IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BARBARA WILLIAMS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2:26-cv-02463-DDC-JBW
	)	
RICHARD MOULIN, et al.,	)	
	)	
Defendants.	)	

PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT

Plaintiff Barbara Williams, through counsel, moves under Fed. R. Civ. P. 15(a)(2), 20, and 21 and D. Kan. Rule 15.1 for leave to file the First Amended Complaint attached as Exhibit A. A redlined version showing the changes from the original Complaint is attached as Exhibit B.

Ms. Williams filed this action pro se, using the Court's form civil complaint, before she retained counsel. Now represented, she seeks to amend so that her factual allegations and claims are fully stated and asserted against the proper parties. The proposed First Amended Complaint:

(1) restates Ms. Williams' factual allegations, which she originally filed pro se on the Court's form complaint;

(2) adds Unified School District No. 204, Wyandotte County, Kansas, as a defendant;

(3) drops Defendants Kimberly Beets, David Pierce, Jennifer McConico, Bonnie Mejean, Christopher Russell, Angela Thomas, and Nicole Gerken, the members of the District's Board of Education named in the original Complaint, as parties;

(4) asserts the First Amendment free speech retaliation claim under 42 U.S.C. § 1983 against the District and against Defendant Richard Moulin in his individual capacity (Count I);

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(5) adds a claim for retaliation in violation of the First Amendment right to petition the government (Count II); and

(6) adds a claim for deprivation of property without due process of law in violation of the Fourteenth Amendment (Count III).

Ms. Williams incorporates by reference her Memorandum in Support, filed contemporaneously.

WHEREFORE, Ms. Williams respectfully requests that the Court grant her leave to file the First Amended Complaint attached as Exhibit A, dismiss without prejudice the claims against Defendants Kimberly Beets, David Pierce, Jennifer McConico, Bonnie Mejean, Christopher Russell, Angela Thomas, and Nicole Gerken, and grant any further relief the Court deems just.

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Dated: November 24, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on November 24, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to Gregory P. Goheen, McAnany, Van Cleave & Phillips, P.A., 10 E. Cambridge Circle Drive, Suite 300, Kansas City, Kansas 66103, ggoheen@mvplaw.com, counsel for Defendants.

/s/ Maxwell E. Kautsch

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BARBARA WILLIAMS, Plaintiff, v. UNIFIED SCHOOL DISTRICT NO. 204, WYANDOTTE COUNTY, KANSAS; RICHARD MOULIN, in his individual capacity, Defendants.	)	Case No. 2:26-cv-02463-DDC-JBW

PROPOSED FIRST AMENDED COMPLAINT

Plaintiff, Barbara Williams, through counsel, states as follows for her First Amended Complaint:

NATURE OF THE ACTION

1. This is a civil rights action under 42 U.S.C. § 1983. Defendants retaliated against Ms. Williams for exercising her First Amendment rights to free speech and to petition the government. Defendants deprived Ms. Williams of property without due process of law, in violation of the Fourteenth Amendment.

2. On the morning of March 6, 2026, before her workday began, Plaintiff Barbara Williams ("Ms. Williams"), a paraprofessional at an elementary school in Unified School District No. 204 ("the District"), told a visiting member of the Kansas House of Representatives that "trans rights are human rights" and expressed her opposition to diverting taxpayer money to private schools. In a letter dated that same day ("the March 6 Letter"), the District's superintendent, Defendant Richard Moulin, suspended her without pay and recommended that the District's Board

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of Education ("the Board") terminate her. Three days later, without seeking her account of the events, the Board voted to terminate her, effective the day she spoke.

3. Ms. Williams spoke as a citizen, to a state legislator, about matters of public concern, including legislation on which the legislator had recently voted in favor. The First Amendment protects that speech. Defendants violated Ms. Williams' First Amendment rights when they suspended and terminated her because of that speech.

PARTIES

4. Ms. Williams is an adult citizen of the United States and a resident of Basehor, Kansas.

5. The District employed Ms. Williams as a paraprofessional in its Behavior Support Classroom program from January 2024 until it terminated her employment, effective March 6, 2026. Exhibit 4. She worked at Delaware Ridge Elementary School from January through May 2024. In the fall of 2024, when the District consolidated its behavior support classes at Edwardsville Elementary School ("the School") in Edwardsville, Kansas, Ms. Williams moved to the School with the teacher she supported, and she worked there until her termination.

