



Written by [James Murphy](#) on October 1, 2022

Michigan Mother Sues Local School Board for Violating Her First Amendment Rights

A Michigan police officer and mother of three children is suing the Chippewa Valley School Board over accusations that the board violated her First Amendment rights. Sandra Hernden challenged the school board on issues related to the Covid-19 pandemic, and claims that the school district was responsible for a downward academic and social spiral that one of her sons — a special needs child — experienced as a result of the district’s long-term move from in-person learning to remote learning at the beginning of the pandemic in the spring of 2020.



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When the district began the fall term in 2020 still in remote learning mode, Hernden decided it was her duty to speak out against the school board’s policies. And that’s where her troubles began.

“What happens when you try to protect your special needs son? What happens when you confront the life-destroying policies that school boards passed during the pandemic?” Hernden asked rhetorically.

“I’ll tell you what happens. The school board ignores you, insults you and attacks you.”

Upon seeing the toll that remote learning was taking on her sons, Hernden did what many parents do when they have problems with the school district. She complained, and did so with vigor, to the point of showing up at school board meetings and letting the school board know exactly what their policies were doing to her children.

The board’s response, according to Hernden, was to go into attack mode, calling her comments “veiled racism,” complaining to Hernden’s employer, and even referring her conduct at school board meetings to Joe Biden’s Department of Justice for review. The school board also complained that Hernden was “harassing” board members, and further claimed that her conduct was unbecoming a police officer.

Hernden’s employer, the Hazel Park Police Department, investigated the claims and found that she hadn’t violated any department rules. She was not disciplined.

Then, on September 29, Hernden fought back, filing [suit](#) against the Chippewa Valley School Board for violating her First Amendment rights, among other things.

“For two years, I have been demoralized, humiliated, discredited and demeaned,” Hernden said. “I can live with a lot of things and be called a lot of names, but none of this will stop me from fighting for my children. I’m bringing this case not just for my family, but for all the families like me who feel they have no voice.”

Hernden claims that she was interrupted at school board meetings and was not allowed to give her opinions, being cut off from sharing her thoughts. She cautioned the board that, perhaps, its actions against her might be illegal.



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Recall that in October of last year, U.S. Attorney General Merrick Garland issued an [infamous memo](#) calling for the FBI to “convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district within 30 days of the issuance of this memorandum. These meetings will facilitate the discussion of strategies for addressing threats against school administrators, board members, teachers, and staff, and will open dedicated lines of communication for threat reporting, assessment, and response.”

In effect, Garland was calling on the FBI to treat concerned parents at school board meetings as if they were terrorist suspects.

The day after that memo was made public, the school board president, Frank Bednard, allegedly sent an email to the Biden Department of Justice.

“This woman, Sandra Hernden, comes to every meeting to harass our board, administration, and community who oppose her views,” Bednard’s letter read.

The school board president accused Hernden of being part of a group of citizens whose “threats and demeanor are so intimidating, no community members who oppose their message will come to the meeting to speak because they are afraid of what this group would do to them for standing up to them.”

“Anything that could be done to curb this behavior by these people would be greatly appreciated by our board, administration, and our community,” Bednard concluded.

So, in effect, the school board “tattled” on Hernden to the Justice Department. Steve Delie, an attorney with the Mackinac Center Legal Foundation, which is representing Hernden, obviously disagreed with Bednard’s conclusion.

“No parent should have to fear for their livelihood or their liberty because they stood up for their children,” Delie said “We hope that this case empowers parents to have the courage to speak out for what they believe is best for their children.”



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