

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE**

|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| <b>EMILY ORBISON</b>              | ) |                          |
|                                   | ) |                          |
| <i>Plaintiff,</i>                 | ) | <b>Civil Action No:</b>  |
|                                   | ) |                          |
| <b>v.</b>                         | ) |                          |
|                                   | ) | <b>Judge:</b>            |
| <b>WILLIAMSON COUNTY SCHOOLS,</b> | ) |                          |
|                                   | ) | <b>Magistrate Judge:</b> |
| <b>JASON GOLDEN,</b>              | ) |                          |
| <b>SUPERINTENDENT OF</b>          | ) |                          |
| <b>WILLIAMSON COUNTY SCHOOLS,</b> | ) | <b>JURY DEMAND</b>       |
| <b>In both his personal and</b>   | ) |                          |
| <b>official capacities.</b>       | ) |                          |
|                                   | ) |                          |
| <i>Defendants.</i>                | ) |                          |

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**COMPLAINT**

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1. Plaintiff brings this 42 U.S.C. § 1983 action alleging that Defendants have violated and continue to violate Plaintiff's First Amendment constitutional rights by retaliating against her in her role as a public school teacher for expressing her political speech in a purely personal capacity. Plaintiff now seeks damages and injunctive relief against Defendants for these violations of Plaintiff's constitutional rights.

**PARTIES**

2. **Plaintiff Emily Orbison ("Ms. Orbison")** is an adult resident of Williamson County, Tennessee.
3. **Defendant Williamson County Schools ("WCS")** is the municipal county-level governmental entity responsible for administering childhood public education in Williamson County, Tennessee. It is located in Williamson County, Tennessee.

4. **Defendant Jason Golden (“Superintendent Golden”)** is the Superintendent of Williamson County Schools. On information and belief, Superintendent Golden resides in Williamson County, Tennessee.

### **JURISDICTION AND VENUE**

5. This Court has federal question jurisdiction over the federal claims in this matter pursuant to 28 U.S.C. § 1331. Venue lies in this district pursuant to 28 U.S.C. § 1391(b)(2) because Defendants reside in this district and the events at issue in this lawsuit occurred in this district.

### **FACTUAL BACKGROUND**

#### **A. Background**

6. Plaintiff Ms. Orbison is a professional public school teacher, a wife, and a mother.
7. Ms. Orbison has been a teacher for five years.
8. Ms. Orbison taught for Metro Nashville Public Schools in Davidson County, Tennessee from 2021 – 2024.
9. In 2024, Ms. Orbison earned her Master’s Degree in Education from Lipscomb University. Ms. Orbison then accepted a position with Williamson County Schools.
10. Ms. Orbison started with WCS in the fall of 2024, and was assigned to teach science at Franklin High School.
11. Ms. Orbison works hard to give her students the teaching and support they need. Her students notice these efforts, and appreciate them.
12. Ms. Orbison has a daughter who, at the time that this complaint is being filed, is five years old.
13. Ms. Orbison’s daughter is a kindergarten student who attends a WCS school.

14. As a WCS public school teacher, Ms. Orbison has automatic security clearance to volunteer with her daughter's school.
15. Ms. Orbison volunteers frequently, and is very engaged with her daughter's education.
16. As a mother, Ms. Orbison planned to participate in her daughter's school fall festival on September 19, 2025.
17. As a mother, Ms. Orbison planned to participate in her daughter's parent-teacher conference on September 24, 2025.
18. As a mother, Ms. Orbison planned to participate in her daughter's first school book fair, which was held on September 25, 2025.
19. As a mother, Ms. Orbison planned to assist with her child's school field trip scheduled October 21, 2025.

#### **B. The School Shooting Crisis in this Country**

20. For the past several decades, especially after the Columbine massacre in 1999, this country has endured numerous mass shootings at elementary, middle, and high schools across the country. Columbine, Sandy Hook, Uvalde, Parkland – the ever-growing list of mass school shootings goes on and on, at this point reportedly having reached a total of 111 such shootings over the past several decades.<sup>1</sup>
21. Many schoolchildren, staff, and faculty have been killed or seriously injured in these massacres, leaving communities traumatized and rendering what should be a safe place for both teachers and students – public schools – fraught with peril.
22. Because of the ongoing reality of these shootings, teachers and children alike must be trained and prepared for the possibility of an active shooter threat.

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<sup>1</sup> <https://rockinst.org/gun-violence/mass-shooting-factsheet/>.

23. These school shootings have been a catalyst for making proposals about gun control one of the most contentious political issues in the country, pitting those in favor of tighter gun restrictions – which they believe would make the country safer – against those who favor little or no firearm restrictions – which they believe is fundamental to civil liberties.
24. This contentious political issue has played out and continues to play out countless times – in the media, at the polls, in the halls of Congress, from the mouths of Presidents, in the state legislative and executive branches, and in the courts.
25. One such participant in this “hot button” political issue was the late conservative activist known as Charlie Kirk.