6. Defendant Unified School District No. 204, Wyandotte County, Kansas, is a unified school district organized and existing under the laws of the State of Kansas.

7. The District may sue and be sued in its own name. K.S.A. 72-1131.

8. The District is a "person" subject to suit under 42 U.S.C. § 1983.

9. Board Policy GAA incorporates the District's Classified Non-Exempt Handbook. Exhibit 5 at 3 (2023–2024 edition). Under the Handbook, the superintendent may suspend classified employees "with or without pay until the suspension is resolved by board action," and the Board "may terminate a classified employee." *Id.* at 36. The Board therefore has final authority

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over the termination of classified employees such as Ms. Williams. The Board exercised that authority when it voted in a public meeting to terminate Ms. Williams' employment. Exhibits 3–4.

10. At all relevant times, Defendant Richard Moulin ("Defendant Moulin") was the Superintendent of Schools for the District. Under state law, a school district superintendent has "charge and control of the public schools of the school district." K.S.A. 72-1134(c). Defendant Moulin is sued in his individual capacity.

11. At all relevant times, Defendants acted under color of state law.

JURISDICTION AND VENUE

12. Ms. Williams brings this action under 42 U.S.C. § 1983 for violation of her rights under the First Amendment to the United States Constitution, as applied to the States through the Fourteenth Amendment.

13. This Court has original jurisdiction under 28 U.S.C. §§ 1331 and 1343(a)(3).

14. Venue is proper in the District of Kansas under 28 U.S.C. § 1391(b)(1) and (2) because all Defendants reside in this District and all of the events giving rise to Ms. Williams' claim occurred in this District.

FACTUAL ALLEGATIONS

Ms. Williams' position with the District

15. Ms. Williams' job duties as a paraprofessional included supporting students with behavioral challenges under the direction of the teacher she supported.

16. Ms. Williams' job duties did not include communicating with members of the Kansas Legislature, speaking on behalf of the District about legislation or public policy, hosting or escorting visitors to the School, or participating in or judging staff contests.

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17. Ms. Williams' scheduled workday began at 7:55 A.M.

18. Before March 6, 2026, the District had never disciplined Ms. Williams. Her only formal written performance evaluation, completed by her principal at Delaware Ridge Elementary School, was positive.

19. Ms. Williams is an advocate for LGBTQ+ rights. She believes that every person has inherent worth and dignity, and that ethical conduct requires empathy and action on behalf of others.

20. Nancy Julo ("Ms. Julo"), the School's principal, knew of Ms. Williams' views and advocacy before March 6, 2026. Ms. Williams and Ms. Julo often talked in the mornings before school, and their conversations included LGBTQ+ issues, such as the use of the term "lifestyle" to describe the LGBTQ+ community.

The legislative debates of early 2026

21. Representative Carolyn Caiharr (R-Edwardsville) represents Kansas House District 33, which includes Edwardsville, where the School is located.

22. In early 2026, two issues before the Kansas Legislature drew extensive public debate: legislation restricting the rights of transgender Kansans, and the use of public funds to support private schools. Representative Caiharr voted in favor of legislation addressing each issue.

23. The first was House Substitute for Senate Bill 244 ("SB 244"), which requires Kansans to use restrooms in public buildings that correspond to their sex at birth and to list their sex at birth on their driver's licenses. Governor Laura Kelly vetoed SB 244 on February 13, 2026. The Kansas Senate voted to override the veto on February 17, and on February 18, the Kansas House voted 87–37 to override. Representative Caiharr voted to override.

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24. SB 244 drew protests across Kansas, including demonstrations at the Kansas Statehouse.

25. The second was House Bill 2468, which proposed to increase the aggregate limit on the State's tax credits for donations to private school scholarship programs and opt Kansas into a related federal tax credit program. On February 12, 2026, the Kansas House passed HB 2468, with Representative Caiharr voting in favor. Opponents, including public school advocates, argued that the expanded credits would divert public tax dollars to private schools. Governor Kelly vetoed HB 2468, and there was no override vote.

