

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LAURA SOSH-LIGHTSY,

Plaintiff,

v.

**DR. SIDNEY McPHEE, in his individual
capacity and in his official capacity as
President of Middle Tennessee State
University; and DR. DANNY KELLEY,
in his individual capacity and in his
official capacity as the Interim Vice
President for Student Affairs and
Dean of Students of Middle Tennessee
State University,**

Defendants.

No. _____

JURY DEMAND

COMPLAINT

For her Complaint under the First Amendment to the United States Constitution and 42 U.S.C. § 1983 against Defendants Dr. Sidney McPhee (“Dr. McPhee”), in his individual capacity and in his official capacity as President of Middle Tennessee State University (“MTSU”), and Dr. Danny Kelley (“Dr. Kelley”), in his individual capacity and in his official capacity as the Interim Vice President for Student Affairs and Dean of Students of MTSU (collectively, “MTSU Defendants”), Plaintiff Laura Sosh-Lightsy (“Ms. Sosh-Lightsy” or “Plaintiff”) states as follows:

INTRODUCTION

1. This case arises from a public university’s rash decision to punish a long-serving administrator for engaging in constitutionally protected speech on a matter of undeniable public concern. The First Amendment safeguards not only the right to express popular or comfortable views, but also those that may “invite dispute.” *Terminiello v. Chicago*, 337 U.S. 1, 4 (1949). As

the Supreme Court has declared, “If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or force citizens to confess by word or act their faith therein.” *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943).

2. Ms. Sosh-Lightsy devoted more than two decades to MTSU and its students. Plaintiff was abruptly terminated overnight, less than four hours after making comments on her private social media page, not because her work performance faltered or because of any actual disruption at MTSU but because her viewpoint sparked political backlash. There was no interruption of teaching or services at MTSU and no impairment of Plaintiff’s ability to perform her job. A former MTSU student and Republican Party operative, Matthew Hurtt, and a sitting Republican United States Senator from Tennessee, Marsha Blackburn (“Senator Blackburn”), did not agree with Ms. Sosh-Lightsy, and Hurtt and Senator Blackburn used their positions to pressure MTSU to retaliate against Plaintiff. The MTSU Defendants caved to this political pressure and retaliated against Ms. Sosh-Lightsy for engaging in constitutionally protected speech.

3. Plaintiff seeks declaratory relief and damages against the MTSU Defendants for their unconstitutional conduct.

4. Specifically, on September 10, 2025, the MTSU Defendants terminated Ms. Sosh-Lightsy’s employment as Associate Dean of Student Care and Conduct in retaliation for Plaintiff’s private posts on her personal social media account concerning the murder of Charlie Kirk (“Mr. Kirk”), a conservative political commentator and the founder of the 501(c)(3) nonprofit organization Turning Point USA (“TPUSA”).

5. Plaintiff’s private posts on her personal social media account on a matter of public concern are speech protected by the First Amendment. Ms. Sosh-Lightsy spoke as a private citizen

on a matter of public concern, namely Mr. Kirk's murder, and Plaintiff's interest in speaking on that topic outweighs any contrary interest of the MTSU Defendants.

6. The MTSU Defendants took adverse actions against Ms. Sosh-Lightsy that would deter a person of ordinary firmness from continuing in speech protected by the First Amendment, including but not limited to terminating Plaintiff's employment.

7. The MTSU Defendants' termination of Ms. Sosh-Lightsy's employment was motivated by Plaintiff's protected speech.

JURISDICTION AND VENUE

8. This Court has subject-matter jurisdiction over Ms. Sosh-Lightsy's claims against the MTSU Defendants under 28 U.S.C. §§ 1331 and 1343(a)(3). Plaintiff's claims against the MTSU Defendants arise under the laws of the United States, namely 42 U.S.C. § 1983, and seek to redress a violation of the U.S. Constitution.

9. The Court has the authority to grant declaratory relief to Ms. Sosh-Lightsy on her claims against the MTSU Defendants under 28 U.S.C. §§ 2201 and 2202.

10. This Court has personal jurisdiction over Dr. McPhee. He performs his duties as President of MTSU in this District.

11. This Court has personal jurisdiction over Dr. Kelley. He performs his duties as Interim Vice President for Student Affairs and Dean of Students of MTSU in this District.

12. Venue for Plaintiff's claims against the MTSU Defendants is proper in this Court under 28 U.S.C. § 1391(b). A substantial part of the events giving rise to this action occurred within this District.

PARTIES

13. Ms. Sosh-Lightsy is an individual; she resides in Rutherford County, Tennessee.

14. Dr. McPhee is an individual; on information and belief, he resides in Rutherford County, Tennessee.

15. At all relevant times, Dr. McPhee has been the President of MTSU.

16. Dr. Kelley is an individual; on information and belief, he resides in Davidson County, Tennessee.

17. At all relevant times, Dr. Kelley has been the Interim Vice President for Student Affairs and Dean of Students of MTSU.

18. At all relevant times, the First Amendment applied to Dr. McPhee in his individual capacity and in his official capacity as President of MTSU.

19. At all relevant times, the First Amendment applied to Dr. Kelley in his individual capacity and in his official capacity as Interim Vice President for Student Affairs and Dean of Students of MTSU.

20. At all relevant times, 42 U.S.C. § 1983 applied to Dr. McPhee in his individual capacity and in his official capacity as President of MTSU.

21. At all relevant times, 42 U.S.C. § 1983 applied to Dr. Kelley in his individual capacity and in his official capacity as Interim Vice President for Student Affairs and Dean of Students of MTSU.

FACTS

Plaintiff's Employment with MTSU Prior to September 10, 2025

22. Ms. Sosh-Lightsy began working for MTSU in 2004 as Assistant Dean for Judicial Affairs and Mediation Services.

23. MTSU promoted Plaintiff to the role of Associate Dean of Student Care and Conduct in January 2025.

24. Additionally, from 2011 until her termination in 2025, Ms. Sosh-Lightsy served as Deputy Coordinator for Title IX compliance at MTSU.

25. Furthermore, from approximately 2005 or 2006 until approximately 2015 or 2016, Plaintiff taught a class at MTSU approximately once a year, specifically a three-hour credit university seminar class to assist incoming MTSU students adjust to college life; the course covered topics such as resource management, learning skills, study skills, and MTSU vernacular.

26. During the two decades that Plaintiff was responsible for student conduct and disciplinary processes in her various roles at MTSU, no one has suggested that Ms. Sosh-Lightsy could not perform her duties impartially or has filed a complaint alleging that Plaintiff acted with bias or a lack of impartiality prior to September 10, 2025.

27. In Ms. Sosh-Lightsy's last performance review during her employment with MTSU, dated July 8, 2025, Plaintiff received a rating of Exceeds Expectations.

28. Evaluating Ms. Sosh-Lightsy's customer service skills in Plaintiff's last evaluation, her supervisor wrote that Ms. Sosh-Lightsy "provides quality, timely, efficient and friendly service to constituents"; "[f]osters cooperative relationships both inside and outside the department"; and "[e]nhances student learning experience and promotes a positive image at MTSU."

