pools; (4) Created a unique marketing tool that allowed easier access to the Admissions application; (5) Explored strategic initiatives that focused on systemic trends and challenges; (6) Analyzed, gathered, and prepared data and analytics reports – to perform data narratives while collaboratively working with academic colleges once a week; (7) Directed each division unit to create strategic and operational enrollment management plans that would assist in meeting and or exceeding strategic goals; (8) Partnered with the Budget Office to seek net tuition projections and to strategize regarding tuition and fee rates to maintain competitive advantage while communicating the value proposition of a Thee I Love education to prospective students and their parents; (9) Met with department heads every week to review progress reports provided by the division toward the goals of the strategic enrollment plan, ensuring that the division's human and financial resources are deployed effectively and efficiently in order to achieve tactical and operational goals; (10) Met with each department head once every two weeks to analyze, evaluate, assess progress, challenges, and updates on a bi-weekly as they shared their departmental reports; (11) Determined all meeting dates/ created all agendas, and led all meetings – one-one, team leads, and divisional; (12) Approved all personnel travel and other departmental time sensitive paperwork; (13) Facilitated meetings with university stakeholders regarding, technology, new division

initiative and current events on the horizons; (14) Developed and executed successful marketing campaigns and strategies for increasing enrollment to be executed through the communications department; (15) Managed marketing campaigns in regards to student financial assistance programs that address federal updates, upcoming seminars and informational workshops; (16) Advised Vice Presidents in matters related to public relations, image and enrollment trends; (17) Directed the development of the office of recruitment management plan and collaborate with other College Departments to assure that the College's image is appropriately represented in marketing materials; (18) Created and developed pipelines and other strategies to promote a more intentional competitive edge in the dynamic higher education landscape; (19) Provided leadership and direction to the enrollment management staff to carry out the strategic plan for enrollment growth and College awareness; (20) Maintained a high profile within the community, including public and private schools and area colleges and universities; (21) Met with area high school leaders, school district administrator and met with alumni chapters on a monthly basis to provide insight and updates; (22) Met with the National Alumni Second Vice President once a month – to share enrollment related information and needs of the enrollment division; (23) Attended professional development programs and seminars around Strategic Enrollment Management, Student Retention, Admissions, Student Financial Aid, Marketing and Brand Management; (24) Engaged JSU's faculty, staff, senior leadership, alumni and students bi-weekly with data and prospective reports in the recruitment process, galvanizing the many constituencies of the University to join in

helping realize enrollment goals; (25) Worked with the admissions and the academic colleges to ensure that the first impressions prospective students have of the University are first-rate and high-touch; (26) Provided directives to the Office of Recruitment regarding visitation presence, marketing materials, and recruitment strategies; (27) Attended enrollment, RNL update seminars, Inside Track meetings and other CRM fused / and or zooms meetings once a month to keep current admissions, financial aid, marketing, and retention data and trends to guide enrollment planning; (28) Worked to ensure seamless, customer-centered handling of issues that arise with regard to admissions, financial aid, C2C, recruitment and the Registrar office; (29) Continually assessed and revised the organization, systems, processes, and procedures of the division of enrollment management to improve efficiency and effectiveness; (30) Ensured the effective management of budget, personnel, technology and workflow of the division; (31) Worked with the Registrar's office, approved student enrollments on a daily basis and other necessary data, information and analysis; (32) Initiated system developments and enhancements for the Office of Registrar; and (33) Prepared Alford-Windfield's Cabinet reports and peaking notes for his Cabinet meetings.

12. Alford-Windfield occupied himself by posting "stories" almost daily on Instagram while Alford-Windfield was being compensated as though he had assumed the duties of the Vice President for the Division of Enrollment Management.

13. The position of Vice President for the Division of Enrollment Management was not the only position at JSU that Linda Rush and Alford-Windfield wanted. When Thompson

and Alford-Windfield were in the Executive Ph.D program, Alford-Windfield and Linda Rush applied for the position of Executive Director of Admissions. Linda Rush was selected for the position. Alford-Windfield was rejected. At that time, Thompson was an IHL employee.

