

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MISSOURI

Tracy Johnson v. Kansas City Public Schools

Johnson v. Kansas City Public Schools · No. 26-00016-CV-W-JAM · Decided June 27, 2026

SUMMARY

The court grants in part and denies in part the defendant’s motion to dismiss an employment-discrimination action brought under Title VII, the ADEA, the ADA, and the Missouri Human Rights Act. The court dismisses MHRA claims based on conduct in the plaintiff’s first administrative charge because she received a determination of no violation and did not appeal, while permitting MHRA claims arising from her second charge to proceed. The court allows the federal claims for discrimination, failure to accommodate, retaliation, hostile work environment, failure to promote, and constructive discharge to proceed at the pleading stage.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri
WRITING FOR THE COURT	Jill A. Morris
JURISDICTION	United States District Court for the Western District of Missouri
DECIDED	June 27, 2026
DOCKET	26-00016-CV-W-JAM
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's First Amended Complaint asserting race, age, and disability discrimination, failure to accommodate, retaliation, hostile work environment, failure to promote, and constructive discharge claims under federal statutes and the Missouri Human Rights Act.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the Court accepts well-pleaded factual allegations as true, liberally construes the complaint in favor of the plaintiff, and determines whether the allegations state a claim for relief that is plausible on its face. Legal conclusions couched as factual allegations need not be accepted as true. A pro se complaint is liberally construed but must still allege sufficient facts to support the asserted claims.
PRECEDENTIAL VALUE	unpublished district court order; persuasive only

PARTIES

Tracy Johnson v. Kansas City Public Schools

TOPICS

motions to dismiss

employment discrimination

ada discrimination

title vii

civil procedure

PRACTICE AREAS

employment law

civil rights

disability discrimination

employment discrimination

civil procedure

QUESTIONS PRESENTED

1. Whether the MHRA claims based on Plaintiff's first administrative charge were barred because Plaintiff received a determination of no violation rather than a notice of right to sue and did not appeal the determination.
2. Whether Plaintiff's second administrative charge impermissibly split claims arising from the same subject matter as the first charge.
3. Whether the First Amended Complaint plausibly stated Title VII race-discrimination claims.
4. Whether the First Amended Complaint plausibly stated ADEA age-discrimination claims and whether the age-based theories were administratively exhausted.
5. Whether the First Amended Complaint plausibly alleged an ADA disability and stated claims for disability discrimination and failure to accommodate.
6. Whether the First Amended Complaint plausibly stated retaliation claims under Title VII, the ADEA, and the ADA.
7. Whether the First Amended Complaint plausibly stated hostile-work-environment claims.
8. Whether the First Amended Complaint plausibly stated a failure-to-promote claim.
9. Whether the First Amended Complaint plausibly stated constructive-discharge claims under Title VII, the ADA, the ADEA, and the MHRA.

HOLDINGS

1. MHRA claims based on conduct alleged in Plaintiff's first charge, covering July 24, 2023 through February 15, 2024, must be dismissed because Plaintiff received a determination of no violation rather than a notice of right to sue and did not appeal the determination.
2. At the motion-to-dismiss stage, the Court could not conclude that Plaintiff's second charge impermissibly split claims from the first charge.
3. The First Amended Complaint plausibly stated a Title VII race-discrimination claim.
4. Plaintiff adequately exhausted her federal age-discrimination theories and plausibly stated an ADEA claim.
5. The First Amended Complaint plausibly alleged an ADA disability and stated claims for disability discrimination and failure to accommodate.

6. The First Amended Complaint plausibly stated retaliation claims under Title VII, the ADEA, and the ADA.
7. The First Amended Complaint plausibly stated hostile-work-environment claims under the asserted federal statutes, including retaliatory hostile work environment to the extent alleged.
8. The First Amended Complaint plausibly stated a failure-to-promote claim based on discrimination or retaliation.
9. The First Amended Complaint plausibly stated constructive-discharge theories under Title VII, the ADA, the ADEA, and the MHRA, and constructive discharge need not be pleaded as a standalone claim.

KEY QUOTATIONS

“To survive a motion to dismiss under Rule 12(b)(6), a complaint must allege facts sufficient to “state a claim to relief that is plausible on its face.”” (at 2)

“Since the second Charge is premised fully, or in large part, on separate alleged actions occurring after the conduct identified in the first Charge, the Court cannot conclude at this juncture that the second Charge constitutes impermissible claim-splitting for purposes of this motion.” (at 4)

FACTUAL BACKGROUND

Tracy Johnson, a 62-year-old African American woman, worked for Kansas City Public Schools for more than thirty years, including more than twenty years as a Head Start Family Advocate. She alleged that permanent injuries from a 2007 automobile accident caused mobility restrictions known to the school district, which had historically accommodated her. Beginning in 2023, after she reported discrimination, safety concerns, and policy violations, she alleged that the district delayed approved accommodations, assigned duties outside her restrictions, increased scrutiny, excluded her from meetings and communications, subjected her to hostility and discipline, denied promotions in favor of less qualified white or younger employees, and retaliated against her. She alleged that these conditions forced her to retire on December 31, 2024.

PROCEDURAL HISTORY

The Court previously granted in part Defendant's motion to dismiss the original complaint and directed Plaintiff to amend by identifying exhausted claims and providing sufficient supporting facts. Plaintiff filed a First Amended Complaint asserting eight counts. Defendant moved to dismiss under Rule 12(b)(6), Plaintiff opposed, and Defendant replied. The Court dismissed the MHRA claims based on conduct included in Plaintiff's first administrative charge because she received a determination of no violation rather than a notice of right to sue and had not appealed; the Court denied dismissal in all other respects, including the MHRA claims arising from the second charge and the federal claims.

DISPOSITION

other

CASES CITED

- Ashcroft v. Iqbal, 556 U.S. 662, 677-87 (2009)
- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 554-55, 556, 570 (2007)
- Huggins v. FedEx Ground Package Sys., Inc., 592 F.3d 853, 862 (8th Cir. 2010)
- Schaaf v. Residential Funding Corp., 517 F.3d 544, 549 (8th Cir. 2008)
- Topchian v. JPMorgan Chase Bank, N.A., 760 F.3d 843, 849 (8th Cir. 2014)
- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- Sandknop v. Mo. Dep't. of Corr., 932 F.3d 739, 741 (8th Cir. 2019)
- Stuart v. Gen. Motors. Corp., 217 F.3d 621, 630-31 (8th Cir. 2000)
- Allen v. Fam. Counseling Ctr., No. 1:09-CV-0064-CDP, 2010 WL 254925, at *2 (E.D. Mo. Jan. 19, 2010)
- Wilson v. Ark. Dep't of Hum. Servs., 850 F.3d 368, 371-72 (8th Cir. 2017)
- Swierkiewicz v. Sorema N.A., 534 U.S. 506, 511 (2002)
- Blomker v. Jewell, 831 F.3d 1051, 1056 (8th Cir. 2016)
- Young v. Builders Steel Co., 754 F.3d 573, 577 (8th Cir. 2014)
- Smothers v. Rowley Masonic Assisted Living Cmty., LLC, 63 F.4th 721, 728 (8th Cir. 2023)
- Hester v. Dep't of Treas., 137 F.4th 684, 689-90 (8th Cir. 2025)
- McKay v. U.S. Dept. of Transp., 340 F.3d 695, 698 (8th Cir. 2003)
- Muldrow v. City of St. Louis, 601 U.S. 346, 355 (2024)
- Palmer as Tr. of Robert L. Palmer and Tamara C. Palmer v. Union P. R.R. Co., 139 F.4th 970, 973 (8th Cir. 2025)
- Milczak v. Gen. Motors, LLC, 102 F.4th 772, 787 (6th Cir. 2024)
- Hill v. Walker, 737 F.3d 1209, 1216 (8th Cir. 2013)
- Huber v. Wal-Mart Stores, Inc., 486 F.3d 480, 482 (8th Cir. 2007)
- Hopman v. Union Pac. R.R., 68 F.4th 394, 396 (8th Cir. 2023)
- Moses v. Dassault Falcon Jet-Wilmington Corp., 894 F.3d 911, 923-24 (8th Cir. 2018)
- Scheffler v. Dohman, 785 F.3d 1260, 1261 (8th Cir. 2015)
- Calder v. TCI Cablevision of Mo., Inc., 298 F.3d 723, 731 (8th Cir. 2002)
- Warmington v. Bd. of Regents of Univ. of Minnesota, 998 F.3d 789, 799 (8th Cir. 2021)
- Rickard v. Swedish Match N.A., Inc., 773 F.3d 181, 184 (8th Cir. 2014)
- Ryan v. Capital Contractors, Inc., 679 F.3d 772, 778 (8th Cir. 2012)
- Stewart v. Indep. Sch. Dist., No. 196, 481 F.3d 1034, 1042-43 (8th Cir. 2007)
- Ash v. Anderson Merchs., LLC, 799 F.3d 957, 960 (8th Cir. 2015)
- Dougherty v. Leidos, No. 4:21-CV-01163-MTS, 2023 WL 4864541, at *9 (E.D. Mo. July 31, 2023)
- Rose-Maston v. NME Hosps., Inc., 133 F.3d 1104, 1109 (8th Cir. 1998)
- Avina v. Union Pac. R.R. Co., 72 F.4th 839, 843-44 (8th Cir. 2023)
- Bell v. Baptist Health, 60 F.4th 1198, 1203 (8th Cir. 2023)
- Betz v. Chertoff, 578 F.3d 929, 936 (8th Cir. 2009)
- Reedy v. Quebecor Printing Eagle, Inc., 333 F.3d 906, 910 (8th Cir. 2003)

- Garrison v. Dolgencorp, LLC, 939 F.3d 937, 943 (8th Cir. 2019)

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