

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

<b>UYI OSUNDE,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION No.</b>
	:	
<b>v.</b>	:	
	:	
<b>MICHAEL HENRICK, in his individual</b>	:	
<b>and official capacities; SEAN KENNEDY,</b>	:	
<b>in his individual and official capacities;</b>	:	
<b>KRISTEN BEDELL, in her individual</b>	:	
<b>and official capacities; WILLIAM O’BRIEN,</b>	:	
<b>in his individual and official capacities; and</b>	:	
<b>STRATFORD BOARD OF EDUCATION,</b>	:	
<b>Defendants.</b>	:	<b>APRIL 10, 2024</b>
	:	

**COMPLAINT**

**I. INTRODUCTION**

1. Plaintiff, Dr. Uyi Osunde, the Superintendent for Stratford Public Schools, is asserting his statutory and constitutional rights under federal and state law to oppose and enjoin the unlawful discriminatory and retaliatory actions taken against him by Defendants, the Stratford Board of Education and the members of the Stratford Board of Education affiliated with the Republican party who have acted under color of state law to (a) discriminate against Dr. Osunde because of race, and (b) retaliate against Dr. Osunde for partisan political reasons and because Dr. Osunde opposed discrimination based on race and engaged in constitutionally protected speech. Motivated by unlawful reasons, Defendants have abused their authority and kept Dr. Osunde on “administrative leave” for months while they have wasted taxpayer funds pursuing a specious “investigation” against Dr. Osunde. Defendants have also manufactured, publicly disclosed, and/or ratified, numerous pretextual justifications for their continued refusal to allow Dr.

Osunde to return to work and to continue their discriminatory and retaliatory investigation against Dr. Osunde. Defendants have violated Plaintiff's statutory and constitutional rights under federal and state law, and caused significant harm to Plaintiff. Defendants should be enjoined from continuing to violate Plaintiff's rights and held accountable for their actions.

## **II. PARTIES**

2. Plaintiff, Uyi Osunde ("Plaintiff" or "Dr. Osunde"), is an individual and a citizen of Connecticut. Plaintiff is a Democrat. Plaintiff possesses a Bachelor's Degree in Psychology, multiple Master's degrees, and a Doctorate in educational leadership (Ed.D). Plaintiff is a Black male.
3. Defendant Michael Henrick ("Henrick") is currently the Chair of the Stratford Board of Education. In connection with his service on the Stratford Board of Education, Defendant Henrick affiliates and organizes with the Republican Party. As Chair of the Stratford Board of Education, Defendant Henrick works closely with the leadership of the Stratford Republican Town Committee and the Stratford Republicans. When taking the discriminatory and retaliatory actions against Plaintiff alleged in this Complaint, Defendant Henrick has acted under the color of state law. As Chair of the Stratford Board of Education, Defendant Henrick is an official policymaker. Defendant Henrick is not Black.
4. Defendant Sean Kennedy ("Kennedy") is currently the Secretary of the Stratford Board of Education. In connection with his service on the Stratford Board of Education, Defendant Kennedy affiliates and organizes with the Republican Party. As a member of the Stratford Board of Education, Defendant Kennedy organizes with the leadership of

the Stratford Republican Town Committee and the Stratford Republicans. When taking the discriminatory and retaliatory actions against Plaintiff alleged in this Complaint, Defendant Kennedy has acted under the color of state law. As a member of the Stratford Board of Education, Defendant Kennedy is an official policymaker. Defendant Kennedy is not Black.

5. Defendant Kristin Bedell (“Bedell”) is currently the Vice-Chair of the Stratford Board of Education. In connection with her service on the Stratford Board of Education, Defendant Bedell affiliates and organizes with the Republican Party. As a member of the Stratford Board of Education, Defendant Bedell organizes with the leadership of the Stratford Republican Town Committee and the Stratford Republicans. When taking the discriminatory and retaliatory actions against Plaintiff alleged in this Complaint, Defendant Bedell has acted under the color of state law. As a member of the Stratford Board of Education, Defendant Bedell is an official policymaker. Defendant Bedell is not Black.

