



MEDIA ADVISORY

Missouri Teachers and Legal Non-Profit Hit with \$313,000 Attorney Fees Order; §1983 First Amendment Claims Challenging Mandatory Anti-Racist Training, Political Views on Appeal

(SPRINGFIELD, MO/ATLANTA, GA, April 11, 2023): In an [unprecedented and overtly hostile ruling](#), federal district judge Douglas Harpool ruled against 2 teacher plaintiffs, ignored the mountain of evidence supporting their First Amendment claims, and characterized them as complainers who just didn't like what the school district had to say about equity and anti-racism. [He even awarded \\$313,000 in attorney fees to the school district defendants—this move is meant to scare off future lawsuits by parents and teachers.](#) The teachers have appealed to the U.S. Court of Appeals for the Eighth Circuit.

In August 2021, Brooke Henderson and Jennifer Lumley, two educators in Springfield, Missouri, bravely stepped forward and with the help of Southeastern Legal Foundation filed the [first-in-the-nation lawsuit](#) against a [mandatory district-wide “anti-racism” training](#), alleging that through the training the school district compelled their speech and discriminated against them because of their views that America should be colorblind.

SLF General Counsel Kim Hermann explains, “This is an effort by a lone agenda-driven federal judge to deny concerned teachers and parents the right to seek redress in court and to protect so-called ‘anti-racist’ training in Missouri’s public schools.”

“In nearly 50 years of bringing lawsuits under §1983 civil rights law, SLF has never faced attorney fees sanctions for challenging unconstitutional government action at any level. This unprecedented ruling is sure to close the courthouse doors to teachers and parents,” added SLF Litigation Director Braden Boucek.

The challenged training was textbook anti-racism. In fact, Ms. Henderson and Ms. Lumley were told they needed to commit to [anti-racism, which had a “proactive” element to advocate for political and social change](#). The training further taught that colorblindness and “white silence” were tools of white supremacy, “white people” were privileged, and that equality was harmful.

The training session began with [instructions to “stay engaged,” “speak your truth,” and “acknowledge YOUR privileges.”](#) It featured a [slideshow](#) and a series of videos, including the death of George Floyd and cartoons about [“systemic racism”](#) and [“understanding white supremacy”](#) that asserted our nation was founded on white supremacy. They were told [“systems of oppression](#)

[were “woven” into the “very foundation of America,”](#) and that [white supremacy is a “highly descriptive term for the culture we live in.”](#)

Ms. Henderson and Ms. Lumley were reminded that if they did not speak, they would be called upon. But when they did speak and express disagreement with the District, they were corrected. As a result of the District shaming and rejecting their views, they both self-censored. [The training closed with an “anti-racist solo write”](#) where trainees were read anti-racist statements and instructed to write out what steps they will take to become an anti-racist.

Hermann continues, “Ms. Henderson and Ms. Lumley are educators who are being punished by a federal judge for courageously stepping forward to file one of the nation’s first civil rights lawsuits tackling so-called ‘anti-racism’ training that requires educators to pledge allegiance to radical, unconstitutional views on race and politics. If this ruling stands, teachers and parents will have no check against unlimited government power to violate free speech and equal protection rights—and they will be punished if they attempt to do so through our courts.”

(see links for visuals of Springfield Public Schools "anti-racism" training materials)