29. Plaintiff has a long history of assessing and resolving student conduct and/or disciplinary issues involving students of all political persuasions, including politically conservative student organizations like MTSU's College Republicans and MTSU's TPUSA and politically liberal student organizations like MT Lambda, which advocates for LGBTQIA+ rights.

30. Ms. Sosh-Lightsy assessed and resolved a student conduct matter involving the College Republicans and TPUSA at MTSU just a few weeks prior to her firing.

31. In assessing and resolving that matter concerning the College Republicans and

TPUSA, Plaintiff utilized the same processes and provided the same opportunities for development to the College Republicans and to TPUSA as Ms. Sosh-Lightsy did when assessing and resolving matters concerning MT Lambda and other organizations with differing political viewpoints.

Mr. Kirk's Murder and Plaintiff's Facebook Posts on September 10

32. On the morning of September 10, 2025, Mr. Kirk was shot and killed on the campus of Utah Valley University.

33. Mr. Kirk's murder engendered immense public interest and scrutiny, beginning on September 10, making it an archetypal matter of public concern.

34. Many Americans posted on social media platforms about Mr. Kirk's murder and his previous public statements, especially Mr. Kirk's statements concerning gun violence, school shootings, and the Second Amendment.

35. On March 27, 2023, a gunman killed three children and three adults at The Covenant School in Nashville, Tennessee.

36. At an event hosted by a division of TPUSA on April 5, 2023, in Salt Lake City, Utah, just nine days after The Covenant School shooting, Mr. Kirk made the following statement: "I think it's worth to have a cost of, unfortunately, some gun deaths every single year so that we can have the Second Amendment to protect our other God-given rights. That is a prudent deal."

37. Many Americans, including Plaintiff, are concerned about the prevalence of gun-violence deaths in the United States, especially those deaths that occur in schools.

38. The March 27, 2023, shooting at The Covenant School was the 130th mass shooting in the United States in 2023.

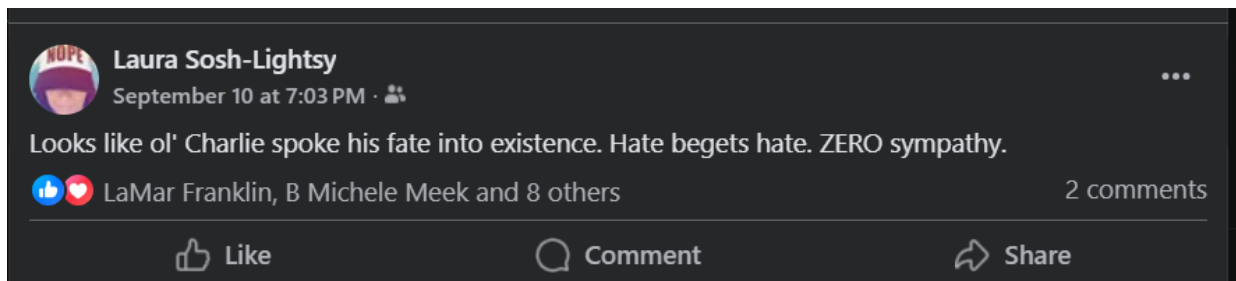
39. Since 2020, firearms have killed more Americans aged 1 to 24 than any other cause of death, including motor vehicle accidents and cancer.

40. In the evening on September 10, Plaintiff made a series of posts about Mr. Kirk and his political messages, especially his prior statements concerning gun violence, on her personal Facebook page.

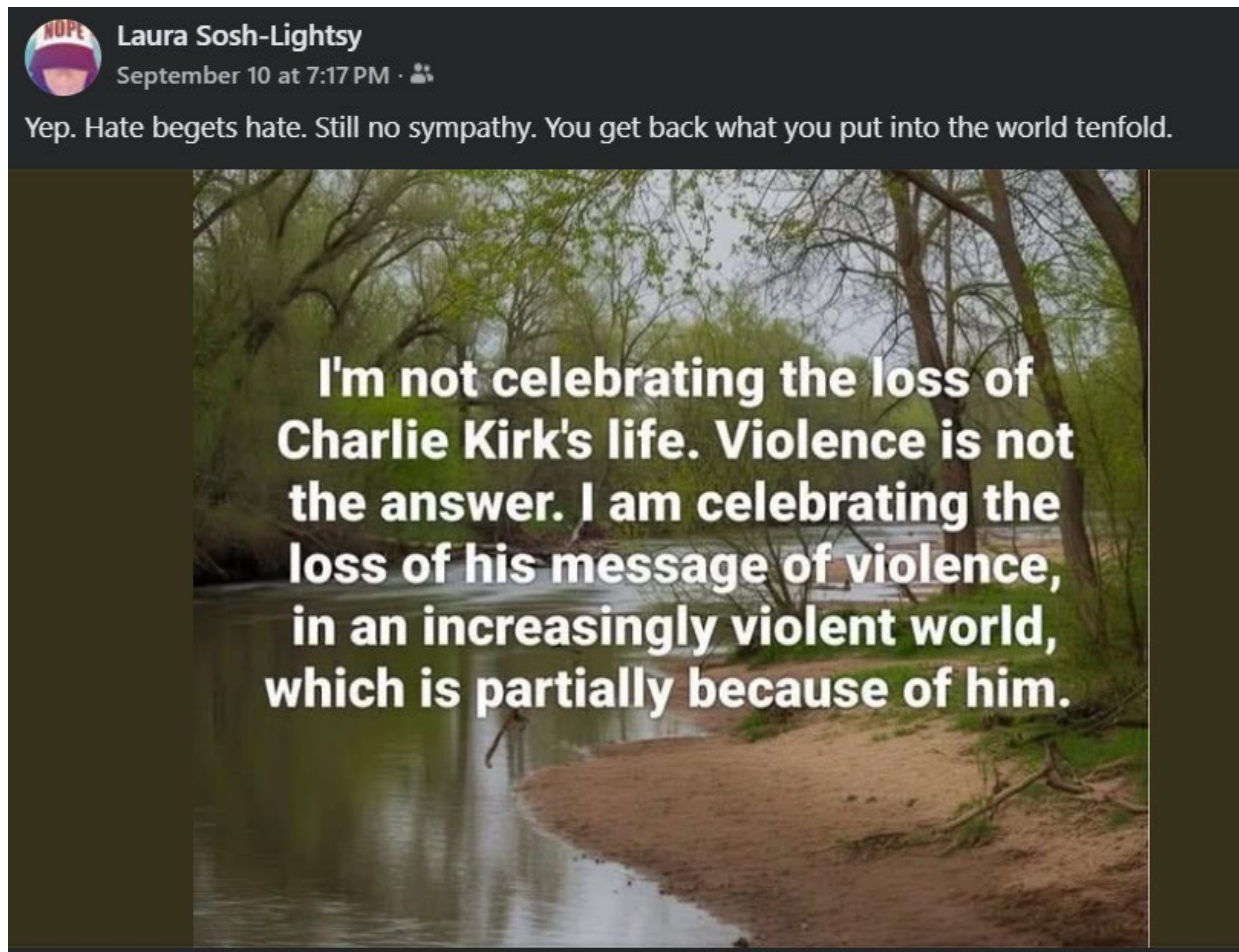
41. Ms. Sosh-Lightsy's personal Facebook page is not public; only Plaintiff's Facebook friends can see her posts.