### **C. Conservative Activist Charlie Kirk**

26. The late Mr. Charlie Kirk was a well-known conservative activist.
27. Mr. Kirk founded the political organization “Turning Point USA” for the purpose of furthering his political, social, moral and religious ideological beliefs.
28. Mr. Kirk, who was 31-years-old at the time of his recent death, became a major political force in relation to youth voters.
29. Mr. Kirk often debated college students on campuses, in public exhibitions designed to defeat and humiliate those young adults whose views differed from his own.
30. Turning Point USA swiftly became a multi-million dollar organization, with significant political clout.
31. Mr. Kirk maintained a frenetic messaging pace through the Turning Point podcast, Mr. Kirk’s own social media accounts, his college and other public appearances, and the similar efforts of his subordinates.

32. Charlie Kirk and Donald Trump became friends and political allies, with Mr. Kirk supporting Mr. Trump and working hard to enhance his appeal to younger voters.
33. Mr. Kirk played a significant role in helping Donald Trump win the 2024 election, by boosting the appeal of Trump, the MAGA movement, and conservatism generally with younger voters.
34. Mr. Kirk espoused many “hard core” conservative political views considered to be radical in this country, terrifying and infuriating many Americans – particularly women, black people, and other people of color, with much of Kirk’s commentary centering on each of these demographic groups.

#### **D. Charlie Kirk’s Position on School Shootings**

35. On March 27, 2023, a shooter attacked Nashville’s Covenant school, a Presbyterian parochial elementary school. The attacker shot and killed three 9-year-old schoolchildren and three adults before Metro Nashville Police Department officers were able to shoot and kill him.
36. One week after the Covenant shooting, Charlie Kirk made a recorded statement in a public forum that, “You will never live in a society whe[re] you have an armed citizenry and you won’t have a single gun death. That is nonsense. It is drivel.”
37. Kirk continued, “I think it’s worth it. I think it’s worth it to have a cost of, unfortunately, some gun deaths every single year so that we can have the Second Amendment to protect our other God-given rights.”
38. Kirk did not elaborate on what “rights” he believed that God gave us, or to what extent said “God-given rights” correspond with the rights recognized in the U.S. Constitution.

39. Regarding the “cost” of annual shooting deaths, Kirk continued, “That is a prudent deal.

It is rational.”

40. Kirk then claimed that it would be “simple” to reduce school shooting deaths, and that all that would be required is to place armed guards in front of schools.

41. As “proof” for this proposition, Kirk claimed that baseball games, airports and banks do not experience shootings because there are – according to Kirk – armed guards in front of baseball games, airports, and banks.

42. Mr. Kirk did not address in this statement whether he would be willing to sacrifice himself, his wife, or his own children for the sake of his “prudent, rational deal.”

Presumably, however, Kirk’s “rational” calculus would have likewise considered his and his family’s lives to be expendable for the sake of his cherished political goal of maintaining an “armed citizenry.”

43. On another occasion in which he spoke on the topic of gun control, Kirk once again scoffed at the idea of sacrificing any freedom at all for safety. Kirk stated, “Gun control, like vaccines and masks, is focused on making people feel ‘safe’ by taking freedoms away from others. Don’t fall for it.”

#### **E. Charlie Kirk’s position on Martin Luther King, Jr.**

44. Martin Luther King, Jr. (“Martin Luther King”) was a racial and economic justice advocate who served as one of the primary leaders during the Civil Rights Movement of the 1960’s.

45. In 1968, Martin Luther King was assassinated. The assassin, a white man named James Earl Ray, shot and killed Martin Luther King with a gun.

46. While Martin Luther King was a very controversial figure during his life, in the years after his death he was widely credited with having served a major role in improving racial justice in America. In 1983, then-President Ronald Reagan – a conservative Republican – signed into law a bill establishing the third Monday in January each year as “Martin Luther King Day,” a federal holiday.
47. In December 2023, at a Turning Point, USA convention entitled “America Fest,” Mr. Kirk publicly declared, “MLK was awful. He’s not a good person.”
48. In January 2024, during the week before Martin Luther King day, Mr. Kirk declared on his podcast that, “We’ll be hitting [MLK] next week.”
49. As promised, on January 15, 2024 – which was both the Martin Luther King federal holiday, and the anniversary of Martin Luther King’s birthday – Mr. Kirk published several social media statements deriding Martin Luther King and his legacy.

**F. Charlie Kirk’s position on the role of women in society**

50. Charlie Kirk often spoke publicly regarding his beliefs about the roles of men and women in society, taking the explicit position that women’s proper role is to get married, submit to their husbands, have children, and raise children rather than to pursue careers.
51. Speaking before an audience of high schoolers, Charlie Kirk advocated that high school girls should attend college primarily to seek an “MRS” degree, and that women should treat “learning some stuff” as essentially an afterthought.
52. Kirk publicly urged women to “submit to a Godly man when [they] meet one.”
53. As reported in public media, one of Kirk’s favorite Bible verses was Timothy 2:12, which states, “I do not permit a woman to teach or to exercise authority over a man; she is to remain quiet.”