6. Defendant William (Bill) O’Brien (“O’Brien”) is currently a member of the Stratford Board of Education. In connection with his service on the Stratford Board of Education, Defendant O’Brien affiliates with the Republican Party. As a member of the Stratford Board of Education, Defendant O’Brien organizes with the leadership of the Stratford Republican Town Committee and the Stratford Republicans. When taking the discriminatory and retaliatory actions against Plaintiff alleged in this Complaint, Defendant O’Brien has acted under the color of state law. As a member of the Stratford Board of Education, Defendant O’Brien is an official policymaker. Defendant O’Brien is not Black.

7. Defendant Stratford Board of Education (“BoE”) is a legal entity acting as an agent of the Town of Stratford with respect to certain aspects of the management and control of the public schools within the Town of Stratford. When taking the discriminatory and retaliatory actions against Plaintiff alleged in this Complaint, Defendant BoE has acted under the color of state law. Defendant BoE is an employer within the meaning of Conn. Gen. Stat. 31-51q.

### **III. JURISDICTION**

8. The Court has subject matter jurisdiction under 28 U.S.C. 1331 because Plaintiff’s Complaint presents federal questions and asserts claims under 42 U.S.C. 1981, 42 U.S.C. 1983, the First Amendment to the U.S. Constitution, the Fourteenth Amendment to the U.S. Constitution, and Conn. Gen. Stat. 31-51q. Supplemental jurisdiction over Plaintiff’s state law claims is conferred by 28 U.S.C. 1367.
9. This Court possesses personal jurisdiction over each of the Defendants. Defendants Henrick, Bedell, Kennedy, and O’Brien, are all citizens of Connecticut. Defendant BoE is also a public body and legal entity in Connecticut and an agent of the Town of Stratford, Connecticut.

### **IV. BACKGROUND**

#### **A. Stratford Board of Education**

10. The Stratford Board of Education is comprised of seven (7) members who are elected to serve four-year terms on the Board of Education by the voters in the Town of Stratford.
11. The terms on the Stratford Board of Education are staggered so that in any given municipal election cycle, the voters are electing either four members, or three members, to serve on the BoE for new four-year terms. Due to term limit rules which govern the

Stratford Board of Education, BoE members in Stratford are not permitted to serve consecutive terms.

12. Once newly elected members take office, the members of the BoE must elect particular members to serve as Chair, Vice-Chair, and Secretary of the BoE.
13. The BoE has certain powers and responsibilities concerning the Stratford Public Schools, which serves more than 7,000 students and includes more than a dozen elementary and secondary schools, an alternative school, and an adult education program.
14. In addition to other responsibilities, the BoE and its members have the authority to hire and fire the Superintendent of the Stratford Public Schools.
15. The student population of the Stratford Public Schools is currently very diverse along many socioeconomic lines, including with respect to race, color, ethnicity, religion, language, background, and economic privilege.
16. More than 74% of the students attending Stratford Public Schools are students of color, and they speak approximately 50 different languages.
17. The student population of the Stratford Public Schools is not only incredibly diverse; the diversity of the student population in the Stratford Public Schools is also increasing rapidly. For instance, in just the last few years, the percentage of students of color in the Stratford Public Schools has increased by more than ten percent.
18. In about 2023, the Stratford Public Schools was identified as the fourth most diverse school district in Connecticut.

B. March 2021 – Previously Constituted BoE Hires Plaintiff as Superintendent

19. In 2020, the previous Superintendent of the Stratford Public Schools, Janet Robinson, announced that she would retire as Superintendent at the conclusion of the 2020-2021 academic year, after eight years in the position. Janet Robinson is not Black.
20. The BoE and its members at the time then began a search for a new Superintendent of Schools. The BoE's search process involved an outside recruitment firm and was a rigorous and competitive process.
21. On March 25, 2021, after the conclusion of the search process, the BoE and its members at the time voted unanimously to hire Plaintiff as the next Superintendent of the Stratford Public Schools.
22. All of the members of the BoE who voted to hire Plaintiff as the Superintendent on March 25, 2021 were no longer serving on the BoE as of December 2023.
23. After Plaintiff and the BoE executed a written employment contract for a three-year term ending on June 30, 2024, Plaintiff formally assumed the role of Superintendent in July 2021.
24. Plaintiff is one of the few Black Superintendents in the history of the Stratford Public Schools.