42. Ms. Sosh-Lightsy's Facebook page contains a disclaimer; it states that "[t]he ideas/commentary shared here on [Plaintiff's] personal page may not reflect the ideologies of [her] employers."

43. Plaintiff made her first Facebook post concerning Mr. Kirk's murder and his prior statements concerning gun violence on September 10 at 7:03 p.m., reproduced below:



44. Ms. Sosh-Lightsy made her second Facebook post concerning Mr. Kirk's murder and his prior statements concerning gun violence on September 10 at 7:17 p.m., reproduced below:



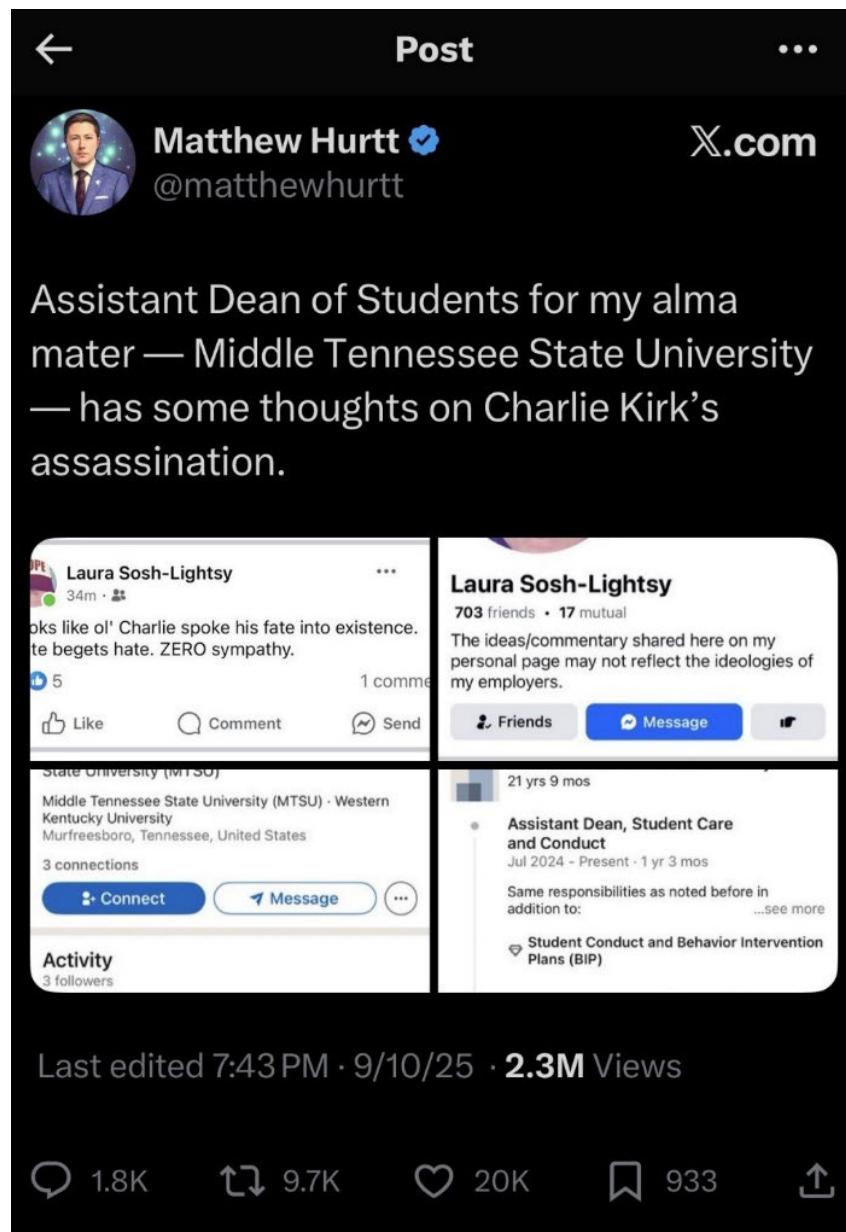
45. Plaintiff made her third Facebook post concerning Mr. Kirk’s murder and his prior statements concerning gun violence on September 10 at 8:55 p.m., reproduced below:



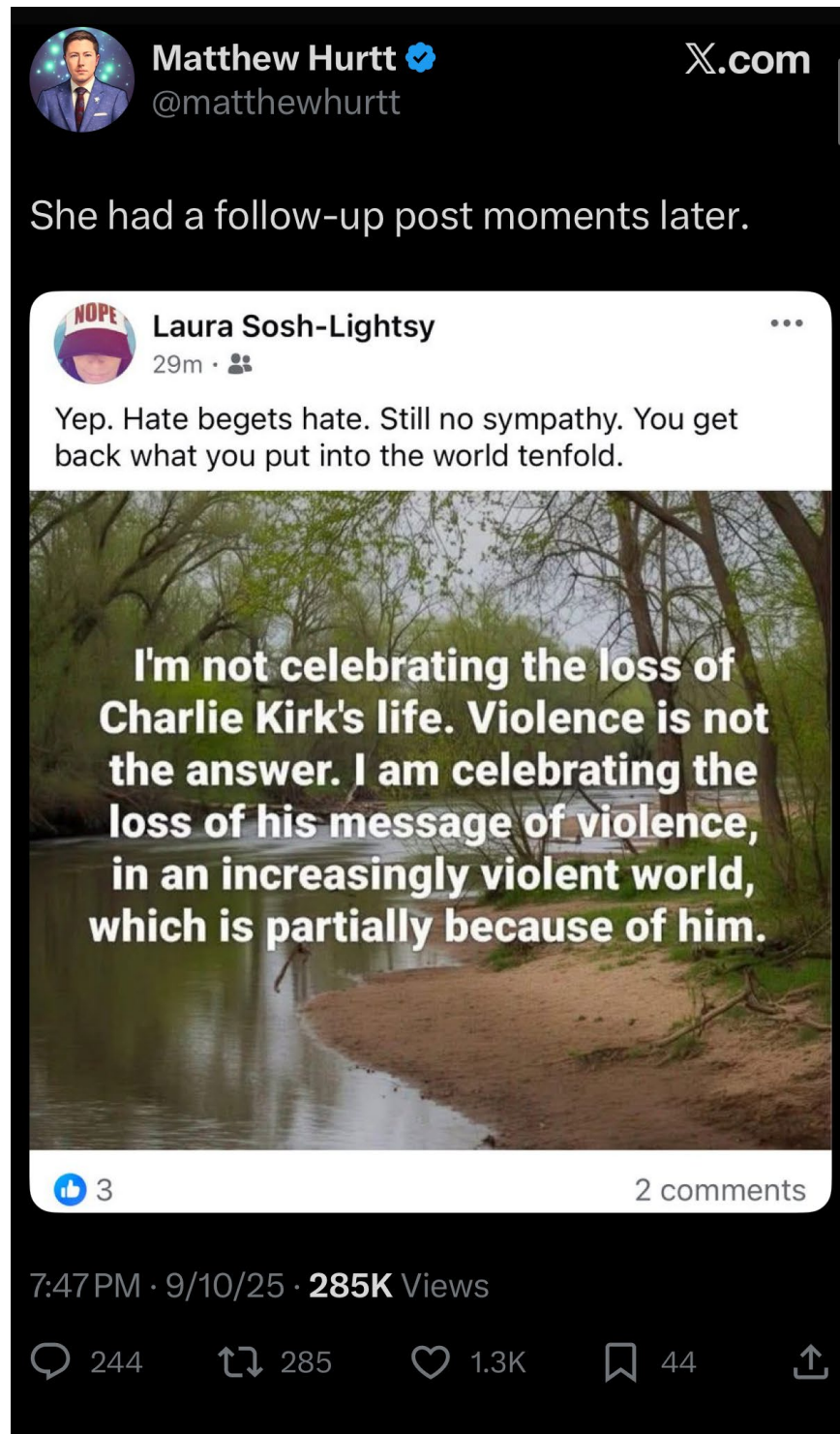
46. Beginning at approximately 7:43 p.m. on September 10, a former MTSU student and one of Ms. Sosh-Lightsy’s Facebook friends, Matthew Hurtt (“Hurtt”)—who now works as a political operative for the Republican Party in Arlington, Virginia—began posting screenshots of Plaintiff’s Facebook posts concerning Mr. Kirk’s murder and his prior statements concerning gun violence on his Hurtt’s X social media account (<https://x.com/matthewhurtt>).