54. Kirk also publicly stated that young men need “strong men” as teachers, because young men do not like taking orders from women and can only respect “strong men.”
55. In August 2025, Kirk commented on his Charlie Kirk Show podcast about the news that singer Taylor Swift, a self-made billionaire who leads an entertainment business empire, had gotten engaged to Travis Kelce, a very skillful football player.
56. From his podcast pulpit, Kirk ordered Swift to “Submit to your husband, Taylor” and told her, “You’re not in charge.”
57. Kirk then laughed, and declared that “most importantly” Swift had to change her last name to Kelce, or she didn’t “really mean it.”

**G. Charlie Kirk’s expressed belief that black people are undeserving of their positions**

58. In 2021, Mr. Kirk referred to George Floyd as a “scumbag” who wasn’t worthy of the attention he received his death by choking at the hands of police officers triggered a nationwide re-evaluation of policing and racial justice in this country.
59. In July 2023, Kirk publicly denigrated several prominent black female leaders – including Supreme Court Justice Ketanji Brown Jackson, former First Lady and attorney Michelle Obama, author and TV host Joy Reid, and U.S Congressperson and attorney Sheila Jackson Lee.
60. From the comfort of his Charlie Kirk Show podcast, Kirk told these esteemed members of society, all of whom have accomplished far more academically than Kirk himself ever did, that “You do not have the brain processing power to otherwise be taken really seriously. You had to go steal a white person’s slot to go be taken somewhat seriously.”
61. In January 2024, Kirk publicly stated on the Charlie Kirk Show that if he saw a black airline pilot “I’m going to be like boy, I hope he’s qualified.”

## **H. Charlie Kirk's position on the First Amendment**

62. An avowed constitutionalist, Charlie Kirk consistently expressed his strong belief in and support for the right to freedom of speech, protected by the First Amendment.
63. In 2024, Kirk posted on the social media platform the following quote: "Hate speech does not exist legally in America. There's ugly speech. There's gross speech. There's evil speech. And all of it is protected by the First Amendment."
64. In June 2025, while participating in a debate at [Oxford University](#), Kirk denounced the arrest of British citizen Lucy Connelly for a post she had made on "X."
65. Connelly's X post had called for, "Mass deportations now, set fire to all the fucking hotels full of the bastards for all I care... if that makes me racist, so be it."
66. Kirk asserted that Connelly's arrest was an affront to civil liberties, declaring, "That is not a free speech value at all. You should be allowed to say outrageous things. You should be allowed to say contrarian things. Free speech is a birthright...."
67. Kirk continued with a sweeping declaration that citizens have a moral obligation to advocate for a "value neutral free speech policy," and that such a policy is the "bedrock of a liberal democracy."

## **I. Charlie Kirk's Shooting Death**

68. On September 10, 2025, Charlie Kirk was shot and murdered while speaking at a college campus in Utah.
69. Charlie Kirk's shooting death immediately became a topic of great political relevance, as it once again highlighted the question of whether Kirk's allegedly "rational, prudent deal" of accepting numerous shootings each year in order to enjoy the alleged benefits of having an "armed citizenry" is "worth it."

70. President Trump ordered flags flown at half-staff in recognition of Mr. Kirk's death.
71. The news of the killing, theories about the suspect and his motives, reactions to the killing and discussion of Mr. Kirk's views dominated the news and social media.
72. As Mr. Kirk was much beloved by the "Make America Great Again" ("MAGA") movement, Mr. Kirk's murder triggered expressions of outrage and condemnation from millions of MAGA-aligned Americans.
73. Likewise, numerous MAGA-aligned public officials and politicians have sanctimoniously grandstanded their judgment and condemnation of anyone who dares to make negative comments regarding Charlie Kirk's political views, or otherwise denigrate MAGA's fallen hero.
74. In contrast, across the United States many with more progressive political views have expressed negative views of Charlie Kirk's values and rhetoric, particularly with regard to Mr. Kirk's stance on school shootings, his perceived racism, and his perceived sexism.
75. Several such critics have, in particular, pointed out the irony of Mr. Kirk falling victim to his own allegedly "rational, prudent deal" that, according to Kirk, is "worth it."
76. Several of the people who have made public negative comments about Mr. Kirk's political views have been teachers.
77. In response to these critiques, MAGA-controlled school boards across the country have been punishing teachers who dare speak ill of Mr. Kirk by subjecting them to disciplinary sanctions or, in many cases, even termination.
78. President Donald Trump's administration itself has endorsed using the power of the government to punish speech.

79. On September 15, 2025, on the Katie Miller Podcast, a globally published podcast, Attorney General Pam Bondi declared, “There’s free speech, and then there’s hate speech, and there is no place, especially now, especially after what happened to Charlie in our society,” she said, adding: “We will absolutely target you, go after you, if you are targeting anyone with hate speech, anything, and that’s across the aisle.”
80. Also on September 15, 2025, Vice President JD Vance guest hosted The Charlie Kirk Show, another globally publicized podcast. While hosting the podcast, Vance declared, “When you see someone celebrating Charlie's murder, call them out. And hell, call their employer.”