14. Two months after Thompson was named President, things changed for Alford Windfield. Thompson named him Vice President of Enrollment Management. After allowing Linda Rush to carry out the duties of Vice President of Enrollment Management for approximately 60 days, Alford-Windfield terminated her. Alford-Windfield told Linda Rush he did not have a reason for her termination. Alford-Windfield offered to write a letter of recommendation for Linda Rush and had Linda Rush escorted from JSU's property.

15. Linda Rush worked for JSU for more than 25 years before her termination. From 2022 to July of 2023, Linda Rush served as JSU's Executive Director of Admissions and Recruitment. Linda Rush received her --- degree and ---- degree from JSU in --- and ---, respectively.

16. Alford-Windfield has worked in higher education for approximately five years in four positions at three Mississippi colleges; Mississippi Valley State University ("MVSU") and Rust College.

17. At all times relevant herein, Linda Rush had a clearly established right to be free from sex discrimination in the workplace. Linda Rush also was clearly more qualified for the position of Vice President of Enrollment than Alford-Windfield. Thompson's decision to hire Alford-Winfield without affording Linda Rush an opportunity to apply as well as selecting Alford-Windfield for the position was objectively unreasonable.

CAUSES OF ACTION

1983 SEX DISCRIMINATION

18. Linda Rush realleges all prior paragraphs of the Complaint as if set out here in full.

19. Linda Rush was clearly more qualified for the position of Vice President of Enrollment Management than Alford-Windfield when Thompson tapped him to serve in the position of Vice President of Enrollment Management. Thompson did not post the position even though he was aware of Linda Rush's interest in the position. At the time of Thompson's unlawful conduct, Linda Rush had a clearly established right to be clear of discrimination on account of her sex. The conduct of Thompson was objectively unreasonable.

20. As a result of the actions of Thompson, Linda Rush suffered damages in the past and will suffer damages in the future.

TITLE VII SEX DISCRIMINATION

21. Linda Rush realleges all prior paragraphs of the Complaint as if set out here in full.

22. Linda Rush was denied an opportunity to apply for the position of Vice President of Enrollment Management. Alford-Windfield was hired as Vice President of Enrollment Management even though Linda Rush was clearly more qualified than he was. At the time of Thompson's unlawful conduct, Linda Rush was qualified for the position and had shared her interest in the position with Thompson. Notwithstanding that, Thompson selected a male who was clearly less qualified than Linda Rush.

23. As a result of the actions of JSU, Linda Rush suffered damages in the past and will

suffer damages in the future.

AGE DISCRIMINATION

24. Linda Rush realleges all prior paragraphs of the Complaint as if set out here in full.

25. Linda Rush was clearly more qualified for the position of Vice President of Enrollment Management than Alford-Windfield when Thompson tapped him to serve in the position of Vice President of Enrollment Management. Thompson did not post the position even though he was aware of Linda Rush's interest in the position. Linda Rush was qualified for the position. Thompson selected an employee under the age of 40 years old.

26. As a result of the actions of JSU, Linda Rush suffered damages in the past and will suffer damages in the future.

DAMAGES

27. Because of the foregoing misconduct of the defendants, Linda Rush sustained pain and suffering, physical injury, great mental distress, depression, insomnia, shock, fright, and humiliation. Linda Rush has been damaged in an amount exceeding the jurisdictional requirements of this Court.

RELIEF

28. Plaintiff requests that the Court issue the following relief:

- a. Award Linda Rush prospective relief of instatement to the position of Vice President of Enrollment Management and compensatory damages for the intentional sex discrimination (Section 1983, Fourteenth Amendment) Linda Rush suffered at the hands of Thompson and Alford-Windfield in an amount to be determined by a jury of her peers;

- b. Award Linda Rush attorney fees, costs, and expenses of litigation; and
- c. Award Linda Rush such other relief to which Plaintiff may be entitled under law.

WHEREFORE PREMISES CONSIDERED, Plaintiff demands judgment against the Defendants in an amount exceeding the jurisdictional requirements of this Court, all together with the costs and disbursement action, including attorneys' fees, plus interest, and for any other relief which this Court deems just and proper.

RESPECTFULLY SUBMITTED this, the 7th of January 2025.

LINDA RUSH

By: 

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