C. Fall 2021 Election Cycle – Republican Slate Organizes to “Take Back” the BoE

25. In connection with the Fall 2021 election cycle, just months after the previously constituted BoE hired Plaintiff as the new Superintendent of Schools, the leadership of the Stratford Republicans organized a slate of new candidates to run for election to the BoE as Republicans.

26. The 2021 slate of Republican candidates was led by Defendant Henrick, and also included Defendant Bedell and Defendant Kennedy.
27. As part of the Fall 2021 election cycle, Defendant Henrick, Defendant Bedell, and Defendant Kennedy, were promoted as being members of Laura Hoydick's "team," or "Team Hoydick," a reference to Stratford's Republican mayor, Laura Hoydick.
28. The Fall 2021 campaigns on behalf of Defendants Henrick, Bedell, and Kennedy, were all managed, organized, coordinated, and funded, by the leadership and apparatus of the Stratford Republican Town Committee and the Stratford Republicans.
29. As one illustration of how closely the 2021 campaigns for the Republican slate of Defendants Henrick, Bedell, and Kennedy were managed and coordinated by the partisan apparatus of the Republican Party in Stratford, on October 22, 2021, the Chair of the Stratford Republican Town Committee, Louis DeCilio, issued a single press release declaring that Defendants Henrick, Bedell, and Kennedy, would all be refusing to participate in a public forum organized by the Greater Bridgeport League of Women Voters because, Mr. DeCilio alleged, the League of Women Voters had required proof of vaccination status for members of the public to attend other forums in a different town other than Stratford and had selected moderators for other public forums in a town other than Stratford who, allegedly according to Mr. DeCilio, were partisan elected Democrats.
30. In a media story reported on October 25, 2021 regarding Defendant Henrick's BoE campaign, the media outlet reported Henrick as stating ". . . The **Republican candidates along with willing current members must take back control of the BOE** and demand accountability from all participants." (emphasis added.)

31. In a video posted to Facebook on or about October 31, 2021, Defendant Henrick advocated for certain things that he claimed needed to be done on the BoE and then stated, “the only way we are going to do it is to have four votes on the Board of Ed. So, . . . I need you to vote for the Republican team . . .” At the close of the video, a voice indicates that the video was paid for by a group for which Louis DeCilio, the Chairman of the Stratford Republicans, was the Treasurer.
32. The same group that paid for the campaign video for Defendant Henrick also paid for campaign videos in the Fall 2021 election cycle for Defendants Bedell and Kennedy.
33. These are just some examples to illustrate how Defendants Henrick, Bedell, and Kennedy, ran as a united slate of Republican candidates for the BoE in the Fall 2021 election cycle – in campaigns that were managed, coordinated, and funded by the Stratford Republicans and its leadership – for the purpose of “tak[ing] back control of the BoE.”
34. On November 2, 2021, Defendants Henrick, Bedell, and Kennedy, won election to the BoE and replaced members who had previously voted less than eight months earlier to hire Plaintiff as the Superintendent.

D. Loyalty to Republican Party Interests Supersedes Best Interests of Students

35. After Defendants Henrick, Bedell, and Kennedy were elected to the BoE in November 2021, the BoE members needed to organize in December 2021 and elect members to serve as Chair, Vice-Chair, and Secretary.
36. At that time, in December 2021, the BoE included the three Republican members who ran in 2021 on the same slate, Defendants Henrick, Bedell, and Kennedy, in addition to Andrea Corcoran and Amy Wiltsie, who were elected in 2019 as members affiliated with



the Republican Party, and Janice Cupee and Lisa Carroll-Fabian, members affiliated with the Democratic Party and who were elected in 2019 and 2021, respectively.

37. In December 2021, Defendants Henrick, Bedell, and Kennedy voted for Defendant Henrick to serve as Board Chair, while the remaining four members voted for Andrea Corcoran to serve as Board Chair – resulting in Defendant Henrick’s defeat.

38. The following month, in January 2022, Andrea Corcoran and Amy Wiltsie officially changed their party affiliation from Republican to unaffiliated.

39. In February 2022, the following quote was attributed to Amy Wiltsie by a member of the media who reported on Wiltsie’s change in party affiliation from Republican to unaffiliated: “This decision came when **I felt the expectations of my role as a party member superseded that of my work acting in the best interest of Stratford’s students.**” (emphasis added.)