#### **J. Ms. Orbison’s Instagram Post**

81. Over the years, Ms. Orbison followed Mr. Kirk’s activist career and found his Mr. Kirk’s public political comments terrifying and infuriating on a wide array of issues – particularly Kirk’s comments on school shootings and the role of women in society.
82. Ms. Orbison was especially terrified by Kirk’s espoused belief that it is appropriate, “prudent,” and “rational” to sacrifice teachers like Ms. Orbison, and students like Ms. Orbison’s students, for the sake of having an “armed citizenry.”
83. Noting that Mr. Kirk had himself fallen victim to the same “rational, prudent deal” that he had espoused as being “worth it” in order for America to have an “armed citizenry,” Ms. Orbison felt compelled to satirize Kirk’s political position on social media.
84. On September 10, 2025, while Ms. Orbison was at home, off work, and on personal time, she posted a “story”<sup>2</sup> on her personal Instagram account from her personal electronic device satirizing Mr. Kirk’s political position:

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<sup>2</sup> An Instagram “story” posts for twenty-four hours and then automatically deletes.

## Deaths Unfortunate Worth it to Keep 2nd Amendment

PUBLISHED APR 06, 2023  
UPDATED APR 07, 2023

"I think it's worth it. It's worth to have a cost of, unfortunately, some gun deaths every single year so that we can have the Second Amendment to protect our other God given rights. That's a prudent deal. It is rational."

- Charlie Kirk



Don't worry y'all. It's worth it. It's rational. ヽ\_(ツ)\_/

It's prudent that I have to go through regular drills of practicing how I will save the lives of students. Practice packing gunshot wounds. Reassure kids that when we get shot at, I will be there to protect them. Fighting with parents about cell phones because "What about when they get shot?!"

That we do not immediately leave the building if a fire alarm goes off, because that's how shooters can get us into the hallways to kill us.

That my 5 year old has been in kindergarten for only a month and has already practiced TWICE for what to do when someone comes in to kill her.

That I have to plan for leaving a student in the hallway in case of a shooting because letting them in could be a trap.

and don't even get me STARTED on the vile things this pos has said about women. my blood is boiling just recalling them.

Guess there wasn't a good guy with a gun there. Shame. Don't mourn his death. It's just the price of doing business. Completely rational.

85. Ms. Orbison's Instagram page was set to "private," and not accessible to anyone other than her approved "friends."
86. Ms. Orbison adheres to a personal policy of not allowing current WCS students to follow her on Instagram, and none did.
87. Instagram "stories" do not appear in any user's feed, even those "friends" who have been approved for access to a "private" user's stories. Rather, to see the content of a "story" the Instagram friend must actually click on the story.
88. Instagram stories automatically delete after 24 hours.

**K. The MAGA outrage in reaction to Ms. Orbison's post**

89. On information and belief, someone who saw Ms. Orbison's Instagram story forwarded it to other third parties.
90. This forwarding by third parties ultimately resulted in Ms. Orbison's story coming to the attention of several WCS School Board Members.
91. On information and belief, one of these individuals then shared the post to a journalist at The Federalist, a nationally circulated conservative media publication.
92. On September 13, 2025, The Federalist published an article condemning Ms. Orbison's so-called "hateful screed."<sup>3</sup>
93. The Federalist article included a statement from Williamson County Board of Education member Tony Bostic describing Ms. Orbison's political satire as "despicable."
94. Bostic then went on to say that while he "cannot speak for the board," Orbison's post "show[ed] a morally bankrupt individual who, in my opinion, should not be shaping the minds of young students."

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<sup>3</sup> Available at: <https://thefederalist.com/2025/09/13/dont-mourn-his-death-tennessee-high-school-teacher-allegedly-mocks-charlie-kirks-assassination/>.

95. The Federalist article also quoted a Facebook post by Williamson County School Board Member Claire Reeves decrying Ms. Orbison’s post, in which Reeves stated:

The reported comments from a Franklin High teacher about Charlie Kirk’s death are deeply troubling.

Let me be clear: this matter will be taken seriously and addressed promptly. Our students, families, and community deserve respect and professionalism from those entrusted to teach.

96. The Federalist article also quoted Ms. Reeves’s husband, a Republican candidate for Tennessee’s 7<sup>th</sup> Congressional District, saying, “There’s no place in our schools for radical leftist teachers who celebrate murder.”
97. The article then quoted Mr. Reeves as continuing, “We must have zero tolerance for those who glorify violence—especially when entrusted with our kids. I’ve made this clear to members of the Williamson County School Board. I won’t budge.”
98. The article indicated that The Federalist had reached out to Ms. Orbison, and that she had specifically declined to give The Federalist permission to reprint her post.

#### **L. WCS Suspension and Public Condemnation**

99. Within hours of the Federalist article being published online, several WCS Board Members swiftly took to social media to condemn Ms. Orbison.
100. The Board Members’ social media statements violated the WCS Code of Conduct (“the Code”) for School Board Members in several respects.
101. For instance, the Code requires Board Members to “refer to [WCS staff] with respect, including when using social media.”
102. In addition, the Code requires Board Members to “refrain from public critique” of WCS employees.

