

# Professors Sue Southwestern College After Relentless Retaliation Campaign for Reporting Racial Discrimination

*The tenured professors were obligated as mandatory reporters of discrimination, and reported to the Title IX department and HR, yet endured retaliation.*

CHULA VISTA, CALIFORNIA, UNI, April 12, 2024 /EINPresswire.com/ -- Two tenured professors at Southwestern College's Dental Hygiene Program have filed suit against the school after enduring a lengthy and relentless campaign of retaliation stemming from a formally filed complaint that exposed "severe and pervasive" racial discrimination at the school.

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It's tragic what these respected professors were subjected to. They spoke out against wrongdoing, but the college attempted to silence them. We intend to hold Southwestern accountable.”

*plaintiffs' attorney Arash Sadat*

The lawsuit was filed Wednesday in Superior Court of California, County of San Diego by Karen Kubischta and Dr. Linda Lukacs against Southwestern College.

“It's shocking and tragic to see what these well-respected professors, beloved by their students and valued by the

Southwestern community, were subjected to,” said plaintiffs' attorney Arash Sadat. “Not only legally, but ethically and morally. They spoke out against wrongdoing, but the college attempted to silence them rather than take responsibility. We intend to see to it that Southwestern's efforts to evade accountability will soon come to an end.”

Kubischta and Lukacs were both professors in the Southwestern College Dental Hygiene Program. After Kubischta graduated from the program in 2007 with top honors, Southwestern invited her to join the school as a part-time faculty member. Kubischta was promoted to a full-time tenured position in 2018 after stellar reviews from her tenure committee and Dean Christine Perri. Dr. Lukacs, a graduate of the NYU College of Dentistry, was recruited for a position as an adjunct professor at Southwestern in 2001, and became a full-time, tenured professor in 2008 after receiving high praise from both students and performance evaluations.

Throughout her tenure, Kubischta became increasingly disturbed by racially discriminatory comments made by Dental Hygiene Program Director Jean Honny, which Kubischta documented. Honny's comments included repeated warnings to "be careful" when dealing with African

American and Muslim students, whom she often derisively referred to as “those people,” according to the lawsuit.

Kubischta lodged a formal complaint against Honny, describing both the numerous incidents of discrimination she had witnessed, as well as her fear of potential retaliation, the complaint states. Ultimately, Kubischta’s allegations were substantiated: a months-long independent investigation concluded that Director Honny’s comments were not only offensive but also constituted “severe and pervasive” racial discrimination.

Despite this substantive verification, Southwestern’s administrators made it clear they did not support Kubischta’s reporting. After the investigation, Dean Perri, in violation of District and Education Code policies, advised Kubischta not to formally file any future complaints, but instead to handle them “in-house” -- a direct attempt to prohibit reporting to the District’s Title IX department and HR departments, according to the complaint.

In addition to direct experience, Kubischta also spoke with multiple students, who recounted harrowing accounts of racial discrimination at the school, frequently breaking down in tears as they shared their experiences, the lawsuit states.

According to the complaint, Dr. Lukacs found herself in a similar situation, with students confiding similar levels of desperation. One student said Southwestern professors “pick on their students that have an accent or dark skin. . . [and grade] us differently from white people.” Another Southwestern student was so overwhelmed, she expressed thoughts of suicide; yet another informed Dr. Lukacs that she had resorted to medication to cope.

Under the District’s Title IX Handbook, Kubischta and Lukacs were obligated as mandatory reporters of discriminatory treatment, so they addressed these issues with the Title IX department and Human Resources. Their report included 12 attachments authored by students, vividly detailing discrimination, bullying, intimidation, unwarranted physical touch, verbal abuse, and retribution.

But, according to the lawsuit, school administrators’ campaign of retribution against the two professors intensified into a toxic work environment designed to set them up for failure: abrupt and unworkable class schedule changes, refusal to reply to work-related planning and coordination emails, refusing to pay Kubischta for the completion of non-contract work which the Director and the Dean had previously approved, removing Lukacs from a class she had taught for a decade and replacing her with an inexperienced new hire, assigning Kubischta to a class she did not have the background to teach, and denying both Kubischta and Lukacs the right to teach remote classes during the height of the pandemic, a right other professors exercised freely. The retaliation culminated in Kubischta and Lukacs, on the same day being served with notices that they had been placed on administrative leave.

After the lengthy campaign of harassment and retaliation, both women had no option but to

leave their tenured positions and seek employment elsewhere, causing considerable emotional and financial harm.

The case is Karen Kubischta and Dr. Linda Lukacs v. Southwestern College, filed in Superior Court Of The State of California, County of San Diego, Case number 37-2024-00016847-CU-OE-CTL, filed 4/10/2024.

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Arash Sadat and Camron Dowlatshahi's legal expertise ranges from personal injury to complex business litigation, to employment discrimination, sexual harassment, unfair competition and more. They are founding partners of [Mills Sadat Dowlat LLP](#) of Los Angeles.

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