E. Plaintiff Discovers Town of Stratford Decreasing Funding for BoE as Student Diversity Increases; Henrick and DeCilio Publicly Attack Plaintiff

40. In the Spring of 2022, still in his first year as Superintendent in Stratford, Plaintiff identified a disturbing pattern in which the Town of Stratford decreased the percentage of funding that it provided to the Stratford Public Schools over the prior years as the percentage of students of color in the Stratford school system increased.

41. Plaintiff raised concerns about this on several occasions with Town officials and with BoE members. As part of those communications, Plaintiff also expressed concern that there was a causal association between the Town decreasing its percentage of funding to the Stratford Public Schools and the increasing racial diversity of the students in the school district.

42. During the years in which the Town of Stratford decreased the percentage of funding to the Stratford Public Schools as the percentage of students of color in Stratford increased, the Town of Stratford was led by a Republican mayor and a Town Council controlled by a Republican majority.
43. As part of Plaintiff's discussions concerning the Town decreasing the percentage of its funding for the Stratford Public Schools, Plaintiff also expressed concerns about how students would be negatively impacted by the Town decreasing the percentage of its funding to the public schools, compounding the impact of the pandemic on student learning and specifically the disproportionate impact on the more than 70% of students who identify as students of color -- who data shows, are more likely to have experienced a more pronounced and enduring achievement gap. It was also a cause of concern because the Stratford Public Schools had been designated as an Alliance school district by the Connecticut Department of Education, meaning it was one of the lowest 36 performing school districts in the State, based on the school district's performance in the years preceding the pandemic, and preceding Plaintiff's appointment as Superintendent. By decreasing the percentage of funding that the Town provided to the public schools, the Town impacted the resources, support, and programs that the school district was able to provide to support student learning and improvement objectives. Research affirms that there is a direct connection between the quality of education that a student receives and their overall health and well-being.
44. After Dr. Osunde raised concerns about the Town of Stratford decreasing its percentage of funding to the Stratford Public Schools, multiple individuals reported back to Plaintiff that Republican members of the BoE and Republican officials in Town government were

upset with Dr. Osunde because they believed that he made the Republican Mayor, Laura Hoydick, “look bad.”

45. In the Spring of 2022, Plaintiff also learned that the Connecticut General Assembly inserted a provision that became Section 491 of Public Act 22-118, approved on May 7, 2022, which exempted only one town in the entire State of Connecticut, the Town of Stratford, from the obligation to comply with the Minimum Budget Requirement (MBR) that requires Connecticut towns to provide at least the amount of funding to the local school district that was provided in the previous year – absent the satisfaction of certain requirements.
46. Plaintiff was shocked to learn about this Stratford-specific MBR exemption because he, as the Superintendent of Schools, and the Chair of the BoE at the time, had been excluded from discussions which led to this Stratford-specific MBR exemption being included in the legislation.
47. When Plaintiff asked questions about how Stratford could have secured that Stratford-specific exemption from the General Assembly, Plaintiff was told that it was likely through the involvement of state Senator Kevin Kelly, the Republican Minority Leader at that time whose state senate district includes Stratford and who has close ties to Stratford’s Republican Mayor, Laura Hoydick, her administration, and other leaders of the Stratford Republicans.
48. After learning of the Stratford-specific exemption that allowed only the Town of Stratford to avoid complying with MBR requirements for the fiscal year ending June 30, 2023, Plaintiff raised concerns about how the Stratford Public Schools, and its teachers,

staff, and students, would be negatively impacted if the Town failed to provide the level of funding that would be required by the MBR.

49. It was also concerning to Plaintiff that the Stratford-specific exemption to the MBR was adopted after Plaintiff began discussing the disturbing pattern of the Town decreasing the percentage of its funding for the public schools during the same period of time that the racial diversity of the students in the schools increased.
50. By May 2022, Defendant Henrick and Louis DeCilio, the Chairman of the Stratford Republicans, perceived Plaintiff as a Democrat and incorrectly perceived that Plaintiff was taking actions for political purposes to harm the political standing of Republican elected officials who represented Stratford.
51. In May 2022, Defendant Henrick and Louis DeCilio began publicly attacking Plaintiff, and they used racist “dog whistles” to do so.
52. On May 9, 2022, Defendant Henrick and Louis DeCilio both attacked Plaintiff during the public forum portion of the Stratford Town Council meeting.
53. On May 9, 2022, Defendant Henrick publicly, and falsely, claimed that Plaintiff had engaged in “fear mongering” with respect to statements regarding school closures.
54. In addition, as part of his May 9, 2022, public remarks, Defendant Henrick made the following statements leveling additional false accusations against Plaintiff:

In addition, [Plaintiff’s] inappropriate remarks claiming nefarious activities surrounding the MBR were uncalled for – instead of seeking the truth about the work of state senator Kevin Kelly, he chose to lash out in a despicable manner leveling false claims and besmirching our hard-working elected officials -- when in truth Mr. Kelly’s actions ensured taxpayers weren’t victims of unintended financial consequences of the legislation.
55. Contrary to Henrick’s untrue statements, Plaintiff did not make negative statements about state senator Kelly claiming that he engaged in nefarious activities. In making these false

accusations, Defendant Henrick accused Plaintiff of engaging in political speech against a Republican state senator with close ties to Republican officials in Stratford that Plaintiff did not make.

56. Louis DeCilio, the Chairman of the Stratford Republicans, spoke soon after Henrick and falsely claimed that Plaintiff was trying to “intimidate” and “scare” through “threats” and “bullying.”

57. When Defendant Henrick and Louis DeCilio presented their remarks to the Stratford Town Council on May 9, 2022, Defendant O’Brien was present as an elected member of the Town Council.

58. The racist undercurrent of the language and tone used by Defendant Henrick and Louis DeCilio was obvious to Plaintiff, a Black man who stands at six feet three inches tall and approximately 250 pounds.

59. Nine days later, on May 18, 2022, Plaintiff addressed various issues as part of a Stratford Public Schools Town Hall meeting that was available for viewing online. As part of that meeting, Plaintiff offered remarks that he qualified as him speaking as someone who pours all of his energy into this work, and Plaintiff made clear that he did not make any threats and that the “two individuals” who spoke about Plaintiff at the May 9, 2022 meeting were lying. In addition, Plaintiff called out the racism that he recognized and said, as part of his remarks:

I heard phrases like fear mongering, intimidating and all of those different things. And for those of you who have been around for a long time, let’s call it what it is – That’s a tired narrative that in some spaces is often times associated with a Black man. And there is no space for that. Take that stuff and please, take it somewhere else.

60. Five days later, during a Board of Education meeting on May 23, 2022, Defendant Henrick attempted to ambush Plaintiff with antagonistic questions based on inflammatory allegations and incorrect information, including about an alleged attempted stabbing at Stratford High School. When Plaintiff requested that Henrick provide the source of the information about the alleged attempted stabbing at Stratford High School so that Plaintiff could address the issue, Henrick refused.
61. Plaintiff had also heard from certain officials in Stratford that certain Republican officials in Stratford had made statements making clear that they were determined to remove Plaintiff from his position as Superintendent.
62. It was also reported that Defendant Henrick made a statement that the only reason that Plaintiff was hired was because he is a “Black jock.”

F. Plaintiff Demonstrates Solid Performance as Superintendent, but Defendants Henrick, Bedell, & Kennedy Oppose Extending Plaintiff’s Contract

63. On June 27, 2022, Plaintiff met with the BoE to discuss the evaluation of Plaintiff’s performance as Superintendent for the 2021-2022 school year, as part of which Plaintiff provided information and documentation demonstrating the progress that had been made during Plaintiff’s first year as Superintendent towards the goals that had been established.
64. In the written evaluation of Plaintiff’s performance as Superintendent for the 2021-2022 school year, then Board Chair Andrea Corcoran included the following:

**Board Chair Commendations:**

Dr. Osunde offered the board a strong presentation of his goals, including artifacts to support what has been accomplished over the course of the past year. The board’s general consensus is that Dr. Osunde is a strong communicator who has shown passion and conviction for his work. He has listened to stakeholders and uses this feedback, along with data and research, to make informed decisions for the Stratford Public Schools, always with the students in mind. The board recognizes the foundational work that he has done this year will pave the way for improvement in the years to come.