103. In addition, the Code prohibits Board Members from “giv[ing] the appearance of speaking for the entire Board.”

104. The Board Members’ posts triggered outrage from many people in the community, who chimed in on social media to join in condemning Ms. Orbison.

105. That same day, one of Tennessee’s two United States Senators, Republican Marsha Blackburn, reposted the Federalist story on “X” with the following comment: “Absolutely vile. This person advocating for unthinkable violence should have no role in educating young people. Fire her immediately.”

106. On September 14, 2025, a Saturday, Superintendent Golden emailed the entire WCS staff the following message:

“Across the country, concerns are being expressed over recent comments and social media posts. We are hearing concerns, too. During this emotionally heightened time, I want to remind you of what we teach our students: words matter. As you navigate through the remainder of the weekend and into next week, I ask you to pause before hitting ‘send’ on an email or make a social media post regarding recent events.

Please recognize that this is a painful time for so many people, and professional **teachers need to lead the way in empathy, compassion and decency in how we communicate.** Think about how your word choice might affect others in this difficult national time, and as always, treat others how you would like to be treated.” (emphasis added).

107. In the wake of the Federalist article and WCS Board Members’ social media posts, several people messaged Ms. Orbison’s work email to express their hatred and

condemnation of her and to wish death upon her. Ms. Orbison was told, *inter alia*, “I hope karma gets you hard,” “God will deal with people like you,” “You are [a] despicable human,” and “You are pathetic [and] evil.”

108. On September 15, 2025, Superintendent Golden issued a letter suspending Ms. Orbison from WCS without pay, effective immediately. (Ex. A, Suspension Letter).

109. In addition to suspending Ms. Orbison without pay, the letter also prohibited her from having any contact whatsoever with WCS, its staff, or its students.

110. Specifically, the letter stated, “You are not to be on the campus of any Williamson County Schools property, attend any Williamson County Schools events, or communicate with any Williamson County School students or employees, without specific authorization by [Assistant Superintendent of Human Resources] Vickie Hall or myself during this suspension. Such contact may interfere with the investigation into these allegations and will constitute insubordination.”

111. This blanket language banning Ms. Orbison from entering WCS property or communicating with WCS staff or students did not contain any exception for Ms. Orbison’s role as a parent of a five-year-old WCS kindergarten student.

112. The suspension letter was witnessed by Ms. Maureen McWilliams, an Administrative Assistant with WCS Human Resources (“HR”).

113. Ms. McWilliams delivered the letter to Ms. Orbison, and discussed it with her.

114. Ms. McWilliams clarified to Ms. Orbison that WCS’s broad “no contact” prohibition did in fact intend to prohibit Ms. Orbison from communicating with WCS staff in her capacity as a WCS parent.

115. Ms. McWilliams said that it was possible that HR might be willing to approve particular messages that Ms. Orbison might want to send to her daughter's teacher, but that HR would need to know the content of the proposed message in advance before deciding whether or not to approve it.
116. Ms. McWilliams emphasized to Ms. Orbison that HR typically attempts to resolve disciplinary investigations in "suspension without pay" cases within two weeks, to avoid lengthy payroll disruptions.
117. That same day, September 15, 2025, HR Senior Investigator Brian Findlen emailed Ms. Orbison to inform her that she had been scheduled for an investigative interview the following afternoon, September 16, 2025.
118. Ms. Orbison responded, asking if the meeting could be rescheduled so that she could have legal representation.
119. Mr. Findlen responded that the meeting would not be rescheduled, and would go forward on September 16<sup>th</sup> as planned.
120. Also on September 15, 2025, the Federalist posted yet another article about Ms. Orbison, entitled "TN Teacher Who Allegedly Ridiculed Charlie Kirk After His Assassination Suspended 'Pending an Investigation'"<sup>4</sup>
121. The new article included several of the same quotes from the original article, plus additional quotes.
122. The article quoted the September 14, 2025 email that Superintendent Golden had sent out to the entire WCS staff.

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<sup>4</sup> Available at: <https://thefederalist.com/2025/09/15/tn-teacher-who-allegedly-ridiculed-charlie-kirk-after-his-assassination-suspended-pending-an-investigation/>.

123. The article also included a quote from WCS Executive Director of Communications Carol Birdsong. Director Birdsong declared, “This employee has been suspended pending an investigation into this serious allegation, which is standard procedure and follows State law requirements. Expressions that glorify or trivialize violence, especially in moments of a national tragedy, are inappropriate and unacceptable. They do not reflect the values of Williamson County Schools and undermine the trust and unity we strive to build in our community.”

**M. WCS’s Investigative Interrogation of Ms. Orbison**

124. Ms. Orbison rapidly obtained representation from the Tennessee Education Association (“TEA”).

125. On September 16, 2025, Ms. Orbison and her TEA attorney met with Mr. Findlen and Mrs. McWilliams.

126. Findlen insinuated that Ms. Orbison’s Instagram story had violated the WCS “Use of Internet” policy, which only governs the use of WCS devices on the internet.