47. Between approximately 7:43 p.m. and 9:05 p.m. on September 10, Hurtt posted screenshots of all three of Ms. Sosh-Lightsy's posts above concerning Mr. Kirk's murder and his prior statements concerning gun violence to his X account.

48. Hurtt made his first X post publicizing Plaintiff's private Facebook posts with the apparent intent of causing the termination of her employment with MTSU at approximately 7:43 p.m. on September 10, reproduced below:



49. Hurtt made his second X post publicizing Ms. Sosh-Lightsy's private Facebook posts with the apparent intent of causing the termination of her employment with MTSU at 7:47 p.m. on September 10, reproduced below:



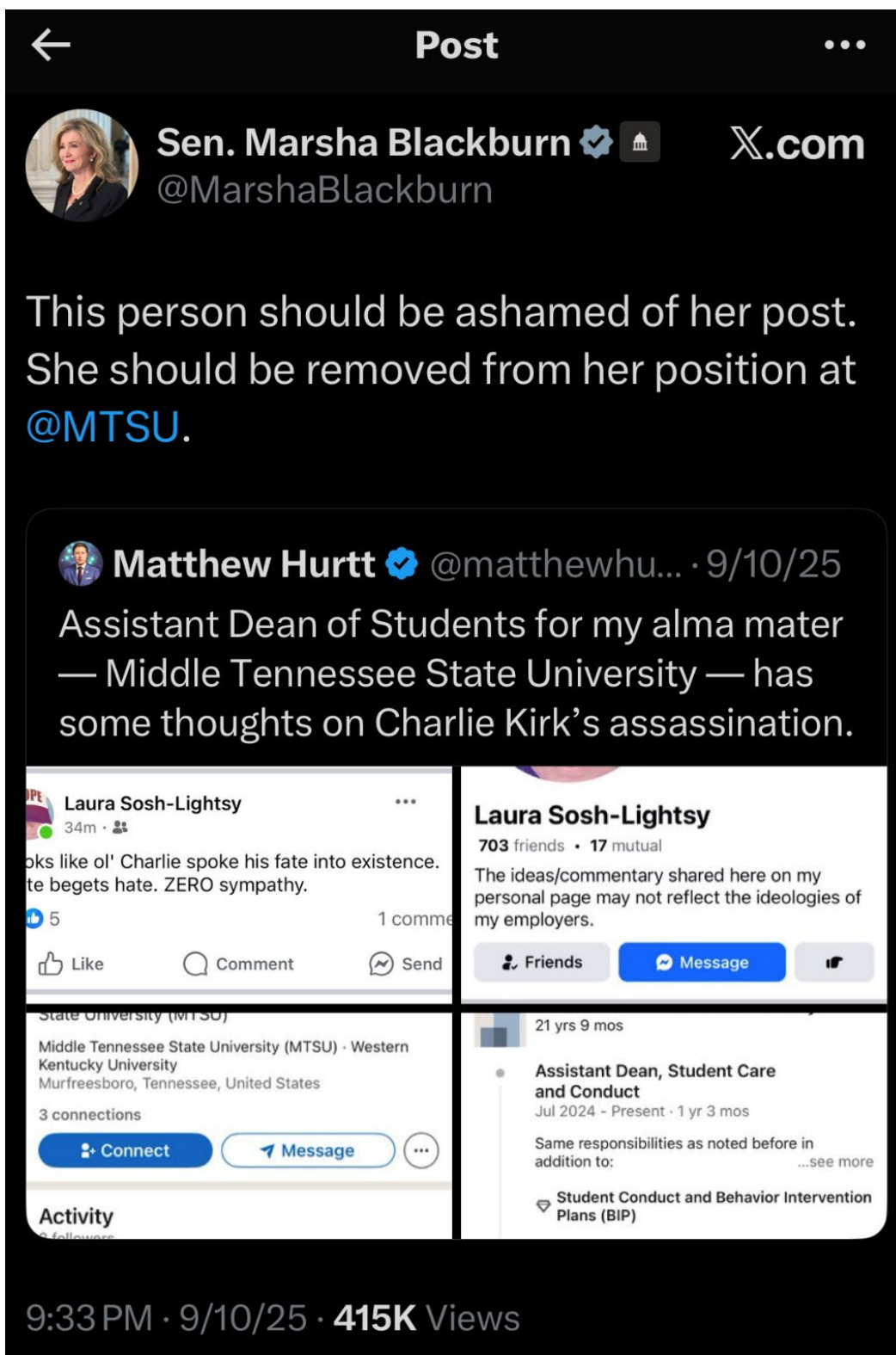
50. Hurtt made his third X post publicizing Plaintiff's private Facebook posts with the apparent intent of causing the termination of her employment with MTSU at 7:56 p.m. on September 10, reproduced below:



51. Hurtt made his fourth X post publicizing Ms. Sosh-Lightsy's private Facebook posts with the apparent intent of causing the termination of her employment with MTSU at 9:05 p.m. on September 10, reproduced below:



52. At 9:33 p.m. on September 10, Senator Blackburn reposted one of Hurtt's X posts with an additional message, explicitly advocating for Plaintiff to be fired, reproduced below:



53. Prior to September 10, Ms. Sosh-Lightsy regularly posted on her private Facebook account about matters of public concern, including political issues.

54. None of Plaintiff's social media posts prior to September 10, including her posts about political issues, ever led to any discipline by the MTSU Defendants or any allegations of bias or an inability to be impartial in assessing and resolving student conduct matters.

The MTSU Defendants Fire Plaintiff Because of Her Facebook Posts

55. Just six minutes after Senator Blackburn's X post advocating for Ms. Sosh-Lightsy's termination from her employment with MTSU, at approximately 9:39 pm. on September 10, Plaintiff received a phone call from Dr. McPhee's executive assistant.