**School Board Chair Comments:**

Dr. Osunde has shown much progress towards his set goals during the 21-22 school year. The Strategic Operating Plan that was created during this period creates a road map for the Stratford Public Schools for the next three years and supports Dr. Osunde's and the board's vision for the future of our schools. Communication with all stakeholders has improved since he joined the district in July and the impacts of this can be seen from the involvement of families at town hall meetings to the open and transparent budget process.

65. In June 2022, the BoE, as it was constituted at that time, voted 4 to 3 in favor of extending Plaintiff's contract, and Plaintiff's base salary as Superintendent was increased by approximately 5 percent.

66. In June 2022, Defendants Henrick, Bedell, and Kennedy, all voted against extending Plaintiff's contract.

G. February 2023: Plaintiff Warned to Stop "Poking the Bear" After He Presented Data to BoE Regarding Increasing Racial Diversity of Students and Town's Decreasing Percentage of Funding for Schools

67. On February 6, 2023, Plaintiff presented the Superintendent's proposed budget for the 2023-2024 school year to the BoE Finance Committee. Plaintiff's presentation was also streamed over the internet.

68. As part of Plaintiff's February 6, 2023 presentation to the BoE Finance Committee, Plaintiff presented information on slides, and also narrated additional information relevant to the topics that he was presenting.

69. As part of Plaintiff's February 6, 2023 presentation to the BoE Finance Committee, Plaintiff presented data, as well as information on slides, concerning how the racial diversity of the student population in the Stratford Public Schools had increased significantly over the previous five years, and how the Stratford Public Schools had been ranked as the fourth most diverse school district in all of Connecticut.

70. Plaintiff also explained how his administration was incorporating an equity approach as part of the budget process, consistent with what Plaintiff outlined the previous year.

71. As part of Plaintiff's February 6, 2023 presentation to the BoE Finance Committee, Plaintiff also expressed concerns about the Stratford-specific exemption to the MBR that had been enacted by the General Assembly the previous year, including the following:

. . . In full transparency, I think this has been a conversation topic dating back to last spring, last winter. I know it probably has not been spoken about publicly, but it's nonetheless something that I think this Committee, and this Board, has to be able to discuss. This idea of the MBR, which is the Minimum Budget Requirement . . . All of the things that we were just talking about . . . If executed, the MBR [exemption] can nullify that . . . It's a sensitive topic, but I think it's a sensitive topic that we cannot avoid . . . For us here in Stratford, we are the only community who has an exemption, financially, across the State..... I'm confident that we have friends of public education within our Town administration, within our Town Council, and I know that we certainly have that here on the Board. So, I would go on the record and state that I will be shocked, incredibly shocked, and disappointed, if the MBR exemption is actually executed in this budget. And I say that because of the insidious and destructive capabilities that it has on the public schools..... What the MBR says is that we can go below the appropriation of the previous year. What that effectively does is resets the ceiling. It's problematic and I would guess that continuing the MBR exemption is not with the intention of trimming things by 150 grand or perhaps maybe half a million dollars. It's problematic, OK. What is potentially even more concerning is its timing because if it coincides directly with the fiscal cliff, it can amplify the problem for us here in Stratford and there is no way to get around it. There's an implication if it's executed, it plays out for every budget cycle for the next 10 years because the ceiling was reset. It ultimately becomes the burden for a new Board, a new Town Council, it becomes a burden for our staff, it becomes a burden for our children, it becomes a burden for our taxpayers. I will say again that I would be shocked if the MBR [exemption] is executed this year because to me it sends a clear message about the perspective of public education in our community. . . .

72. After Plaintiff expressed concerns about the MBR exemption, he presented data regarding the percentages of funding that Stratford Public Schools received, from different sources, for the previous five years and Plaintiff explained, "against the backdrop of the MBR," how the Town of Stratford's percentage of funding for the Stratford Public Schools had decreased over time, by almost five percent. Plaintiff then



observed that, if the MBR exemption was actually executed, the bar graph that he was presenting demonstrating the Town's financial contributions to the Stratford Public Schools would decrease dramatically.

