



Vigo County School Corporation

Dr. Robert Haworth, Superintendent
686 Wabash Avenue
P.O. Box 3703
Terre Haute, IN 47803-0703

Mr. Michael Cox, Director of Human Resources
Telephone: (812) 462-4404
Fax: (812) 462-4526

June 19, 2020

Mr. Michael Anderson

Re: Termination of Employment

Mr. Anderson:

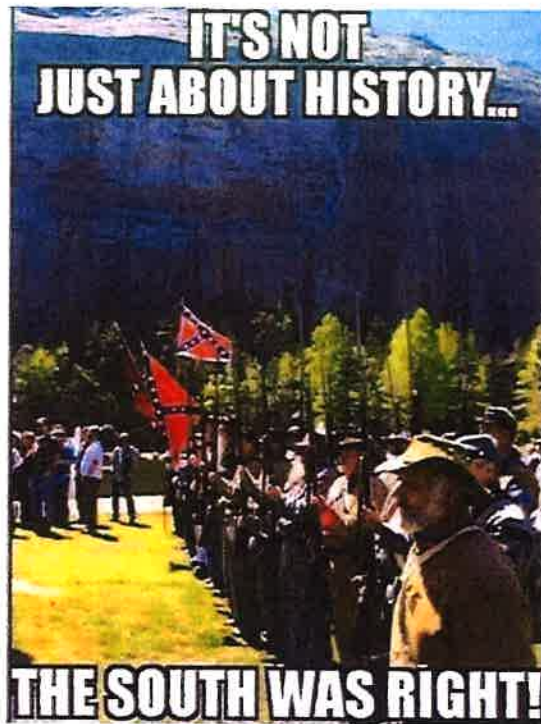
This letter memorializes the reasons for the termination of your employment as a School Protection Officer.

You are well aware that the Vigo County School Corporation is committed to providing an educational environment free from discrimination on the basis of, among other things, race as mandated by the Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution as well as Title VI of the Civil Rights Act of 1964. Students and educators within the School Corporation have a right to be free from an environment that is hostile towards their race, and the School Corporation is compelled to ensure this freedom exists. The School Corporation also enforces its policies and laws without regard to race, and School Protection Officers are an important component in that effort.

This letter is written at a time while protests in Terre Haute and around Indiana, the United States, and the world have taken place for nearly two months following the deaths of George Floyd, Ahmaud Arbery and others. Many of these protests and protesters voice concerns peacefully, but Indianapolis and other cities recently experienced violent outbursts in these protests. In response, institutions around the country such as NASCAR, the United States Navy, and the United States Marines have announced bans on the Confederate Flag.

The bans on the Confederate Flag make sense in this present environment. The federal court with jurisdiction over Vigo County recognized in 2019 that “[c]ourts around the country have agreed that Confederate flags . . . are often used to offend black people.” And courts have recognized the abilities of school corporations and law enforcement employers in taking action to limit the harmful effects of the message communicated by the Confederate flag. Indeed, school corporations can discipline a student for wearing shirts with an image of the Confederate flag and the words “The South was right[,] Our school is wrong.” And law enforcement employers can also take disciplinary action against officers who post the Confederate flag on Facebook and say “It’s time for the second revolution.” Your position represents a convergence of these domains.

Against this backdrop sits your posts on your Facebook profile—which is public—and of which the School Corporation was recently informed by local media. On your Facebook profile, you communicate that you are employed with the Vigo County School Corporation. And one of those posts is as follows:



Your post, in this context of historical protests rivaling only the late 1960's, includes the Confederate Flag, itself an inflammatory statement, but also an emphatic "The South Was Right!" The School Corporation administration reasonably anticipates your post will cause disruption in the educational environment, especially as we plan a return to in-person instruction for the first time following these protests. The possible disruption is not academic, as the public protests demonstrate. Indeed, as a School Protection Officer, you are asked to be one to de-escalate school conflicts—including conflicts and fights involving students of color—and enforce policies or laws without prejudice. Your posts and the public knowledge of those posts, substantially impairs your ability to perform your job and undermines the School Corporation's abilities to enforce policies and laws without prejudice.

For these reasons, the Vigo County School Corporation terminates your employment as a School Protection Officer.

Regards,

Handwritten signature of Michael Cox.

Michael Cox
Director of Human Resources