127. Findlen also insinuated that Ms. Orbison’s Instagram story had violated the WCS “Staff Rights and Responsibilities” policy, which has no prohibition on making personal social media statements about public figures who are not employed by WCS.

128. Ms. Orbison explained that her post was intended to satirize and criticize Kirk’s view that shootings are a “rational” and “prudent” cost that are “worth it” for having the Second Amendment.

129. Ms. Orbison clarified that she had not at all intended to express the position that shooting deaths, Kirk’s or any other, are in fact “rational” or “prudent.” Rather, Ms. Orbison’s post was a satirical critique of Kirk’s expressed belief in this position.

130. Ms. Orbison's TEA attorney explained that Ms. Orbison's post never would have been widely circulated to the public, or reached any of the WCS students Ms. Orbison teaches, if it had not been forwarded to The Federalist by third parties and then publicized by WCS Board members.
131. Ms. Orbison's TEA attorney further explained that multiple WCS Board members had violated as many as seven different WCS policies by making public statements about Ms. Orbison's circumstances while the matter was still pending.
132. Ms. Orbison explained that she had only 400 followers on her Instagram account, that she had no current WCS students as followers, that she had no WCS staff as followers, and that she had only one WCS parent as a follower.
133. Ms. Orbison emphasized that her current students would never have seen the Instagram story if it had not been circulated by the WCS Board members.
134. During the interview, Findlen made clear that the "no contact" restriction was still in effect against Ms. Orbison, both as a teacher and as a mother.
135. Findlen specifically clarified that Ms. Orbison was not permitted to speak to her students' new teacher at all regarding her students' educational needs, the status of the class progression at the time that Ms. Orbison was suspended, the logistics of the upcoming already-scheduled October 2025 field trip, or any other matter.
136. Findlen also specifically clarified that Ms. Orbison was not permitted as a mother to communicate with her daughter's teacher, to volunteer at her daughter's school, to assist in her daughter's upcoming field trip, or to otherwise communicate or interact with WCS staff or students in her capacity as a parent of a WCS student.

#### **N. The grassroots petitions supporting Ms. Orbison**

137. On September 21, 2025, a petition was submitted to Superintendent Golden and

the Williamson County School Board stating, *inter alia*:

We, the undersigned, are writing to request a fair and thoughtful investigation into the matters surrounding the leak of Ms. Orbison's private social media post. **We are requesting that she be reinstated to her position so that she can resume educating our children as soon as possible.**

**Whereas** Ms. Orbison is a respected, accomplished, and well-loved teacher with documented success as an educator.

**Whereas** Ms. Orbison made a social media post on her personal social media account that she had set to private.

**Whereas** Ms. Orbison did not break any official WCS policy about personal private social media.

**Whereas** Ms. Orbison had no followers on her social media who are current students due to her strict personal policy that no student is allowed to follow her until the day after graduation.

**Whereas** Ms. Orbison did not share her thoughts or feelings on the content of the post, or the referenced situation, with any student.

**Whereas** Ms. Orbison's information was shared with national news media and published without her consent, and, in fact, with her specific dissent.

**Whereas** Ms. Orbison's post was amplified by the public and private sharing of the news story by members of the Williamson County School Board and other elected officials, leading to students seeing the content of a post they would otherwise not see.

**Whereas** Ms. Orbison being removed from the classroom is a serious detriment to her students, both impeding their education and creating emotional distress.

**Whereas** the disruption to students both educationally and emotionally is not occurring due to Ms. Orbison's actions, but to the actions of other adults.

138. The petition made the following requests:

**We respectfully request that:**

1. Members of the Williamson County School board immediately cease commenting and speaking on this situation publicly, especially in a way that is disparaging to Ms. Orbison's character, safety to be around students, or teaching ability.
2. Mr. Golden immediately make a public statement respectfully requesting that people cease making threatening and disparaging social media comments, phone calls, and emails against Ms. Orbison, as it is an incredibly poor example to Williamson County students and jeopardizes both the safety of this teacher and of the students.
4. Every effort be made for Ms. Orbison to return to the classroom as quietly as possible in order to protect the physical and emotional safety of the students at Franklin High school as well as to maintain a school and classroom environment focused on learning.<sup>5</sup>
5. Ms. Orbison's school email address be changed upon her return and made only available to her students and their families rather than publicly online. This would not only allow her to focus on the education of students without distraction but would ensure students and parents can contact her effectively.

139. The petition went on to say:

It is important to us that you know these things about the undersigned: (percentages are rounded)

- **47%** are parents of current, former, or future (zoned for) Franklin High School students
- **23%** are parents of students who attend other Williamson County Schools
- **29%** are parents of students who attend other Williamson County schools
- **100%** are Williamson County residents or are directly related to a WCS student
- **4** Signees are students or parents of students who are current or former students of Ms. Orbison or participating in HOSA at FHS. An additional **8** preferred not to say.
- **6** Signees are teachers, administrators, or school staff. An additional **2** preferred not to say.
- **71%** of Signee Parents of Current WCS Students report that their student(s) does not know or they are unsure if they know about Ms. Orbison's post or the controversy surrounding it

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<sup>5</sup> There is an apparent typo in the numbering of these "asks," in that the petition jumps from two to four.