73. Thus, at various points within Plaintiff's February 6, 2023 budget presentation, Plaintiff presented information related to the topics that he had raised the previous year, and which provoked a retaliatory response from Defendant Henrick, including that: (a) in the past five years, the racial diversity of students in Stratford Public Schools increased significantly; (b) in the past five years, the Town of Stratford decreased the percentage of funding that it provides to the Stratford Public Schools; and (c) the Stratford-specific MBR exemption would allow the Town of Stratford to significantly decrease the funding it provides to the public schools to a level below what it provided the previous year, and would have insidious and destructive impacts on the public schools, and negatively impact students and the education and support that they receive.

74. Several days after Plaintiff delivered his February 6, 2023 budget presentation, Plaintiff received a phone call from a former Republican member of the Stratford Board of Education who was still very well connected to the local Republican Party in Stratford.

75. During this phone call, this former Republican member of the Stratford Board of Education warned Plaintiff to "stop poking the Bear" and "stop poking the tiger." This person told Plaintiff that, during Plaintiff's February 6, 2023, budget presentation, she was receiving text messages from people about Plaintiff's comments about the MBR exemption and the Town's funding of the public schools and who were concerned that Plaintiff was making the Mayor, Republican Laura Hoydick, "look bad."

H. June 2023-August 2023: Plaintiff Receives Positive Evaluation and Contract Extension; Republicans Vote Against Approving Plaintiff's Contract

76. On June 26, 2023, Plaintiff met again with the BoE to discuss the evaluation of Plaintiff's performance as Superintendent for the 2022-2023 school year, as part of which Plaintiff provided information and documentation demonstrating the progress that had been made during Plaintiff's second year as Superintendent towards the goals that had been established.

77. In the written evaluation of Plaintiff's performance as Superintendent for the 2022-2023 school year, then Board Chair Andrea Corcoran included the following:

**Board Chair Commendations:**

The board recognizes that Dr. Osunde has made significant movement towards his set goals over the past year.

He has worked with his team to implement the district SOP, creating a stable and functional infrastructure in which our schools can thrive. This work is evident in improved test scores, moving our district achievements closer to pre-COVID levels.

The work done by Dr. Osunde around the budget is commendable. With support from staff, families, and the community, Dr. Osunde was able to present the board with a finalized budget that promised a continuous focus on student achievement and whole-school growth.

The board applauds Dr. Osunde for his ability to cultivate talent and for his willingness to allow his team to shine. It is evident that Dr. Osunde listens to those around him and is responsive to the suggestions, concerns, and needs of his staff, his board, SPS students and families, and the larger community of Stratford.

**School Board Chair Comments:**

Dr. Osunde continues to lead the Stratford Public Schools in the right direction. He has a strong vision and is able to communicate this clearly with district stakeholders, including members of the Board of Education. Dr. Osunde is a true collaborator and his ability to listen and respond to the needs of the community have already yielded clear results. There is much high-profile work on the horizon – a possible district realignment, the ESSER fiscal cliff – but it can be assured that Dr. Osunde will work to guide the district through, always with a student-centered approach.

78. In June 2023, after Plaintiff demonstrated additional progress towards his goals, the BoE, as it was constituted at that time, voted 6 to 1 in favor of extending Plaintiff's contract as Superintendent, with only Defendant Henrick voting against.
79. In August 2023, a majority of the BoE, as it was constituted at that time, voted 4 to 3 in favor of approving Plaintiff's new three-year contract that had been negotiated between Plaintiff and the BoE.
80. In August 2023, Defendants Henrick, Bedell, and Kennedy voted against approving the new contract that had been negotiated between Plaintiff and the BoE, ostensibly based on objections relating to Plaintiff's compensation and benefits, which were increased only slightly from his previous contract.
81. It was reported to Plaintiff that Louis DeCilio, the Chairman of the Stratford Republicans with strong ties to Defendants Henrick, Bedell, and Kennedy, had strong objections to the level of Plaintiff's compensation.
82. Defendants Henrick, Bedell, and Kennedy voiced objections to Plaintiff's compensation even though Plaintiff's base salary in 2023-2024 was less than the market salary for his position and even though Plaintiff's salary in 2023-2024 would still be lower than the base salary that the Stratford BoE paid to Plaintiff's predecessor as Superintendent, a white female, for the 2020-2021 school year.
83. Under Plaintiff's new contract approved by a majority of the BoE in August 2023, the term of Plaintiff's employment as Superintendent was extended through June 2026, with the possibility of further extensions.

