

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION

A.N., A MINOR BY AND THROUGH  
HER NEXT FRIEND, J.N.,

Plaintiff,

v.

JACKSON R-II SCHOOL DISTRICT,  
ET AL.,

Defendants.

Case No. 1:24-cv-00239-CMS

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**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

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Plaintiff A.N. ("Plaintiff"), pursuant to Fed. R. Civ. P. 56 and E.D.Mo. L.R. 7-4.01, hereby asks this Court to grant summary judgment in her favor as to Count III of her Complaint.<sup>1</sup>

1. The uncontroverted facts show that in mid-September 2024 the Defendants believed that A.N. might be subject to discipline for violating school policies; the Superintendent called A.N.'s parents on a Sunday afternoon and arranged for them to attend a meeting with school officials the following day.
2. Prior to the beginning of this meeting, the Defendants did not formally accuse A.N. of any wrongdoing, nor did they notify A.N. that she was facing a potential

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<sup>1</sup> Plaintiff is not waiving any of the other claims in her Second Amended Complaint. Rather, she believes that the analysis required to resolve the other counts will depend on contested facts, which will require a trial at which the credibility of witnesses may be evaluated.

expulsion.

3. At the Monday meeting A.N. told her side of the story; she was not made aware of any adverse witnesses or any evidence of which the Defendants were aware that might contradict her explanation.
4. Following the meeting, the Defendants determined that A.N. had violated at least one school policy and that she should be suspended for at least ten days, but that the Superintendent would continue to gather additional information.
5. The Superintendent then proceeded to speak to other witnesses and he relied on statements made by those witnesses to conclude that (1) A.N. had violated a second school policy and (2) her suspension should be extended by 170 days – meaning she would be suspended for an entire school year.
6. A.N.'s family appealed the extended suspension and a hearing was held at which A.N. was allowed to cross-examine the individual Defendants. The Defendants did not make A.N. aware of any adverse witnesses and did not provide her a chance to cross-examine those whose statements the Superintendent had relied on to extend her punishment.
7. Where school officials are considering whether a student will face a long-term suspension or expulsion, the risk of erroneously causing devastating, irreparable harm to the student's property interest in attending school and her liberty interest in her good name, reputation, honor, and integrity requires those officials to provide (1) a minimal presumption of innocence; (2) a clear statement of the school policies she is accused of violating and their potential

punishments, (3) a reasonable amount of time to prepare a defense against the accusations, (4) a neutral decisionmaker, (5) notice of adverse witnesses whose statements the decisionmaker will consider in determining her guilt and the severity of her punishment, and (6) an opportunity to cross-examine those adverse witnesses.

8. The Court should grant the Plaintiff summary judgment as to Count III because the uncontroverted facts show that the Defendants did not provide A.N. written notice of the policies she was accused of violating, nor the potential consequences for violating those policies, and less than 24 hours elapsed between her first notice that the school might impose discipline and her meeting with school officials to tell her side of the story. She was not informed of adverse witnesses or evidence the Superintendent relied upon to determine her guilt and the extent of her punishment, and she had no opportunity to cross-examine the witnesses whose statements the Superintendent relied on. And because the Superintendent was directly involved in accusing A.N. of wrongdoing and gathering the evidence on which the accusation was based, he was not a neutral decisionmaker.

WHEREFORE, for the reasons stated in this Motion, the Plaintiff's Statement of Uncontroverted Material Facts, and the Plaintiff's Memorandum of Law accompanying this Motion, A.N. respectfully asks this Court to enter judgment in her favor and against the Defendants as to Count III of her Second Amended Complaint, to declare that the Defendants violated her procedural due process rights secured by

the Fourteenth Amendment; to order the Defendants to expunge any and all education or disciplinary records of A.N. that reflect the events described in the Second Amended Complaint; to award A.N. compensatory damages traceable to the Defendants' unconstitutional actions pursuant to 42 U.S.C. § 1983; to award A.N.'s reasonable costs and attorney fees pursuant to 42 U.S.C. § 1988; and to award any additional relief the Court deems just and proper.

Respectfully submitted,



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### **CERTIFICATE OF SERVICE**

I hereby certify that on January 29, 2026, I submitted the foregoing to the Court via its electronic filing system, causing it to serve notice of the filing on:

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