

IN THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT
ILLINOIS- URBANA DIVISION

DR. HEIDI LARSON	)	
Plaintiff	)	
vs.	)	
MATTOON COMMUNITY UNIT SCHOOL	)	25-2265
DISTRICT #2, TIM CONDRON,	)	
And DALE RIGHTER	)	
Defendants	)	

COMPLAINT

Now Comes the Plaintiff, Dr. Heidi Larson, by her attorneys, Jerrold H. Stocks, Featherstun, Gaumer, Stocks, Flynn & Eck, LLP and for her Complaint at Law against Defendants, Mattoon Community Unit School District #2, Tim Condron and Dale Righter, she states:

I. INTRODUCTION- STATEMENT OF CAUSE

Dr. Heidi Larson alleges that she was the victim of a long course of pre-textual retaliatory conduct committed by Defendants, state actors acting under color of law, in response to her public comments and inquiries on matters related to the public business of Mattoon School's Board of Education and Administration, ultimately leading to conduct by the Defendants to initiate knowingly meritless disciplinary complaints with Plaintiff's public employer. Defendants sought to control the content of Larson's comments, inquiries, and chill and punish her exercise of political rights, both as a citizen and board member, including silencing protected speech on issues germane to potential violations of law by defendants.

Remedy is sought under 42 U.S.C. Section 1983 to vindicate deprivations under the First and Fourteenth Amendments to the United States Constitution and under state law,⁵⁰ ILCS 135/1 and the Illinois Constitution, Article I, Sections 4 and 5.

I. JURISDICTION

1. Jurisdiction is based on federal question pursuant to 28 U.S.C. Section 1331 for civil actions arising under 42 U.S.C. Sections 1983 for violations of Constitutional rights arising under the First and Fourteenth Amendments of the United States Constitution and/or conspiracy to deprive Plaintiff of said rights. As to Count Five and Count Six, supplemental jurisdiction exists under 28 U.S.C. 1367(a) because the allegations arise from the same controversy supporting federal question jurisdiction.

II. VENUE

2. Pursuant to 28 U.S.C Section 1391, venue is proper because a substantial part of the events complained of occurred in the judicial district and one or more defendants reside in the district.

III. PARTIES

3. Plaintiff, Dr. Heidi Larson, Ph.D., [Larson] at times relevant was or is:

- A. A citizen and resident of the County of Coles, State of Illinois.
- B. A public employee of Eastern Illinois University, Charleston, Coles County, Illinois, as a tenured professor.
- C. An elected member of the Mattoon CUSD # 2 Board of Education.

D. A write-in candidate for re-election in 2025 as a member of the Mattoon CUSD # 2 Board of Education.

4. Defendant, Mattoon CUSD # 2 [District], is a K-12 public school operating in the County of Coles, State of Illinois and its policymakers and governance include its Board of Education, Board officers and Superintendent.

5. Defendant, Tim Condron [Condron], was the Superintendent of District at the time of the deprivations and acts alleged. He is sued in his official and individual capacities.

6. Defendant, Dale Righter, was, at relevant times, a District board of education member and held the office of President of the District board of education. He is sued in his official and individual capacities.

IV. GENERAL ALLEGATIONS

7. It clearly is established that citizens enjoy rights to free speech and free exercise of political activities under the First Amendment to the United States Constitution applicable to the states through the Fourteenth Amendment to comment on public issues, including the operations, affairs and conduct of District, its board, administration and employees and to urge public bodies to act in particular ways.

8. It clearly is established that elected officials enjoy rights to free speech and free exercise of political activities under the First Amendment to the United States Constitution applicable to the states through the Fourteenth Amendment to

comment on public issues, including the operations, affairs and conduct of District, its board, administration and employees and to urge public bodies to act in particular ways.

9. It clearly is established that the exercise of First Amendment rights of citizens and elected officials cannot be penalized, coerced, inhibited or chilled by retaliatory action or harassment designed to silence or control protected speech or political activity.

10. It clearly is established that a public employee has a protectible property interest in tenured employment under the Fourteenth Amendment, free from retaliatory conduct by state actors to penalize the exercise by the employee of First Amendment rights for purposes of interfering with the employment.

11. Commencing in or about 2021 and continuing through 2025, Larson, engaged speech and activity [Protected Speech and Activity], as a citizen in citizen comments and as a board member, at various times on varied subjects identified as follows:

- A. Opposition to mask mandates at District in 2021.
- B. Opposition to the District LIFT Building and Program from 2021 to the present.
- C. Questioning lawfulness and grounds for no bid construction management contract with “retired” former District administrator related to LIFT

building and requests for appearance before Board to substantiate work to assure lawfulness and exclude any “kick-back” scheme;

D. Demands for transparency through livestream meetings for the public;

E. Requests for review of Superintendent Condrón performance and to meet to discuss evaluation before contract extension;

F. Requests for discussion of District sex education curriculum and criticism of content;

G. Challenging approvals (or lack thereof) for Condrón travel expenses by Condrón or subordinate administration as a violation of 50 ILCS 150/1 *et seq* because there was no roll call vote or adequate documentation of expenses and speaking that the expenditures were unlawful;

H. Public requests for inclusion of topics on Board meeting agenda in a manner approved by the Illinois Attorney General as compliant with the Open Meetings Act;

I. Questioning the existence of a conflict of interests in the retention of a part-time administrator as director of curriculum simultaneously employed by a vendor of curricular content to the District in contracts aggregated to exceed multiple hundreds of thousands of dollars;

J. Inquiries for disclosure to the Board of the details of a LIFT Program employee resigning after inappropriate conduct in classroom in the presence of students;

K. Criticism of the refusal to provide board members hard copy of Board policies to assure revision control to prevent policy revision electronically without Board approval;

L. Communications critical of District for lack of transparency and non-open communications to select board members to assure pre-determined action on agenda items.

12. Throughout the events of the preceding paragraph, Condrón, acting alone or in combination with other District board members, including Righter, engaged in the following patterns of widespread custom and practice:

A. Withheld information from Larson, a dissenting member seeking transparency, otherwise provided to select board members regarding the subject matter informing Protected Speech and Activity;

B. Solicited District legal opinion publicly released criticizing Larson regarding Open Meetings Act violations subsequently established as erroneous opinion;

C. Directed Board president not to recognize Larson at open meetings impelling Larson to make her comments on issues during citizen's remarks;

D. Communicated disrespectfully in open meetings;

E. Engaged hostile and oppositional behavior toward Larson and in communications with other board members and staff.

13. Condron's retaliatory behavior was motivated to deflect transparency and prevent public disclosure or public action related to Condron's performance and potentially unlawful conduct by Condron or other administrative staff, past and current.

14. Righter actively participated in the retaliatory conduct, on his own, and with full knowledge of Condron's conduct.

15. Other non-defendant board members participated, in part, with retaliatory conduct at the direction of Condron or Righter or acquiescing to the same.

16. The retaliatory conduct in response to Protected Speech and Activity directed by Condron or Righter was pervasive and undertaken with the common intent to prevent public transparency for District conduct such that the actions were custom or policy of District to prevent transparency into the content of the transactions upon which Larson exercised Protected Speech and Activity.

17. District operated a mentoring program at the high school identified as BIONIC with collaboration from Eastern Illinois University, to include volunteer contribution by Larson for twelve years.

18. Commencing in May 2024, Condron, acting under color of state authority as Superintendent, seeking to coerce and retaliate against Larson, undertook to knowingly misrepresent Larson's role and activity with BIONIC as a

pretext to cause Eastern Illinois to commence disciplinary action against Larson. Larson resigned from any involvement in BIONIC.

19. The intentional interference with Larson's employment was in retaliation for Larson's Protected Speech and Activity in the past, to coerce and chill its continued expression and to coerce Larson not to run for re-election to the Board.

20. In August 2024, Condrón was successful in impelling Eastern Illinois to open an investigation into Larson based on Condrón's knowingly false and pretextual grounds,

21. On or about October 6, 2024, Larson was directed to respond to the investigation.

22. In December 2024, Larson was cleared by the investigation on the basis that all allegations leveled by Condrón were unfounded.

23. The investigation was pending during the petition circulation period for Larson's re-election and the pendency chilled Larson from formal candidacy at that time.

24. In April 2025, Larson's term on the District Board ended.

25. The actions of Defendants coerced Larson to refrain from the exercise of First Amendment protected rights as a citizen, public officeholder and potential candidate and penalized her for the prior exercise of such rights.

26. Larson experienced emotional injury, interference with employment, and costs defending meritless disciplinary actions.

V. CLAIMS

COUNT ONE

(42 USC 1983 vs. Condrón First Amendment Deprivation)

For Count One of her Complaint against Condrón, Larson states:

27. Larson restates and incorporates herein paragraphs 1-26 above as and for paragraph 27.

28. Condrón, acting under color of law as Superintendent, knowingly or willfully, deprived Larson of her Protected Speech and Activity by using his position to punish, inhibit, restrict or otherwise coerce Larson in the exercise of her First Amendment rights.

29. Larson's right to be free from retaliation for the exercise of Protected Speech and Political Activity was clearly established at the time of the alleged conduct such that any reasonably competent superintendent would know his actions were unconstitutional.

30. Condrón's wrongful conduct was to inhibit investigation and transparent public discussion of his conduct and the conduct of other board members, administrators or staff of District.

31. Larson is entitled to remedy for the unconstitutional deprivations suffered by Larson directly traceable to Condrón pursuant to 42 U.S.C. Section

1983, including the award of attorney's fees and costs as defined under 42 U.S.C. Section 1988.

