



Cottey issues first public comments regarding discrimination suit

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By Matthew Resnick

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Lawyers for three former Cottey College basketball players, who filed a federal discrimination lawsuit against the school, said their clients were left in financial aid and enrollment limbo due to unjust actions taken by the school.

Thursday, Cottey issued its first public comments relating to the lawsuit.

"Given that the matter has proceeded to litigation, we believe commenting on the particulars would be inappropriate, except to say that there has been no unlawful treatment of our students," the press release stated.

"Cottey College is committed to equal opportunity and an inclusive college experience for all students, in the academic, athletic, and co-curricular settings. We take these matters very seriously and are committed to providing a sound, healthy campus environment for all of our students, including our student athletes."

Charged within the suit, is that after expelling black female student-athletes Breana Carter, Amalia Harris, and Dajanae Wilson in late 2015, Cottey withheld their academic transcripts, preventing them from seeking enrollment at other institutions in the spring of 2016.

"The withholding of transcripts caused my clients real problems in terms of their academic and athletic progress," said Dan Zmijewski of DRZ Law Firm in an interview with the Daily Mail.

Zmijewski and his law firm partner Chris Dove said that after their clients were expelled from their residence hall Dec. 11 2015, the three Kansas City, Mo., natives were later allowed to return to the Cottey campus in order to take final exams.

"It's a bizarre situation," Dove said. "I don't know why Cottey would have withheld their transcripts after our clients made arrangements to come back and take finals."

Although exact dates were not provided, the DRZ Law Firm attorneys said they believed the transcripts had now been released by the school.

The suit states that Cottey College receives federal funding through funds earmarked for educational expenses. The suit also noted that Cottey sponsors intercollegiate athletics, with its athletic program a member of the National Junior College Athletic Association, and therefore must adhere to Title VI of the Civil Rights Act of 1964, as well as Title XIII of the Civil Rights Act of 1968.

The suit noted that, "Cottey's officials and employees, violated Plaintiffs' rights under Title VI by discriminating against them on the basis of race."

According to an Associated Press story from July 28, "The women allege that during the 2015-16 basketball season, Stephanie Beason, (Cottey) athletic director and women's basketball coach, treated them differently than the white players. Beason also punished them more severely than white players, ridiculed them and did not give them equal playing time.

"The suit claimed Beason referred to the black players as the "Black Attack," and often divided the team into black and white players during practice. But she wouldn't play many of the black players at the same time during games, even though seven of the 13 players were black, according to the lawsuit."

A copy of the suit, emailed by Zmijewski to the Daily Mail, also alleges that, "As the season went on, Coach Beason's segregation and discriminatory treatment of African-American players began to impact team chemistry. White players stopped talking to and supporting Breana, Amalia, Dejanae and other African-American players."

Additional claims from the lawsuit include, that "Amalia self-reported to Coach Beason that she was 15 minutes late. Coach Beason told her that her punishment was to run 15 miles. Amalia had to sign a 'contract' documenting punishment. Amalia accepted the punishment based on the rules she thought applied to all players on the team."

According to the suit, Cottey Vice President of Student Life, Mary Ann Phillips, provided as the reason for expulsion was that the "Plaintiffs had repeatedly engaged in behavior that has been both disruptive and intimidating, and that has created an unreasonable risk or danger to the safety of other students."

The suit continues, "Phillips' letters ordered Dajanae, Amalia, and Breana to 'stay away from other students.' Cottey also banned them from attending or participating in all co-curricular activities, including the basketball team."

DRZ Law Firm said per the suit, no one at Cottey "ever identified any factual allegation that Dajanae, Amalia, and Breana, had engaged in even a single instance of behavior that was disruptive and intimidating and that created a risk of danger to the safety of other students."

"Our clients attended Cottey thinking they would receive their education, play basketball and have a great college experience," Zmijewski told the Daily Mail. 'But they were kicked out before the end of the first semester, and it has been personally difficult for them."

Highlighted in the suit, is that "Cottey touts its advantages in providing a women's-only education. According to Cottey, it is important for its' female students to feel more powerful and confident in themselves, inspired to get involved, and be part of a close community."

Plaintiffs are seeking damages in the amount of \$75,000 in addition to attorney fees.