- Of the Signee Parents of Current WCS Students who report their student(s) knows about Ms. Orbison's post and the controversy surrounding it:
  - **44%** report the student(s) found out after it was shared by adults other than Ms. Orbison.
  - **56%** report the student(s) found out only after and because Ms. Orbison was suspended.
  - **0% report the student(s) found out from Ms. Orbison directly or before it was released in the news.**
- When asked how the signee was personally first made aware of Ms. Orbison's post and the controversy surrounding it,
  - **12%** reported seeing the news article directly from The Federalist or another news organization.
  - **53%** reported seeing an article or similar post shared by a WCS School Board Member on social media, or being alerted to such a post.
  - **8%** reported seeing an article or similar post being shared by an elected official other than a WCS School Board Member.
  - **26%** reported otherwise hearing from another parent or community member after the screenshot was shared by The Federalist and others
  - **1%** reported finding out from an email from Dr. Pantall following Ms. Orbison's suspension
  - **1%** were unsure/ can't recall
  - **More than 99% report they are sure they would not have known about the post or its contents had the screenshot of the private post not been shared with a news organization.**

140. The petition was then signed by 78 individuals.

141. On October 6, 2025, Ms. Orbison received a separate student petition signed by 77 of her students.

142. The student petition was addressed to Superintendent Golden and the WCS School Board, and requested Ms. Orbison's immediate reinstatement as a teacher.

143. The student petition stated, “We are students at Franklin High School and are writing to express our support for Ms. Orbison. We respectfully request she be returned to the classroom as soon as possible. Many of us have included personal messages in this letter. We hope you will read them, and consider our views as her students.”
144. The petition included 32 supportive quotes from the signatory students.
145. In one such quote, a student stated, “I have already emailed Pantall and the Superintendent, but I would like to reiterate that as one of Mrs. O’s students, I have personally experienced the genuine care she has for her classes. Mrs. O is crucial to our education and path towards medicine, and I do not want to have a fourth teacher of BioSTEM in charge of my final year in this program. Mrs. O is too good at her job to fire her for her private opinion, and it would be a great loss to her students, the hosa chapter, and the work based learning students she advises. Please regard the voices of the students highly, as we are the group that will be impacted the most.”
146. In another such quote, a student stated, “You should reinstate Ms. Orbison. She was not celebrating what happened, she was expressing how she felt about Charlie. That article was exaggerating to push a hateful narrative. Charlie was not the person conservatives are making him out to be right now, Ms Orbison has every right to be upset that he’s being made a sympathetic guy when he preached that gun violence was necessary to keep our “god given rights”, which it is not and it is awful to even think that. This is also hypocritical when it comes to free speech, I have a suspicion you wouldn’t be doing this to a conservative.”
147. In another quote, a student stated, “I understand that teachers in Williamson County Schools are expected to uphold a standard of moral conduct. However, Mrs.

Orbison also has the constitutional right to free speech, guaranteed by the First Amendment. She exercised this right on her private account, which was never intended to be shared with students. Teachers are entitled to have personal lives outside the classroom, and in this case, Mrs. Orbison was simply quoting the words of Charlie Kirk and using this time to speak out on gun violence especially in schools which is a crisis America is facing. Disciplining her for this is unjust and sets a troubling precedent for both educators and our community. We believe this action reflects poorly on Williamson County Schools. We urge you to do the right thing and allow Mrs. Orbison to continue teaching without fear of losing her job for exercising her rights as a private citizen.”

**O. Ms. Orbison remains indefinitely suspended and restrained**

148. As of the October 8, 2025 filing of this complaint, Ms. Orbison remains suspended without pay.

149. Ms. Orbison also remains prohibited by WCS’s “no contact” order from entering WCS property, communicating with WCS staff, or communicating with WCS students – either as a teacher or as a mother.

150. The HR “investigation” is presumably still pending, although it is unclear what “investigation” really needs to occur where Ms. Orbison’s only alleged infraction was a social media post that the Federalist publicized on September 13, 2025.

151. It is unclear what steps remain in HR’s “investigation,” or when a result and decision from this investigation will be reached.

152. Ms. Orbison’s class has an out-of-state field trip scheduled for October 30, 2025. Ms. Orbison does not know whether the field trip will still happen, whether she needs to contact the involved third parties and cancel their services, or what in general she should

do. Ms. Orbison is the only person with all of the logistical information regarding the trip, which she would gladly pass along to whoever her replacement teacher is – however, WCS has prohibited her from doing so.

153. WCS's prohibitions on Ms. Orbison have also substantially interfered with her ability to participate as a mother in her daughter's education.

154. Because of the WCS prohibition, Ms. Orbison was not allowed to participate in her daughter's school fall festival on September 19, 2025.

155. Because of the WCS prohibition, Ms. Orbison was only allowed to participate in her daughter's parent-teacher conference on September 24, 2025 via videoconference.

156. Because of the WCS prohibition, Ms. Orbison was unable to participate in her daughter's first school book fair, which was on September 25, 2025.