56. During the 9:39 p.m. phone call, Dr. McPhee's executive assistant informed Ms. Sosh-Lightsy that Dr. McPhee would be calling her in approximately 40 minutes and that Plaintiff would need to take the call from Dr. McPhee.

57. At approximately 10:42 p.m. on September 10, Dr. McPhee's executive assistant called Ms. Sosh-Lightsy again, this time to connect Plaintiff with Drs. McPhee and Kelley.

58. During the 10:42 p.m. phone call, Dr. McPhee stated to Ms. Sosh-Lightsy that her comments concerning Mr. Kirk's murder and his prior statements concerning gun violence allegedly caused irreparable harm to MTSU and that Plaintiff allegedly could no longer be trusted to work with MTSU's students.

59. During the 10:42 p.m. phone call, Dr. McPhee, on behalf of the MTSU Defendants, terminated Ms. Sosh-Lightsy's employment with MTSU, effective immediately.

60. At 10:51 p.m., just nine minutes after beginning the termination phone call with Plaintiff, Dr. McPhee, on behalf of the MTSU Defendants, issued a public statement concerning Ms. Sosh-Lightsy's termination: "An MTSU employee today offered inappropriate and callous

comments on social media concerning the horrific and tragic murder of Charlie Kirk. The comments by this employee, who worked in a position of trust directly with students, were inconsistent with our values and have undermined the university's credibility and reputation with our students, faculty, staff and the community at large. This employee has been fired effective immediately. We extend our deepest sympathies to the Kirk family.”

61. On September 11, 2025, the MTSU Defendants sent Plaintiff the paperwork to terminate her employment via U.S. mail, which was signed by Dr. Kelley.

62. Ms. Sosh-Lightsy received the termination paperwork via U.S. mail on September 15, 2025.

63. A copy of the September 11 letter from Dr. Kelley terminating Plaintiff's employment is attached to this Complaint as Exhibit 1.

64. In his September 11 letter, Dr. Kelley states that the MTSU Defendants terminated Ms. Sosh-Lightsy's employment because of her Facebook posts about Mr. Kirk's murder and his prior statements concerning gun violence, which Dr. Kelley characterized as “insensitive.”

65. Dr. Kelley's letter of September 11 is inconsistent with MTSU Policy 103, entitled Free Speech on Campus and attached to this Complaint as Exhibit 2, which states:

a. “MTSU is committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of MTSU's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.”

b. “Students and faculty are allowed to make judgments about ideas for themselves and to act on those judgments, not by seeking to suppress free speech, but by

openly and vigorously contesting the ideas they oppose.”

c. “It is not MTSU’s role to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.”

d. “Although MTSU greatly values civility and mutual respect, the University will not use concerns about civility and mutual respect as justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty.”

e. “Although all students and faculty are free to state their own views about and contest the views expressed on campus, and to state their own views on MTSU’s campus, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, MTSU promotes a lively and fearless freedom of debate and deliberation and protects that freedom.”

66. According to Dr. Kelley’s September 11 letter, Plaintiff’s Facebook posts about Mr. Kirk’s murder and his prior statements concerning gun violence allegedly damaged the perception that the MTSU community see Ms. Sosh-Lightsy “as an objective professional without agendas . . . to such an extent that we have determined that [Plaintiff] can no longer effectively assess and resolve any student conduct matters, particularly those involving students whose opinions align with Mr. Kirk’s.”

67. Dr. Kelley’s September 11 letter also alleges that Ms. Sosh-Lightsy’s Facebook posts caused “disruption and interference with University operations.”

68. Dr. Kelley’s letter cites only Plaintiff’s protected speech on her private Facebook

page as a reason for her firing.

69. **Less than four hours elapsed** in the evening between Plaintiff's first Facebook post concerning Mr. Kirk's murder and his prior statements about gun violence and Drs. McPhee and Kelley informing Ms. Sosh-Lightsy that she was fired, effective immediately.

70. On information and belief, the only MTSU operations ongoing during that four-hour period, between approximately 7:00 p.m. and approximately 11:00 p.m., were night classes and student events.

71. There is no evidence that there was any disruption to MTSU classes or student events on the night of September 10 based on Plaintiff's Facebook posts concerning Mr. Kirk's murder and his prior statements about gun violence, and Dr. Kelley's September 11 letter did not cite any alleged examples of such disruption.

72. Considering Ms. Sosh-Lightsy's long career assessing and resolving student conduct and disciplinary matters without any allegations of bias, there is no evidence that Plaintiff's Facebook posts concerning Mr. Kirk's murder and his prior statements about gun violence would have caused any future disruption to MTSU's operations, and Dr. Kelley's September 11 letter did not cite any alleged examples of such disruption.

73. **Just over one hour elapsed** between Senator Blackburn's X post, advocating for Plaintiff's termination, and Drs. McPhee and Kelley informing Plaintiff that she was fired.

74. The MTSU Defendants terminated Ms. Sosh-Lightsy's employment with MTSU based on political pressure from Hurtt and/or Senator Blackburn and viewpoint discrimination, rather than based on any actual or potential disruption of MTSU's day-to-day operations.

75. On approximately September 11, 2025, the MTSU Defendants ran a red-alert banner across the top of its homepage announcing Plaintiff's termination of employment.

76. The red-alert banner is typically used for campus emergencies at MTSU, for example campus lockdowns and severe weather alerts.

77. In her two decades of service at MTSU, Plaintiff does not recall ever having seen the red-alert banner used to announce the firing of an employee.

78. The MTSU Defendants' novel use of the red-alert banner to publicize Ms. Sosh-Lightsy's termination shows that the MTSU Defendants intended to retaliate against Plaintiff for her protected speech on a matter of public concern and because the MTSU Defendants and/or Senator Blackburn did not agree with Ms. Sosh-Lightsy's viewpoint in her Facebook posts concerning Mr. Kirk's murder and his prior statements about gun violence.

79. The MTSU Defendants' termination of Plaintiff's employment and public statements about Ms. Sosh-Lightsy have damaged her personal and professional reputation.

80. Plaintiff's role as Associate Dean of Student Care and Conduct at MTSU included many job responsibilities, including but not limited to student care, assisting with Dean of Students responsibilities, and leadership team responsibilities.

81. The MTSU Defendants could have removed Ms. Sosh-Lightsy's responsibility for assessing and resolving student conduct matters, and Plaintiff would have still had a full set of job responsibilities.

82. The MTSU Defendants did not consider less-severe sanctions than terminating Ms. Sosh-Lightsy's employment in response to her protected speech on her private Facebook page on a matter of public concern.

83. The MTSU Defendants not considering less-severe sanctions than terminating Plaintiff's employment shows that the MTSU Defendants intended to retaliate against Plaintiff for her protected speech on a matter of public concern and because the MTSU Defendants and/or Hurtt

and/or Senator Blackburn did not agree with Ms. Sosh-Lightsy's viewpoint in her Facebook posts concerning Mr. Kirk's murder and his prior statements about gun violence.

84. The MTSU Defendants have treated employees who are accused of serious criminal conduct better than it treated Plaintiff in response to her protected speech on a matter of public concern.

85. For example, the MTSU Defendants only suspended Nic Woodley ("Woodley"), former director of player personnel for the MTSU football team, in late 2023 after Woodley's arrest for indecent exposure and resisting arrest by the Murfreesboro police department.¹

86. The basis for Woodley's arrest was allegedly exposing his genitals to a teenager at a Target store in Murfreesboro, Tennessee.

87. The MTSU Defendants allowed Woodley to resign his employment the next business day, rather than firing Woodley for alleged sexual misconduct with a minor victim and resisting arrest.

88. The MTSU Defendants did not issue a public statement concerning Woodley's arrest for alleged sexual misconduct with a minor victim and resisting arrest.

89. The MTSU Defendants did not issue a red-alert banner concerning Woodley's arrest for alleged sexual misconduct with a minor victim and resisting arrest.

90. The MTSU Defendants treating Woodley, an employee accused of criminal sexual misconduct with a minor, better than Ms. Sosh-Lightsy shows that the MTSU Defendants intended to retaliate against Plaintiff for her protected speech on a matter of public concern and because the MTSU Defendants and/or Hurtt and/or Senator Blackburn did not agree with Ms. Sosh-Lightsy's

¹ <https://www.wsmv.com/2023/10/16/mtsu-football-staffer-charged-after-exposing-himself-teen-target-police-say/> (last accessed Nov. 5, 2025).

viewpoint in her Facebook posts.

91. The MTSU Defendants' termination of Plaintiff's employment and public statements concerning Ms. Sosh-Lightsy caused her to receive dozens of harassing and threatening communications—including via email, Facebook Messenger, telephone calls, and U.S. mail—beginning on the night of September 10.

92. Plaintiff filed a police report with the Murfreesboro Police Department on September 12, 2025, concerning the targeted harassment and threats—including at least one death threat and at least one online post of her address and a picture of her house.

93. Ms. Sosh-Lightsy continues to receive harassing and threatening communications to this day.

94. For approximately four days after Plaintiff's termination by the MTSU Defendants, she was unable to do anything other than cry and sleep due to the anxiety, depression, and fear she is suffering.

95. For approximately two weeks after Ms. Sosh-Lightsy's termination by the MTSU Defendants, she was unable to go out in public.

96. Plaintiff still generally avoids going out in public, as she feels like members of the public are looking at her, laughing at her, and threatening her due to her termination by the MTSU Defendants.

97. Since her termination of employment by the MTSU Defendants, Ms. Sosh-Lightsy has had trouble thinking clearly and trouble focusing due to the anxiety, depression, harassment, and threats she is suffering.

98. On October 28, 2025, Ms. Sosh-Lightsy participated in a meeting with Dr. Kelley concerning an internal employee grievance that she filed concerning MTSU's termination of her

employment.

99. Dr. Kelley began the grievance meeting by asking for the first time whether Plaintiff personally posted the September 10 social media posts that resulted in her termination.

100. The MTSU Defendants' failure to investigate whether Ms. Sosh-Lightsy made the social media posts that resulted in her termination until 48 days after MTSU fired her shows that the MTSU Defendants acted to retaliate against Plaintiff for her protected speech.

COUNT I
First Amendment Retaliation Against the MTSU Defendants
42 U.S.C. § 1983

101. Plaintiff's private posts about Kirk's murder and his prior public statements concerning gun violence on her personal social media account are speech protected by the First Amendment.

102. In her social media posts about Kirk, Ms. Sosh-Lightsy spoke as a private citizen on a matter of public concern, namely Kirk's murder and his prior public statements concerning gun violence.

103. Plaintiff's interests in speaking on a matter of public concern, namely Kirk's murder and his prior public statements concerning gun violence, outweigh any contrary interest of the MTSU Defendants in MTSU's operations.

104. Ms. Sosh-Lightsy's exercise of her right to free speech did not disrupt her performance of her job duties or any other MTSU operations.

105. Plaintiff's exercise of her right to free speech would not have caused any future disruption to her performance of her job duties or any other MTSU operations.

106. The MTSU Defendants took adverse actions against Ms. Sosh-Lightsy that would deter a person of ordinary firmness from continuing in speech protected by the First Amendment,

including but not limited to terminating Plaintiff's employment and making critical public statements about her that damaged her personal and professional reputation.

107. The MTSU Defendants' termination of Ms. Sosh-Lightsy's employment was motivated at least in part by Plaintiff's protected speech, as confirmed by Dr. McPhee's statements on September 10 and Dr. Kelley's letter of September 11.

108. The MTSU Defendants' termination of Ms. Sosh-Lightsy's employment was under color of law.

109. The MTSU Defendants' termination of Plaintiff's employment followed an official MTSU policy or policies that resulted in the violation of her constitutional rights, including but not limited to MTSU Policy 851, titled Disciplinary Policy for Administrative and Classified Personnel. A copy of MTSU Policy 851 is attached to this Complaint as Exhibit 3.

110. The MTSU Defendants singled out Ms. Sosh-Lightsy's speech for an adverse action based on her viewpoint, namely being critical of Kirk and his prior statements concerning gun violence.

111. The MTSU Defendants allowed third parties, including but not limited to Hurtt and/or Senator Blackburn, to engage in a "heckler's veto" against Ms. Sosh-Lightsy, bowing to public pressure to terminate Plaintiff's employment for protected speech on a matter of public concern that the hecklers did not like based on the speech's viewpoint.

112. Plaintiff is entitled to declaratory relief.

113. Plaintiff is entitled to monetary relief, including but not limited to compensatory damages.

114. The intentional conduct and/or reckless disregard for Ms. Sosh-Lightsy's federally protected rights by Drs. McPhee and Kelley warrants an award of punitive damages to Plaintiff on

her individual-capacity claims against Drs. McPhee and Kelley.

115. Ms. Sosh-Lightsy is entitled to recovery of her attorneys' fees and costs.

PRAYER FOR RELIEF

Based on the foregoing, Plaintiff prays for the following relief from this Court:

- A. Declaring that the MTSU Defendants' termination of Ms. Sosh-Lightsy's employment violated the First Amendment;
- B. Awarding damages to Plaintiff for the violation of her constitutional rights on her claims against the MTSU Defendants;
- C. Requiring the MTSU Defendants to pay all attorneys' fees that Ms. Sosh-Lightsy incurs to bring and to maintain this action;
- D. Requiring the MTSU Defendants to pay the costs and expenses of this action;
- E. Requiring the MTSU Defendants to pay any applicable pre-judgment and post-judgment interest; and
- F. Granting Plaintiff such other, further, and general relief to which she may be entitled.

JURY DEMAND

Plaintiff demands a jury trial.

Dated: November 5, 2025

Respectfully submitted,

/s/ Melody Fowler-Green

Melody Fowler-Green (TN #023266)

/s/ Charles P. Yezbak, III

Charles P. Yezbak, III (TN #018965)

/s/ N. Chase Teeples

N. Chase Teeples (TN #032400)

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/s/ Tess Medlin Heisserer

Tess Medlin Heisserer (TN #037345)

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and Dean of Students**
212 Keathley University Center
MTSU Box 30
1301 East Main Street
Murfreesboro, TN 37132
(615) 898-2440



September 11, 2025

Ms. Laura Sosh-Lightsy
1415 Rt Johnson Dr
Murfreesboro, TN 37129-6075

Dear Ms. Sosh-Lightsy:

On September 10, 2025, you posted insensitive comments regarding the murder of Charlie Kirk on Facebook. In your leadership role in the Office of Student Care and Conduct, you oversee the adjudication of student behavioral matters. This responsibility requires students and other University community members to see you as an objective professional without agendas. As a result of your comments on social media, that perception has been damaged to such an extent that we have determined that you can no longer effectively assess and resolve any student conduct matters, particularly those involving students whose opinions align with Mr. Kirk's.