I. September 2023 – Plaintiff Enforces BoE Policy About Electioneering; DeCilio Accuses Plaintiff of Acting With Political Purpose and Bias Against Republicans, and Gratuitously Attacks Plaintiff

84. In September 2023, it was reported to Plaintiff that an individual who was running for elected office on the Stratford Town Council as a Republican was handing out documents with a campaign logo on school property, in violation of BoE policy, to people attending a football game. The BoE policy in question prohibited political activity of that nature on school property, and it had been adopted by the BoE years before Plaintiff was hired as Superintendent.

85. In response, on September 26, 2023, Plaintiff sent a letter to the individual requesting that he cease and desist from any electioneering activities that violated BoE policy.

86. Plaintiff was simply acting to enforce a BoE policy in response to a violation of that policy that had been brought to his attention.

87. However, days later, in late September 2023, Louis DeCilio, the Chairman of the Stratford Republicans, responded with communications that falsely accused Plaintiff of sending the letter “for political purposes” and exhibiting favoritism for the Democratic Party in Stratford with respect to the BoE policy. Mr. DeCilio’s September 2023 communications also included other untrue allegations and gratuitous attacks against Plaintiff, as if DeCilio was documenting a list of reasons why Plaintiff should be removed from his position as Superintendent. As part of his communication, DeCilio also made a point of gratuitously highlighting Plaintiff’s salary.

J. November 2023 – Republicans Gain Control of the BoE

88. In November 2023, Defendant O’Brien won election to the BoE as a Republican.

89. Before his election to the BoE in November 2023, Defendant O'Brien had served for several terms on the Stratford Town Council as a Republican. When Defendant O'Brien was unable to run for re-election to the Stratford Town Council in 2023 due to term limits, the Stratford Republican Party ran him as a candidate for the BoE.
90. When Defendant O'Brien ran for election to the BoE in November 2023, he and his campaign had the support and coordination of the Stratford Republican Party and its Chairman, Louis DeCilio.
91. After Defendant O'Brien was elected to the BoE in November 2023, he joined the Henrick-Bedell-Kennedy faction and gave the Republicans on the BoE a clear partisan 4 to 3 majority.
92. In December 2023, Defendants Henrick, Bedell, Kennedy, and O'Brien voted to make Defendant Henrick the new Chair of the BoE.
93. Now, for the first time, the partisan Republicans on the BoE -- led by Henrick -- had the votes that they needed to "take back control of the BoE" as they campaigned on in 2021.
94. For the first time, the partisan Republicans on the BoE also had the votes to take action against Plaintiff as the Superintendent, and they wasted no time abusing their new authority.
- K. November 25, 2023 – Plaintiff Arrested Following Private Marital Argument
95. On November 25, 2023, Plaintiff, who is in the process of a divorce, was arrested on a misdemeanor breach of peace charge following an argument with his wife.
96. Plaintiff would soon be vindicated in the matter and the charges against Plaintiff were dismissed once the evidence, including body camera footage, was reviewed.

97. However, in the meantime, the BoE's new Republican majority wasted no time in exploiting the matter to place Plaintiff on administrative leave and launch a baseless investigation and smear campaign against Plaintiff.

L. December 21, 2023 – Defendants Place Plaintiff on Administrative Leave

98. On December 21, 2023, shortly after Defendants Henrick, Bedell, Kennedy, and O'Brien organized and formalized their new majority control over the BoE, Defendants voted to place Plaintiff on administrative leave, effective immediately.

99. The vote to place Plaintiff on administrative leave was 4 to 3, with Defendants Henrick, Bedell, Kennedy, and O'Brien voting in favor, and the remaining members of the BoE, who are affiliated with the Democratic Party, voting against.

100. At the same time, Defendant Henrick announced that Plaintiff's administrative leave was pending the completion of an investigation into the circumstances surrounding the recent arrest, and that the investigation would be conducted by the law firm who has been representing the Town of Stratford for decades, Berchem Moses, P.C.

101. Defendant Henrick also required Plaintiff to return all property of the Stratford Public Schools, such as computers, cell phones, and identification; prohibited Plaintiff from entering any school district property, accessing school district email, voicemail, or databases; and instructed that Plaintiff was not permitted to have any contact with any school district personnel or perform any of his job duties.

102. After Defendants placed Plaintiff on administrative leave, