

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OKLAHOMA

Megan Slinkard and Jon Slinkard v. Independent School District No.
1 of Tulsa County, Oklahoma, doing business as Tulsa Public Schools;
Alpha Benson; Deborah Gist

Slinkard · No. No. 23-cv-354-JDR-SH · Decided June 15, 2026

SUMMARY

The court denied Tulsa Public Schools’ motion for reconsideration of its denial of summary judgment in the Slinkards’ constitutional-rights action. The court held that its prior dismissal of claims against individual defendants at the pleading stage did not constitute substantive merits determinations binding on the school district, and that the district’s newly raised argument concerning Ms. Slinkard’s status as a protected support employee was not properly presented on reconsideration. The court stated that the school district could raise that argument at trial.

CASE DETAILS

COURT	United States District Court for the Northern District of Oklahoma
WRITING FOR THE COURT	John D. Russell
JURISDICTION	United States District Court for the Northern District of Oklahoma
DECIDED	June 15, 2026
DOCKET	No. 23-cv-354-JDR-SH
DISPOSITION	other
PROCEDURAL POSTURE	Defendant Tulsa Public Schools moved for reconsideration of the court's interlocutory order denying its motion for summary judgment. The court denied reconsideration.
STANDARD OF REVIEW	A motion for reconsideration of an interlocutory ruling is evaluated under the court's inherent authority and is warranted for an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice. Reconsideration is also appropriate when the court has misapprehended the facts, a party's position, or controlling law.
PRECEDENTIAL VALUE	Unpublished federal district court opinion; precedential status is not stated in the opinion.

PARTIES

Tulsa Public Schools v. Megan Slinkard, Jon Slinkard

TOPICS

motion for reconsideration

summary judgment

civil procedure

due process

statutory interpretation

PRACTICE AREAS

civil procedure

constitutional law

civil rights

employment law

statutory interpretation

QUESTIONS PRESENTED

1. Whether the court's prior dismissal of claims against individual school officials constituted a substantive merits determination that controlled the surviving claims against Tulsa Public Schools.
2. Whether Tulsa Public Schools could use a motion for reconsideration to raise a new argument that Ms. Slinkard was not a statutory support employee because she had worked fewer than 172 days.
3. Whether denial of summary judgment constituted a determination that Ms. Slinkard was entitled to a termination hearing or otherwise precluded Tulsa Public Schools from presenting additional arguments at trial.

HOLDINGS

1. A ruling granting a motion to dismiss determines only whether the complaint states a legally sufficient claim against the defendants subject to that motion; it does not constitute a substantive merits determination controlling claims against other, undismissed defendants.
2. A motion for reconsideration is not a proper vehicle for presenting a new substantive legal argument that was not raised in the original motion for summary judgment.
3. Denial of summary judgment does not establish that the nonmoving party is entitled to judgment, resolve disputed factual or legal questions in that party's favor, or preclude the movant from presenting other arguments at trial.

KEY QUOTATIONS

“When a Court grants a motion to dismiss, it does not make substantive legal rulings determining a party’s potential claims as a matter of law.” (at 3)

“A denial of summary judgment only rules that the proffered arguments and evidence do not establish that the undisputed facts raised by the parties establish that no reasonable jury could find for the non-moving party; it “merely postpones decision of any question” and “decides none.”” (at 7)

FACTUAL BACKGROUND

The Slinkards brought constitutional claims against Tulsa Public Schools and school officials based on Ms. Slinkard's ban from Tulsa Public Schools property, termination as a teacher's assistant, and Mr. Slinkard's denial of an opportunity to speak at a school board meeting. Ms. Slinkard's employment and entitlement to a

termination hearing under Oklahoma law were disputed. Tulsa Public Schools sought to rely on the court's dismissal of claims against individual defendants and on Oklahoma statutory provisions concerning support employees and termination without cause.

PROCEDURAL HISTORY

The Slinkards sued Tulsa Public Schools and school officials under constitutional theories arising from Ms. Slinkard's exclusion from school property and termination, and Mr. Slinkard's inability to speak at a school board meeting. The court dismissed the claims against Principal Alpha Benson and Superintendent Deborah Gist without prejudice. After discovery, Tulsa Public Schools moved for summary judgment, arguing that the dismissal ruling and Oklahoma's one-year provision for termination of support employees defeated the claims; the court denied that motion. Tulsa Public Schools then moved for reconsideration, raising arguments concerning the legal effect of the dismissal ruling and Ms. Slinkard's alleged employment for fewer than 172 days. The court denied the motion.

DISPOSITION

other

CASES CITED

- Warren v. Am. Bankers Ins. of Fla., 507 F.3d 1239, 1243 (10th Cir. 2007)
- Servants of Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000)
- Jones v. City of Comanche, Oklahoma, No. 25-6016, 2025 WL 3260611, at *3 (10th Cir. Nov. 24, 2025)
- Hampton v. Gen. Motors, LLC, 631 F. Supp. 3d 1041, 1045 (E.D. Okla. 2022)
- Pierce v. Gilchrist, 359 F.3d 1279, 1301 (10th Cir. 2004)
- Dessar v. Bank of Am. Nat. Tr. & Sav. Ass'n, 353 F.2d 468, 470 (9th Cir. 1965)
- Speeney v. Rutgers, 673 F. App'x 149, 152 n.2 (3d Cir. 2016)