



PARENTS

Parental Action and Rights Enforcement
to ensure Notice, Transparency, and Safety

— A Liberty Justice Center initiative —



Via mail & email

October 7, 2026

Dr. Emily Miller, Superintendent
Kearney School District
425 W. Washington St.
Kearney, MO 64060
millere@ksdr1.net

Re: Kearney School District First Amendment Violation

Dr. Miller,

I write on behalf of the PARENTS Initiative of the Liberty Justice Center. We represent Annie Palmer, the parent of a currently enrolled Kearney School District student and a former District educator for 20 years.

On April 16, 2026, Ms. Palmer used a “thumbs down” reaction on the District’s official Facebook page and posted comments in response to a post announcing the hiring of a new school principal, Ali Stewart. Without notice, explanation, or reference to any District policy concerning limiting public or parental access to the District’s social media accounts, the District deleted Ms. Palmer’s comments and blocked her access to its Facebook page.

Public records obtained by Ms. Palmer show that the restriction was imposed because the newly hired principal was personally “upset” about Ms. Palmer’s thumbs-down reaction and comments, and communicated this displeasure to District officials.

The United States Supreme Court has made clear that government officials violate the First Amendment when they restrict constituents’ access to official social media accounts.¹ The Eighth Circuit has also acknowledged that blocking a constituent from a government-operated social media page based on the viewpoint of their expression is unconstitutional.²

¹ See, e.g., *Lindke v. Freed*, 601 U.S. 187 (2024) (public schools engage in state action when they operate social media pages).

² See *Felts v. Green*, 91 F.4th 938, 940 (8th Cir. 2024) (affirming § 1983 judgment where the official blocked a constituent from his official Twitter account).

By restricting Ms. Palmer's access to an officially operated social media page because a District employee took offense at a thumbs-down emoji—an obvious and quintessential expression of opinion on a matter of public concern—the District violated the First Amendment. This conclusion is reinforced by the District's own written policies—or lack thereof—which contain no specific provision concerning the First Amendment right of parents to access the District's social media accounts.

The District has provided no explanation, offer to create a policy to ensure this does not occur to other parents, or assurance it won't again happen to Ms. Palmer if she expresses herself on the District Facebook page.

To resolve this matter, I request the District take the following corrective measures:

- (1) Provide Ms. Palmer with a written assurance that neither she, nor any other member of the public, will be restricted from accessing the District's social media accounts based on their viewpoint or protected expression.
- (2) Begin the process of adopting a written policy concerning management of all District social media accounts that acknowledges the First Amendment rights of the public.
- (3) Begin the process of training all District staff governing the District's concerning management of all District social media accounts.

Failure to address these issues in a timely manner could result in legal action against the District, up to and including an action for the violation of federal civil rights pursuant to 42 U.S.C. § 1983. If you have any questions, please contact me at tsnowball@ljc.org.

Sincerely,

Timothy R. Snowball
Senior Counsel

PARENTS Initiative
Liberty Justice Center