26. Representative Caiharr cast votes on both bills less than a month before her March 6, 2026 visit to the School.

Ms. Williams speaks to Representative Caiharr on March 6, 2026

27. In March 2026, the School held a Read Across America door-decorating contest. (the "Contest")

28. On March 6, 2026, Representative Caiharr visited the School to judge the Contest. Exhibit 1.

29. That morning, Ms. Williams arrived at the School at approximately 7:20 a.m., 35 minutes before her workday began. She was not clocked in, was not on duty, was not performing or preparing for any mandatory work, and was not being paid for her time.

30. In the School's second-grade pod, Ms. Williams encountered Representative Caiharr, who was accompanied by Ms. Julo.

31. No students or parents were present or within earshot. Two teachers were hanging artwork in the School's main hall.

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32. Upon information and belief, neither teacher complained to the District about Ms. Williams' statements.

33. Before Ms. Williams said anything to Representative Caiharr, Ms. Julo told Ms. Williams, "[n]ow is not the time." Ms. Williams responded that now was the time.

34. Ms. Williams told Representative Caiharr that "trans rights are human rights" and expressed her opposition to diverting taxpayer money to private schools.

35. The conversation lasted three to four minutes. Ms. Williams did not shout, use profanity, threaten anyone, or block Representative Caiharr's path.

36. Representative Caiharr and Ms. Julo then walked out of the second-grade pod and turned left onto the main hall.

37. Ms. Williams walked out to the main hall and stopped to collect herself near one of the teachers hanging artwork.

38. Ms. Williams then walked toward her office, which is next to her classroom and in the same direction Representative Caiharr and Ms. Julo had gone.

39. When Representative Caiharr and Ms. Julo stopped at the next doorway, Ms. Williams stopped and said, "Trans rights are human rights." Ms. Julo told Ms. Williams to go to her classroom. This exchange lasted approximately one minute.

40. Ms. Williams continued toward her office. After she turned the corner, out of Representative Caiharr's view, she said once again, "Trans rights are human rights."

41. Ms. Williams then went to her office and worked her full scheduled day without incident.

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42. Ms. Williams' statements expressed her views on SB 244 and on the use of public funds for private schools, two matters of statewide public debate addressed by legislation on which Representative Caiharr had voted.

43. Ms. Williams spoke for herself, as a citizen. She did not purport to speak on behalf of the District, and no one at the District asked or directed her to speak to Representative Caiharr. The March 6 Letter acknowledges that Ms. Williams "was not involved in the activity," meaning Representative Caiharr's visit. Exhibit 1.

Defendant Moulin suspends Ms. Williams without pay the same day

44. Board Policy GCK, titled "Suspension" ("the Suspension Policy") provides that "[i]f a suspension without pay is imposed on a classified employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond." Exhibit 6.

45. On March 6, 2026, Defendant Moulin issued Ms. Williams the March 6 Letter suspending her without pay, which the letter describes as "administrative leave without pay," effective immediately and pending his recommendation to the Board that her employment be terminated. Exhibit 1.

46. Defendant Moulin handed Ms. Williams the March 6 Letter in Ms. Julo's office and asked her to sign it. Ms. Julo was present. Neither Defendant Moulin nor Ms. Julo asked Ms. Williams for her account of her exchange with Representative Caiharr. Ms. Williams declined to sign. Exhibits 1–2.

47. The District refers to its non-certified support staff, including paraprofessionals, as "classified" employees. Ms. Williams was a classified employee. Exhibit 4.

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48. Board Policy GAA incorporates the District's Classified Non-Exempt Handbook ("the Handbook"). Exhibit 5 at 3. Under the Handbook, the superintendent may suspend classified employees "with or without pay until the suspension is resolved by board action," and the Board "may terminate a classified employee." *Id.* at 36. The Board therefore has final authority over the termination of classified employees such as Ms. Williams. The Board exercised that authority when it voted in a public meeting to terminate Ms. Williams' employment. Exhibits 3–4.

49. The March 6 Letter states that Ms. Williams was disciplined for "expressing [her] personal opinions" to the "community guest," and that the conduct was serious because of "its impact on the integrity and reputation of the district." Exhibit 1.