157. Because of the WCS prohibition, Ms. Orbison anticipates that she will be unable to participate in her daughter's school field trip scheduled October 21, 2025.

## **CLAIMS FOR RELIEF**

### **COUNT I: RETALIATION FOR PRIVATE POLITICAL SPEECH (42 U.S.C § 1983)**

#### **(ALL DEFENDANTS)**

158. Plaintiff hereby reincorporates paragraphs 1 – 157 by reference.
159. Defendants have retaliated against Ms. Orbison for her social media post about Mr. Kirk.
160. Ms. Orbison’s social media post was made on her personal time, on her personal device, on her personal account, and in her private capacity.
161. Ms. Orbison’s post was about matters of great public concern – shootings, gun policy, women’s role in society, and the controversial political figure Mr. Charlie Kirk.
162. Whatever governmental needs WCS may have as a public employer, they are insufficient to justify gagging Ms. Orbison’s private right to speak on these matters of great public concern.
163. Defendants’ actions against Ms. Orbison would deter a person of ordinary firmness from engaging in political speech.
164. Ms. Orbison’s social media post, and the resulting republication of that post by WCS Board Members and The Federalist, are the sole bases for Defendants’ suspension without pay and “no contact” orders. Thus, Ms. Orbison’s exercise of free speech obviously caused Defendants’ adverse action.
165. Defendants have all acted under color of law in punishing Ms. Orbison for her speech.
166. As the ACLU recently put it, in response to the nationwide push to terminate and discipline teachers for daring to criticize Mr. Kirk’s political views:

“Government officials calling for people who expressed their political views to lose their jobs or face other punishment is unconstitutional. As the Supreme Court ruled just last year in *NRA v. Vullo* – a case where a Democratic government official was pressuring businesses to not work with the NRA – government officials can’t use their power to pressure third parties into silencing or punishing speech they dislike. Full stop. Employers, media companies, and even state and local officials facing such pressure should remember that the First Amendment protects them from having to give in.”

167. WCS has acted at the municipal policy level in instituting these adverse actions

against Ms. Orbison.

168. Defendants have retaliated against Ms. Orbison for her political speech in blatant, reckless, and intentional disregard of her First Amendment rights.

169. Defendants’ illegal retaliation for Ms. Orbison’s private political speech has inflicted both financial and emotional harm on her.

**COUNT II: VIOLATION OF FOURTEENTH AMENDMENT PARENTAL RIGHTS  
(42 U.S.C § 1983)**

**(ALL DEFENDANTS)**

170. Plaintiff hereby reincorporates paragraphs 1 – 157 by reference.

171. Defendants’ “no contact” order has unreasonably interfered with Ms. Orbison’s fundamental parental right to be involved in her child’s education in several respects, but in particular by preventing Ms. Orbison from communicating with her child’s teacher.

172. Defendants have all acted under color of law in restricting Ms. Orbison’s exercise of parental rights.

173. Defendants have interfered with Ms. Orbison’s exercise of parental rights in blatant, reckless, and intentional disregard of her rights.

174. Defendants' illegal interference with Ms. Orbison's parental rights has inflicted emotional harm on her, and poses the potential to inflict harm on Ms. Orbison's mother-daughter relationship.

**COUNT III: VIOLATION OF TENNESSEE PARENTAL RIGHTS STATUTE  
(T.C.A. § 36-8-103)**

**(DEFENDANT WILLIAMSON COUNTY ONLY)**

175. Plaintiff hereby reincorporates paragraphs 1 – 157 by reference.

176. Defendants' gag order has unreasonably interfered with Ms. Orbison's statutory parental rights recognized by T.C.A. 36-8-103, in particular the rights "to make reasonable choices within public schools for the education of [her] child" and the right to "participate in parent-teacher associations and school organizations."

177. Defendants have all acted under color of law in infringing Ms. Orbison's statutory parental rights.

178. Defendant lacks a compelling governmental interest for the burdening of Ms. Orbison's statutory parental rights.

179. Defendants have interfered with Ms. Orbison's statutory parental rights in blatant, reckless, and intentional disregard of these rights.

180. Defendants' illegal interference with Ms. Orbison's parental rights has inflicted emotional harm on her and, if prolonged, poses the potential to inflict harm on her mother-daughter relationship.

### **REQUEST FOR RELIEF**

**WHEREFORE**, these premises considered, Plaintiffs pray:

1. That the Defendants Answer this Complaint within the time provided by law.
2. That this cause be tried by a jury.
3. That judgment for Plaintiff enter against the Defendants on each count.
4. That Plaintiff be awarded nominal, compensatory, and punitive damages against Defendants.
5. That Plaintiff be awarded attorney's fees and reasonable litigation expenses, including expert witness fees, pursuant to 42 U.S.C. § 1988 and F.R. Civ. Pro. 54(d).
6. That the court costs in this matter be taxed to Defendants.
7. That Plaintiff be awarded all other relief to which it may appear she is entitled in the interests of justice.

Respectfully submitted,

*s/ Kyle Mothershead*

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