Because of these comments and their disruption and interference with University operations, MTSU has terminated your employment for cause effective immediately, with September 10, 2025 as your last day of employment. Please contact Wendy Brown or Kim Burns in the HRS office at 615-898-2929 to schedule an exit meeting before September 30, 2025. At that time, the HRS office will review your insurance and other employee benefits with you and explain the options available to you as a former MTSU employee. You will also receive information regarding your rights to appeal this decision under separate cover from Human Resource Services.

Thank you for your service to the University. We wish you the best of luck in your future endeavors.

Sincerely,

A handwritten signature in blue ink, appearing to read "Danny Kelley".

Danny R. Kelley, Ph.D.
Interim Vice President for Student Affairs
and Dean of Students



University Policies

University Policies

103 Free Speech on Campus

Approved by Board of Trustees

Effective Date: January 1, 2018

Responsible Division: President

Responsible Office: Office of the University Counsel

Responsible Officer: University Counsel

I. Purpose

This policy affirms the principles of free speech on Middle Tennessee State University's (MTSU or University) campus.

II. Definitions



- A. Constitutional Time, Place and Manner Restrictions. Restrictions on the time, place, and manner of free speech that do not violate the First Amendment to the U.S. Constitution or Article I, Section 19 of the Tennessee Constitution that are reasonable, content and viewpoint neutral, narrowly tailored to satisfy a significant institutional interest, and leave open ample alternative channels for the communication of the information or message of its intended audience.
- B. Faculty or Faculty Member. Any person, whether or not the person is compensated by MTSU, and regardless of political affiliation, who is tasked with providing scholarship, academic research or teaching. For the purposes of this policy, faculty includes tenured and non-tenured professors, adjunct professors, visiting professors, lecturers, graduate student instructors and those in comparable positions, however titled. For the purposes of this policy, faculty does not include persons whose primary responsibilities are administrative or managerial.
- C. Free Speech. Speech, expression, or assemblies protected by the First Amendment of the U.S. Constitution or Article I, Section 19 of the Tennessee Constitution, verbal or written, including, but not limited to, all forms of peaceful assembly, protests, demonstrations, rallies, vigils, marches, public speaking, distribution of printed materials, carrying signs, displays, or circulating petitions. Free speech does not include the promotion, sale, or distribution of any product or service.
- D. Student. For the purposes of this policy, an individual currently enrolled in a course of study at MTSU; or, an organization that is comprised entirely of individuals currently enrolled in a course of study at MTSU and registered with MTSU pursuant to [MTSU Policy 560 Student Organization Operations](#).

III. Policy

- A. MTSU affirms that students have a fundamental constitutional right to free speech.
- B. MTSU is committed to giving students the broadest possible latitude to speak, write, listen, challenge, learn, and discuss any issue, subject to limitations set forth in this policy, or in state or federal law.
- C. MTSU is committed to maintaining a campus as a marketplace of ideas for all students and all faculty in which the free exchange of ideas is not to be suppressed because the ideas put forth are thought by some or even by most members of MTSU's community to be offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- D. Students and faculty are allowed to make judgments about ideas for themselves and to act on those judgments, not by seeking to suppress free speech, but by openly and vigorously contesting the ideas they oppose.

- E. It is not MTSU's role to attempt to shield individuals from free speech, including ideas and opinions they find offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed.
- F. Although MTSU greatly values civility and mutual respect, the University will not use concerns about civility and mutual respect as justification for closing off the discussion of ideas, however offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed those ideas may be to some students or faculty.
- G. Although all students and faculty are free to state their own views about and contest the views expressed on campus, and to state their own views on MTSU's campus, they may not substantially obstruct or otherwise substantially interfere with the freedom of others to express views they reject or even loathe. To this end, MTSU promotes a lively and fearless freedom of debate and deliberation and protects that freedom.
- H. MTSU is committed to providing an atmosphere that is most conducive to speculation, experimentation, and creation by all students and all faculty, who are always free to inquire, to study, and to evaluate, and to gain new understanding.
- I. The primary responsibility of faculty is to engage in an honest, courageous, and persistent effort to search out and communicate the truth that lies in the areas of their competence.
- J. Although faculty are free in the classroom to discuss subjects within areas of their competence, faculty shall be cautious in expressing personal views in the classroom and shall be careful not to introduce controversial matters that have no relationship to the subject taught, and especially matters in which they have no special competence or training and in which, therefore, faculty's views cannot claim the authority accorded the statements they make about subjects within areas of their competence; provided, no faculty will face adverse employment action for classroom speech, unless it is not reasonably germane to the subject matter of the class as broadly construed, and comprises a substantial portion of classroom instruction.
- K. As set forth in [MTSU Policy 100 Use of Campus Property and Facilities Scheduling](#), Section IV. B. 2. c., MTSU will maintain the generally accessible, open, outdoor areas of its campus as traditional public forums for free speech by students and will not restrict students' free speech only to particular areas of the campus.
- L. MTSU will not deny student activity fee funding to a student organization based on the viewpoints that the student organization advocates.
- M. MTSU will not establish permitting requirements that prohibit students' spontaneous outdoor assemblies or students' outdoor distribution of literature, but will allow members of the MTSU community to reserve certain outdoor space in advance, consistent with [MTSU Policy 100 Use of Campus Property and Facilities Scheduling](#), Section IV. B.

- N. MTSU will not charge students security fees or costs based on the content of their speech, the content of guest speakers invited by students, or the anticipated reaction or opposition of listeners to speech.
- O. MTSU will allow all students and all faculty to invite guest speakers to campus to engage in free speech regardless of the views of guest speakers consistent with [MTSU Policy 100 Use of Campus Property and Facilities Scheduling](#), Sections IV. B. 2. d. and IV. B. 3.
- P. MTSU will not disinvite a speaker invited by a student, student organization, or faculty member because the speaker's anticipated speech may be considered offensive, unwise, immoral, indecent, disagreeable, conservative, liberal, traditional, radical, or wrong-headed by students, faculty, administrators, government officials, or members of the public.

IV. Effect of Policy

- A. Nothing in this policy shall require MTSU to fund costs associated with student speech or expression.
- B. Nothing in this policy shall be construed as prohibiting MTSU from imposing measures that do not violate the First Amendment to the U.S. Constitution or Article I, Section 19 of the Tennessee Constitution such as:
 - 1. Constitutional time, place, and manner restrictions;
 - 2. Reasonable and viewpoint-neutral restrictions in nonpublic forums;
 - 3. Restricting the use of MTSU's property to protect the free speech rights of students and faculty and preserve the uses of the property for the advancement of MTSU's mission;
 - 4. Prohibiting or limiting speech, expression, or assemblies that are not protected by the First Amendment to the U.S. Constitution or Article I, Section 19 of the Tennessee Constitution; or
 - 5. Content restrictions on speech that are reasonably related to a legitimate pedagogical purpose, such as rules enacted by faculty.