50. The March 6 Letter cites the "Professionalism" expectation in the District's Classified Non-Exempt Handbook, which provides that "[a]s representatives of the district, employees will demonstrate appropriate communication skills and conduct with students, parents, and other staff members," and that employees "are expected to act and behave in a manner that promotes the integrity and reputation of the district." Exhibit 1; Exhibit 5 at 19–20. The provision does not address communications with elected officials.

51. The March 6 Letter states that Ms. Williams "continued to follow the principal and the guest down the hallway." Exhibit 1. Ms. Williams was walking to her office, a misunderstanding of intent that could have been clarified if the District's policies were followed, and Ms. Williams was granted the opportunity to be heard prior to her termination.

52. The March 6 Letter does not claim that Ms. Williams used profanity, threatened anyone, spoke in the presence of students, or failed to perform any of her job duties. Exhibit 1. The March 6 Letter does not identify nor even suggest any complaint from teachers, students, or parents related to Ms. Williams' expression on that day or any other. *Id.*

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The Board votes to terminate Ms. Williams

53. On March 9, 2026, three days after Defendant Moulin suspended Ms. Williams, the Board held a regular meeting. Exhibit 3.

54. During the meeting, the Board went into executive session "to discuss matters pertaining to non-elected personnel" and invited Defendant Moulin to attend. Exhibit 3.

55. When the Board returned to open session, it voted 6–0 to approve "the personnel report as presented." Exhibit 3. The Personnel Report listed Ms. Williams' "Termination," with her "Last Day" given as March 6, 2026, the day she spoke to Representative Caiharr. Exhibit 4.

56. The Board did not take a separate vote on Ms. Williams' termination. Her termination was one of approximately twenty personnel actions, including new hires, transfers, and resignations, that the Board approved in a single vote. Exhibits 3–4.

57. Before the Board voted, no one from the District asked Ms. Williams for her account of her exchange with Representative Caiharr or gave her an opportunity to address the Board. By making the termination effective March 6, 2026, the Board terminated Ms. Williams retroactively to the day of her suspension, before she had any opportunity to respond. Exhibits 1, 4, 6.

58. On March 11, 2026, unaware that the Board had already voted to terminate her, Ms. Williams wrote to Defendant Moulin. She explained that she had not been clocked in, had not been disruptive, had been given no opportunity to tell her side, and had been exercising her First Amendment right to express her opinion. Exhibit 2.

59. On March 16, 2026, Defendant Moulin responded by reaffirming the reasons stated in the March 6 Letter, again citing Ms. Williams' "personal opinions" and the "impact on the

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integrity and reputation of the district," and informing her that the Board "took action to terminate [her] employment." Exhibit 2.

60. Defendant Moulin's March 16 email was the only notice Ms. Williams received of her termination.

61. The District's stated reasons for suspending and terminating Ms. Williams were that her expression was "unprofessional and disruptive" and that she disregarded the principal's instructions. Exhibits 1–2.

62. Ms. Williams' statements did not interrupt any class, instruction, or student supervision; did not meaningfully interfere with the operation of the School; and did not impair Ms. Williams' ability to perform her duties or her working relationships with her colleagues.

63. Each of the District's stated reasons for Ms. Williams' termination arose from her statements that morning. The instructions she allegedly disregarded were attempts to restrict her speech.

64. Ms. Julo told Ms. Williams "now is not the time" before Ms. Williams had said anything to Representative Caiharr. Ms. Julo's instruction was an attempt to prevent Ms. Williams from speaking to Representative Caiharr.

65. The March 6 Letter does not identify "disruption" other than the speech itself. The only harm it describes is the speech's "impact on the integrity and reputation of the district." Exhibit 1.

66. Any alleged harm to the District's reputation would flow from what Ms. Williams said to Representative Caiharr.

67. Defendant Moulin knew, when he suspended Ms. Williams and recommended her termination, that he was disciplining her for her statements that morning. Defendant Moulin knew,

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when he suspended Ms. Williams and recommended her termination, that he was disciplining her for her statements that morning. Upon information and belief, the members of the Board likewise knew, when they voted to terminate her, that her termination was based on those statements.

68. Defendants would not have suspended or terminated Ms. Williams in the absence of her March 6, 2026 statements to Representative Caiharr.

Ms. Williams' injuries

69. As a result of her suspension without pay on March 6, 2026, and her termination, Ms. Williams has lost wages and benefits, including the employer's contributions to her retirement through the Kansas Public Employees Retirement System. Ms. Williams was without work from March 2026 until August 2026. Since August 2026, she has worked as a day-to-day substitute through Morgan Hunter Education, a staffing agency, earning $135 per day for the days she is assigned, without sick leave or retirement contributions.

70. As a result of her suspension and termination, Ms. Williams has suffered emotional distress, humiliation, damage to her reputation in her community, and loss of enjoyment of life.

CAUSES OF ACTION

COUNT I
First Amendment Retaliation
42 U.S.C. § 1983
(Against All Defendants)

71. Ms. Williams, incorporates the preceding paragraphs as though fully set forth herein.

72. The Tenth Circuit evaluates a public employee's First Amendment retaliation claim under the five-step analysis: (1) whether the employee spoke pursuant to her official duties; (2) whether the speech was on a matter of public concern; (3) whether the government's interests, as employer, in promoting the efficiency of the public service outweigh the employee's free speech

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interests; (4) whether the protected speech was a motivating factor in the adverse employment action; and (5) whether the defendant would have reached the same decision in the absence of the protected speech. See, e.g., *Brammer-Hoelter v. Twin Peaks Charter Acad.,* 492 F.3d 1192, 1202–03 (10th Cir. 2007); *Lincoln v. Maketa*, 880 F.3d 533, 538 (10th Cir. 2018).

73. Ms. Williams did not speak pursuant to her official duties. She spoke before her workday began, while she was off the clock, to a state legislator, about state legislation. Communicating with members of the Kansas Legislature was not among Ms. Williams' job duties.

74. Ms. Williams' speech addressed matters of public concern. Her statements concerned the civil rights of transgender people and the use of public money for private schools, both the subject of statewide legislation and public debate, and she raised them with a legislator who had voted on those matters.

75. Ms. Williams' interest in speaking outweighed any interest of the District in the efficient operation of the School. Her statements were brief, made outside her working hours, outside the presence of students and parents, and caused no disruption to instruction, student supervision, School operations, or working relationships. Any displeasure District officials felt at the viewpoint Ms. Williams expressed is not a legitimate governmental interest that can justify her suspension and termination.

76. The District's own stated reason for disciplining Ms. Williams was her speech's "impact on the integrity and reputation of the district," not any disruption of School operations, and the Professionalism provision it invoked addresses conduct with "students, parents, and other staff members," not communications with visiting legislators. Exhibit 1; Exhibit 5 at 19–20.

77. Defendants' suspension of Ms. Williams without pay and termination of her employment were each adverse employment actions. Ms. Williams' speech was a substantial or

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motivating factor in both. Defendant Moulin suspended her without pay the same day she spoke and recommended her termination, and three days later, the Board voted to terminate her, effective the day she spoke. Exhibits 1, 3–4. The reasons Defendants gave rested on her speech alone, and expressly on its "impact on the integrity and reputation of the district." Exhibit 1.

78. Defendants would not have suspended or terminated Ms. Williams absent her protected speech. Ms. Williams had no prior discipline; Defendant Moulin suspended her without pay in disregard of the District's own policy; and the District terminated her effective the same day she spoke, citing her "personal opinions." Exhibits 1, 4, 6.

79. "Individual liability under § 1983 must be based on personal involvement in the alleged constitutional violation." *Wilson v. Montano*, 715 F.3d 847, 854 (10th Cir. 2013). Defendant Moulin was personally involved because he issued the March 6 Letter suspending Ms. Williams without pay, personally handed it to her, and recommended her termination to the Board. Exhibits 1–2. On information and belief, Defendant Moulin spurred the decision to proceed with terminating Ms. Williams' employment without giving her the opportunity to present her side of the story. Immediately before the Board voted on her termination, it went into executive session to discuss "matters pertaining to non-elected personnel" and invited Defendant Moulin to attend. Exhibit 3.

80. The District is liable because the Board, the District's final policymaker for terminating classified employees, made the decision to terminate Ms. Williams. Exhibit 5 at 36. On March 9, 2026, after an executive session to which it invited Defendant Moulin to attend, the Board voted 6–0 to approve a personnel report that listed Ms. Williams' termination effective March 6, 2026, the same day Defendant Moulin suspended her. Exhibits 3–4. Defendant Moulin recommended Ms. Williams' termination, Exhibit 1, and, on information and belief, explained his

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reasons to the Board during the executive session. By approving the termination, the Board ratified both Defendant Moulin's suspension of Ms. Williams without pay and the basis he gave for it.

81. By March 6, 2026, it was clearly established that a public employer may not suspend or terminate an employee in retaliation for speaking as a citizen on a matter of public concern, outside her official duties, where the speech caused no disruption of the employer's operations.

82. A reasonable official in Defendant Moulin's position would have known that suspending and terminating Ms. Williams for her March 6, 2026 statements to Representative Caiharr violated the First Amendment.

83. Defendant Moulin acted with reckless or callous indifference to Ms. Williams' federally protected rights, entitling her to punitive damages against him.

84. As a direct and proximate result of Defendants' conduct, Ms. Williams has suffered and will continue to suffer lost wages and benefits, emotional distress, humiliation, reputational harm, and loss of enjoyment of life, entitling her to compensatory damages in an amount to be proven at trial.

COUNT II
Right to Petition
42 U.S.C. § 1983
(Against All Defendants)

85. Ms. Williams incorporates the preceding paragraphs as though fully set forth herein.

86. The First Amendment protects "the right of the people . . . to petition the Government for a redress of grievances." U.S. Const. amend. I.

87. A public employee's Federal Petition Clause retaliation claim is governed by the same five-step *Garcetti/Pickering* framework that governs Speech Clause retaliation claims.

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88. Ms. Williams engaged in protected petitioning activity on March 6, 2026, when, acting as a citizen outside her working hours and official duties, she spoke directly to Representative Caiharr to express her views and grievances regarding her legislative votes on transgender rights and public funding for private schools.

89. Ms. Williams spoke as she did specifically because Representative Caiharr was a sitting state legislator visiting the School. She was not a parent, student, or ordinary private visitor. Ms. Williams would not have raised those legislative grievances with a parent or ordinary member of the public.

90. Because Representative Caiharr was present in her official capacity as an elected policymaker rather than as a member of the school community receiving educational services, Ms. Williams' communication with a state legislator implicated none of the District's legitimate operational interests in maintaining order, classroom instruction, or relationships with students and parents, and posed no threat of disruption to School operations.

91. For the reasons set forth in Count I, Ms. Williams petitioned Representative Caiharr as a citizen rather than pursuant to her official duties; her petitioning addressed matters of public concern; her First Amendment interest in communicating directly with an elected representative outweighed any legitimate interest of the District in workplace efficiency; and her protected petitioning was a substantial or motivating factor in Defendants' decisions to suspend her without pay and terminate her employment, which Defendants would not have taken absent that petitioning.

92. Defendant Moulin is personally liable in his individual capacity for the reasons set forth in Count I, including that he suspended Ms. Williams without pay and recommended her termination because she communicated her views to a state legislator.

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93. The District is liable as a municipality for the reasons set forth in Count I, including that the Board terminated Ms. Williams' employment and ratified Defendant Moulin's suspension after, upon information and belief, learning of her communications with Representative Caiharr.

94. By March 6, 2026, it was clearly established that a public employer may not retaliate against an employee for petitioning an elected legislator as a citizen on matters of public concern where the petitioning causes no disruption to governmental operations.

95. As a direct and proximate result of Defendants' unlawful retaliation, Ms. Williams has suffered and will continue to suffer the damages set forth in Count I, including lost wages and benefits, emotional distress, humiliation, reputational harm, and loss of enjoyment of life, as well as punitive damages against Defendant Moulin in his individual capacity.

COUNT III
Procedural Due Process
42 U.S.C. § 1983
(Against All Defendants)

96. Ms. Williams incorporates the preceding paragraphs as though fully set forth herein.

97. The Due Process Clause of the Fourteenth Amendment provides that no State shall "deprive any person of life, liberty, or property, without due process of law." U.S. Const. amend. XIV, § 1.

98. Ms. Williams was a classified employee. The March 6 Letter states that she was placed on "administrative leave without pay," effective immediately. Exhibit 1.

99. Defendant Moulin advised Ms. Williams of the basis for her suspension on March 6, 2026. Exhibit 1. Neither Defendant Moulin nor anyone else at the District ever gave Ms. Williams an opportunity to respond. Exhibits 1–3.

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100. The Suspension Policy provides that "[i]f a suspension without pay is imposed on a classified employee, the employee is entitled to pay until the employee has been advised of the basis for suspension and has been given an opportunity to respond." Exhibit 6. The Board adopted the Suspension Policy, which applies to "classified/non-licensed staff," and its terms are mandatory. *Id.*

101. The Suspension Policy therefore gave Ms. Williams a legitimate claim of entitlement to continued pay during her suspension until she had been both advised of the basis for her suspension and given an opportunity to respond. Ms. Williams' entitlement to that pay is a property interest protected by the Due Process Clause.

102. In the alternative, the Suspension Policy gave Ms. Williams a legitimate claim of entitlement to an opportunity to respond before the District could suspend her without pay, and that entitlement is a property interest protected by the Due Process Clause.

103. On Monday, March 9, 2026, Ms. Williams remained suspended without pay and still had not been given an opportunity to respond. But for her suspension, Ms. Williams would have worked her regularly scheduled shift that day. The District did not pay her for March 9.

104. The Board's meeting on March 9, 2026 began at 6:00 p.m., after Ms. Williams' scheduled workday had ended. Exhibit 3. At that meeting, the Board terminated Ms. Williams' employment and made the termination effective March 6, 2026. Exhibits 3–4. Nothing in the Suspension Policy permits the District to avoid paying a suspended employee by backdating her termination. By backdating her termination, the District took away pay to which the Suspension Policy entitled Ms. Williams, without ever giving her an opportunity to respond.

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105. Due process required, at a minimum, the notice and opportunity to respond that the Suspension Policy itself provides before Ms. Williams could be deprived of her pay. Defendants deprived her of her pay without ever giving her that opportunity.

106. Ms. Williams' March 11, 2026 email to Defendant Moulin did not provide that opportunity. She sent the email on her own initiative, after she had already been deprived of her pay and after the Board had already voted to terminate her. Defendant Moulin's response informed her that the Board "took action to terminate [her] employment." Exhibit 2.

107. Defendant Moulin is personally liable in his individual capacity because, acting under color of state law, he suspended Ms. Williams without pay, effective immediately, and deprived her of the pay to which the Suspension Policy entitled her, without first giving her the opportunity to respond that the Suspension Policy requires. Exhibits 1, 6.

108. By March 6, 2026, it was clearly established that a public employer may not deprive an employee of a protected property interest without notice and an opportunity to respond.

109. The District is liable because the deprivation resulted from the Board's decision, as the District's final policymaker, to terminate Ms. Williams effective March 6, 2026, and from the Board's ratification of Defendant Moulin's suspension of Ms. Williams without pay.

110. As a direct and proximate result of Defendants' conduct, Ms. Williams was deprived of pay to which she was entitled, and she is entitled to compensatory damages, or, in the alternative, nominal damages.

WHEREFORE, Ms. Williams requests that the Court enter judgment in her favor and against Defendants, and award her: (a) back pay and lost benefits; (b) reinstatement or, in the alternative, front pay; (c) compensatory damages for emotional distress, reputational harm, and other non-pecuniary losses in an amount to be proven at trial; (d) nominal damages; (e) punitive

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damages against Defendant Moulin; (f) her reasonable attorneys' fees, costs, and expenses under 42 U.S.C. § 1988; (g) pre- and post-judgment interest as allowed by law; and (h) such further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable.

DESIGNATION OF PLACE OF TRIAL

Plaintiff designates Kansas City, Kansas, as the place of trial.

Respectfully submitted,

/s/ Maxwell E. Kautsch
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CERTIFICATE OF SERVICE

I certify that on November 24, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of electronic filing to Gregory P. Goheen, McAnany, Van Cleave & Phillips, P.A., 10 E. Cambridge Circle Drive, Suite 300, Kansas City, Kansas 66103, ggoheen@mvplaw.com, counsel for Defendants.

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