COUNT TWO

(42 USC 1983 vs. Righter First Amendment Deprivation)

For Count Two of her Complaint against Righter, Larson states:

32. Larson restates and incorporates paragraphs 1-31 above as and for paragraph 32.

33. Righter, acting under color of law as Board President, knowingly or willfully, alone or in concert with Condron, deprived Larson of her Protected Speech and Activity by using his position to punish, inhibit, restrict or otherwise coerce Larson in the exercise of her First Amendment rights.

34. Righter, possessed full knowledge of the unconstitutional actions by Condron, and failed to intervene to prevent Condron's conduct.

35. Larson's right to be free from retaliation for the exercise of Protected Speech and Political Activity was clearly established at the time of the alleged conduct such that any reasonably competent school board president would know were unconstitutional.

36. Righter's wrongful conduct was to inhibit investigation and transparent public discussion of his conduct and the conduct of other board members, administrators or staff of District.

37. Larson is entitled to remedy for the unconstitutional deprivations suffered by Larson directly traceable to Righter pursuant to 42 U.S.C. Section 1983, including the award of attorney's fees and costs as defined under 42 U.S.C. Section 1988.

COUNT THREE

(42 USC 1983 vs. District- *Monell* First Amendment Deprivation)

For Count Three of her Complaint against District, Larson states:

38. Larson restates and incorporates paragraphs 1-37 above as and for paragraph 38.

39. The widespread practice of District over the course of years was to coerce and retaliate against Board Members that failed to support Condrón as evidenced by the April 2021 orientation provided to Larson where then District Board President, Michelle Skinlo, instructed, in the presence of the administrative team, including Condrón, "***Our job is to make sure Superintendent Condrón is not caught with his pants down.***" The practice of the District Board, Condrón and Righter served the Orientation disclosed custom for the entirety of Larson's service on the Board. The tacit policy of District was to control the content of Board member speech and political activity and to penalize any Protected Speech or Activity that cast transparency on the conduct of Condrón, or other staff or administration under his supervision.

40. The widespread custom to protect District administrators from scrutiny also is supported by the retaliation based on the content of paragraph 11.C above.

41. Larson is entitled to remedy for the unconstitutional deprivations suffered by Larson directly traceable to District policy pursuant to 42 U.S.C. Section 1983, including the award of attorney's fees and costs as defined under 42 U.S.C. Section 1988.

COUNT FOUR

(District Indemnity)

For Count Four of her Complaint against District, Larson states:

42. Larson restates and incorporates paragraph 1 through 37, including incorporations therein) as paragraph 42.

43. Pursuant to 745 ILCS 10/2-301 et seq. and /or 105 ILCS 5/10-20.20 District owes indemnity, to the extent or in the event wrongful acts are adjudicated to fall within the course and scope of employment.

COUNT FIVE

(50 ILCS 135/1 et seq. Condron)

For Count Five of her Complaint against Condron, Larson states:

44. Larson restates each paragraph of Count One as paragraph 44.

45. 50 ILCS 135/10(b) provides that no employee of a school district may use his position of employment to coerce or inhibit others in the free exercise of their political rights.

46. 50 ILCS 135/5 defines “Political rights” to include, without limitation, the following political activities: to petition, to make public speeches, to campaign, to speak out on questions of public policy, and to seek public office.

47. Under the Illinois Constitution, rights may be self-executing and enforceable to include Illinois Constitution Art. I, Section 4, Freedom of Speech and Art. I, Section 5, Right to Assemble and Petition or, alternatively, remedy is provided under 50 ILCS 135/1 et seq.

48. Condron, an employee of a school district, knowingly coerced or inhibited Larson in the exercise of her statutorily and Illinois Constitution protected political rights.

49. Condron’s conduct is an intentional tort entitling Larson to compensatory and punitive damages.

COUNT SIX

(District Indemnity)

For Count Six of her Complaint against District, Larson states:

50. Larson restates and incorporates Count Five, including incorporations therein) as paragraph 50.

51. Pursuant to 745 ILCS 10/2-301 et seq. and /or 105 ILCS 5/10-20.20 District owes indemnity, to the extent or in the event wrongful acts are adjudicated to fall within the course and scope of employment.

VI. RELIEF REQUESTED

A. Compensatory damages for the deprivations of constitutional rights under the First and Fourteenth Amendments suffered by Larson in an amount determined by the trier of fact;

B. Exemplary damages against the individual defendants for their intentional or willful deprivations.

C. Attorney's fees and costs under 42 U.S.C. 1988 and/or awarded as a component of punitive damages in an amount to be determined.

D. Such other relief as is just and proper.

VII. JURY DEMAND

Larson demands jury trial as permitted by law.

Dr. Heidi Larson, Plaintiff

By: /s/ Jerrold H. Stocks

Her Attorney

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