

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
ILLINOIS

Niesha Anthony, as parent and next friend of Zariah Anthony, a
minor v. O’Fallon Township High School District 203 Board of
Education, et al.

Anthony · No. 23-CV-00967-SPM · Decided March 31, 2026

SUMMARY

The United States District Court for the Southern District of Illinois granted summary judgment to O’Fallon Township High School District 203, its Board of Education, and several administrators in a case alleging race-based discrimination and retaliation involving a student. The court concluded that the alleged racial comment, handling of the complaint, disciplinary documentation, and the student’s expulsion did not establish actionable discrimination or a racially hostile educational environment under Title VI or the Illinois Civil Rights Act.

CASE DETAILS

COURT	United States District Court for the Southern District of Illinois
WRITING FOR THE COURT	Stephen P. McGlynn
JURISDICTION	United States District Court for the Southern District of Illinois
DECIDED	March 31, 2026
DOCKET	23-CV-00967-SPM
DISPOSITION	dismissed
PROCEDURAL POSTURE	Defendants moved for summary judgment on all remaining claims in Plaintiff's Third Amended Complaint. The court granted the motion and dismissed the action with prejudice.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows that there is no genuine dispute as to any material fact and that the movant is entitled to judgment as a matter of law. The court views the evidence and draws reasonable inferences in favor of the nonmovant, but the nonmovant must identify admissible evidence establishing a genuine dispute on each element for which she bears the burden of proof.
PRECEDENTIAL VALUE	unpublished district court memorandum and order; persuasive rather than binding outside the case

TOPICS

summary judgment

section 1983

civil rights

qualified immunity

civil procedure

PRACTICE AREAS

civil rights

education law

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether Plaintiff presented sufficient admissible evidence to create a genuine dispute that Defendants intentionally discriminated against Zariah in violation of Title VI and the Illinois Civil Rights Act.
2. Whether Plaintiff presented sufficient evidence of protected activity, adverse action, and causation to sustain Title VI and Illinois Civil Rights Act retaliation claims.
3. Whether Plaintiff established an equal-protection violation or a basis for municipal liability under 42 U.S.C. § 1983.
4. Whether Plaintiff established that Defendants retaliated against Zariah in violation of the First Amendment.
5. Whether Plaintiff was entitled to a permanent injunction expunging disciplinary records and the expulsion.
6. Whether Plaintiff's petition for an Illinois writ of certiorari challenging the expulsion succeeded on the merits.
7. Whether the individual Defendants were entitled to qualified immunity.
8. Whether Defendants were entitled to sanctions based on alleged misrepresentations concerning residency.

HOLDINGS

1. Plaintiff failed to present admissible evidence from which a reasonable factfinder could conclude that Defendants intentionally discriminated against Zariah because of race. The alleged isolated remark, the handling of the complaint, the Skyward notation, and the expulsion did not establish a sufficient nexus or a severe, pervasive, objectively offensive deprivation of educational benefits.
2. Plaintiff could rely on Niesha's complaint as protected activity on Zariah's behalf because a minor child may depend on a parent to report discrimination, and Zariah's expulsion was an adverse action. Nevertheless, the retaliation claims failed because Plaintiff did not produce evidence of a causal connection between the complaint and the expulsion or evidence that the Board's stated reasons were pretextual.
3. Plaintiff failed to establish an equal-protection discrimination claim or municipal liability under § 1983. She offered neither statistical evidence nor admissible evidence of a similarly situated non-Black comparator treated more favorably, and she failed to show that any constitutional violation was caused by a Board policy, custom, or final policymaker.

4. Plaintiff failed to establish First Amendment retaliation because she did not present admissible evidence that protected activity was a motivating factor in any adverse action against Zariah.
5. Plaintiff was not entitled to a permanent injunction because she did not succeed on any underlying claim.
6. Summary judgment was warranted on the writ-of-certiorari claim because the record showed that the Board acted consistently with the Illinois School Code and its policy when it expelled Zariah.
7. The individual Defendants were entitled to qualified immunity on the asserted equal-protection and First Amendment retaliation claims because Plaintiff failed to establish a constitutional violation; alternatively, the alleged conduct did not violate clearly established law under the particular circumstances.

KEY QUOTATIONS

“The court has one task and one task only: to decide, based on the evidence of record, whether there is any material dispute of fact that requires a trial.” (Section I)

“Clearly, a minor child like Zariah cannot be required to make a race-based discrimination complaint on her own behalf.” (Section II)

“For the reasons set forth above, the Defendants’ Motion for Summary judgment (Doc. 123) is GRANTED. This matter is DISMISSED with prejudice.” (Conclusion)

FACTUAL BACKGROUND

Zariah Anthony, a Black student at O’Fallon Township High School, alleged that Vice Principal Twana Dollison made a race-related remark during a student meeting and that school administrators failed to investigate her mother’s complaint, documented the complaint in Zariah’s student record, and later used it in connection with Zariah’s discipline. In September 2022, Zariah became involved in a physical altercation, continued attempting to strike another student after administrators intervened, and failed to follow directives; the school initially suspended her and then expelled her for the remainder of the school year. The school board hearing included testimony from Zariah and Niesha, video evidence, discussion of Zariah’s lack of prior discipline and the potential consequences of her return, and consideration of the circumstances of the altercation.

PROCEDURAL HISTORY

Niesha Anthony filed the action in Illinois state court on February 23, 2023, and Defendants removed it to the Southern District of Illinois on March 24, 2023. The court dismissed Niesha’s claims brought on her own behalf for lack of standing, permitted amendment of the pleadings, and allowed Zariah’s claims asserted through Niesha to proceed. After discovery and extensive summary-judgment briefing, the court granted Defendants’ motion on all counts and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Spurling v. C & M Fine Pack, Inc., 739 F.3d 1055, 1060 (7th Cir.)
- Celotex Corp. v. Catrett, 477 U.S. 317, 322-24 (1986)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248-50 (1986)
- Alexander v. Sandoval, 532 U.S. 275, 278, 280 (2001)
- Watters v. Homeowners' Ass'n at Pres. at Bridgewater, 48 F.4th 779, 785-86 (7th Cir. 2022)
- Scaife v. Cook County, 446 F.3d 735, 740-41 (7th Cir. 2006)
- Jauquet v. Green Bay Area Catholic Education, Inc., 996 F.3d 802, 809 (7th Cir. 2021)
- Springer v. Durlinger, 518 F.3d 479, 483-84 (7th Cir. 2008)
- Massey v. Wheeler, 221 F.3d 1030, 1035 (7th Cir. 2000)
- Holleman v. Zatecky, 951 F.3d 873, 878 (7th Cir. 2020)
- D.S. v. East Porter County School Corp., 799 F.3d 793, 799 (7th Cir. 2015)
- Gaines v. Dart, 158 F.4th 829, 835-38 (7th Cir. 2025)
- Boyd v. Illinois State Police, 384 F.3d 888, 898 (7th Cir. 2004)
- Taylor v. Schwarzhuber, 132 F.4th 480, 486 (7th Cir. 2025)
- Ashcroft v. al-Kidd, 563 U.S. 731, 735, 741 (2011)
- Anderson v. Creighton, 483 U.S. 635, 640 (1987)
- eBay Inc. v. MercExchange, L.L.C., 547 U.S. 388, 391 (2006)
- Plummer v. American Institute of Certified Public Accountants, 97 F.3d 220, 229-30 (7th Cir. 1996)
- Alicea v. Snyder, 321 Ill. App. 3d 248, 252 (2001)