Forms: none.

Revisions: none.

Last Reviewed: January 2018.

References: 2017 Public Acts, Chapter 336; MTSU Policies 100 Use of Campus Property and Facilities Scheduling; 561 Student Organization Operations; First Amendment of the U.S. Constitution; Article I, Section 19 of the Tennessee Constitution.



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A large, high-quality photograph of cherry blossoms in full bloom serves as the background for the top half of the page. The blossoms are white with pink centers and are hanging from branches. In the background, a blurred image of a person walking on a path is visible.

University Policies

University Policies

851 Disciplinary Policy for Administrative and Classified Personnel

Approved by President

Effective Date: June 5, 2017

Responsible Division: Business and Finance

Responsible Office: Human Resource Services

Responsible Officer: Assistant Vice President, Human Resource Services

I. Purpose

This policy establishes a progressive discipline process which affords consistent and equitable treatment of all Middle Tennessee State University (MTSU or University) administrative and classified employees.

II. General

- A. All new administrative and classified employees are on probation for a period of six (6) months. If during this period there is cause for disciplinary action, it may result in termination.
- B. This disciplinary policy does not preclude “no cause” terminations under the terms of the employment contract.
- C. Normally, the basis for taking disciplinary action is for the purpose of addressing unsatisfactory performance or correcting an individual’s misconduct and to warn that repetition of this or similar behavior can result in termination of employment.
- D. No disciplinary action involving written warnings, final written warnings, administrative leave, suspension, or termination is to be taken against any employee who has successfully completed his/her probationary period until such disciplinary action has been discussed with the Assistant Vice President for Human Resource Services or designee, except when, in the judgment of the employee’s supervisor, immediate suspension is necessary to protect the safety of persons or property or for a similarly grave reason. In addition, termination requires the concurrence of the appropriate Vice President/Provost and the President.
- E. While MTSU will generally take disciplinary action in a progressive manner, it reserves the right, in its sole discretion, to determine whether and what disciplinary action will be taken in a given situation.

III. Supervisory Responsibility

- A. The supervisor is responsible for maintaining proper conduct and discipline of University administrative and classified employees under his/her supervision.
- B. When disciplinary action appears to be necessary, the supervisor will conduct an interview with the employee at the earliest opportunity to:
 - 1. give the employee a clear understanding of exactly what is expected of him/her and why;
 - 2. explain in what way the employee has failed in meeting the requirements or in what way his/her conduct has been unacceptable;
 - 3. give the employee an opportunity to account for his/her actions or lack of actions; and
 - 4. take disciplinary action if the situation warrants it.
- C. All disciplinary discussions should occur in a climate conducive to good understanding and reasonable discussion.
- D. The supervisor is responsible for the appropriate documentation of disciplinary actions.

IV. Forms of Disciplinary Action

A. MTSU has adopted a progressive discipline policy to identify and address employee and employment related problems. Most often, employee conduct that warrants discipline results from unacceptable behavior, poor performance, and/or violation of MTSU policies, standards, practices, or procedures. However, discipline can be issued for conduct that falls outside of those identified areas. In addition, some MTSU policies related to sexual harassment or Title IX violations may contain other specific discipline procedures.

B. MTSU will normally adhere to the following progressive disciplinary process:

1. Verbal Caution. An employee will be given a verbal caution, when he/she engages in problematic behavior. As the first (1st) step in the progressive discipline policy, a verbal caution is meant to alert the employee that a problem may exist or that one has been identified which must be addressed. Verbal cautions will be documented and maintained for a period of three (3) months in the supervisor's desk personnel file.
2. Verbal Warning. A verbal warning is more serious than a verbal caution and will be given to an employee who already has been issued a verbal caution, and within the specified three (3) month time period continues to exhibit the same unwanted behaviors despite the issuance of a verbal caution. Verbal warnings are documented and placed in the supervisor's desk personnel file for a period of six (6) months. Verbal warnings may also be issued to an employee without first issuing a verbal caution for more serious behaviors that may warrant such action.
3. Written Warning. A written warning is more serious than a verbal warning. A written warning will be issued to an employee who engages in more serious conduct that justifies formal written documentation or if the employee fails to correct the unwanted behaviors that have been previously noted in a verbal caution and/or verbal warning. A written warning will be placed in the employee's official personnel file in Human Resource Services (HRS), with a copy given to the employee.
4. Final Written Warning. A final written warning is more serious than a written warning. A final written warning will be given to an employee when he/she continues to engage in conduct that is not acceptable and that he/she has received previous disciplinary warnings (verbal caution, verbal warning and/or written warning). The final written warning shall advise the employee that unless there is immediate and sustained correction of the unwanted behaviors, he/she faces further severe disciplinary consequences, up to and including termination of employment. A final written warning will be placed in the employee's official personnel file in HRS, with a copy given to the employee, and will be considered enforce for twelve (12) months.
5. Suspension. An employee will be suspended without pay when he/she engages in behavior determined to warrant immediate removal from the workplace, or when the

employee continues to exhibit unwanted behaviors for which he/she has already received a written and/or final written warning. The length of the suspension will be dependent on the type of offense.

6. Administrative Leave. An employee may be placed on a paid administrative leave when circumstances require a thorough investigation of an allegation and or incident that has occurred that involves the employee, and it has been determined that the continued presence of the employee in the workplace would not be appropriate.
7. Termination. An employee may be terminated when he/she continues to exhibit unwanted behavior despite multiple previous disciplinary actions. An employee may also be terminated without having been subjected to prior disciplinary action when circumstances warrant. Some behaviors that may warrant immediate termination include, but are not limited to:
 - a. The illegal use, manufacture, possession, distribution, or dispensing of controlled substances or alcohol.
 - b. Theft or dishonesty.
 - c. Fighting on University property.
 - d. Disorderly conduct.
 - e. Possession of weapons on University property in violation of [Policy 705 Weapons on Campus](#).
 - f. Fraud or falsification of University records, including timesheets or other payroll documents.
 - g. Willful violation of safety rules.
 - h. Willful destruction of University property.
 - i. Gross insubordination or willful disregard of instructions.
 - j. Any work-related conduct which would subject the employee to criminal conviction.
 - k. Any act or omission which may seriously disrupt or disturb the normal operation of the University.
 - l. Reporting for duty under the influence of intoxicants.

V. Grievance Processes

- A. A classified employee who is suspended and/or terminated may file a grievance regarding the action, in accordance with the procedures outlined in [Policy 853 Classified](#)
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[Grievance or Complaint.](#)

- B. An administrative employee who is suspended and/or terminated may be entitled to file a grievance regarding the action, in accordance with the procedures outlined in [Policy 852 Administrative, Professional, and Faculty Grievance or Complaint.](#)

Forms: none.

Revisions: none.

Last Reviewed: May 2024.

References: Policies 705 Weapons on Campus; 852 Administrative, Professional, and Faculty Grievance or Complaint; 853 Classified Grievance or Complaint.



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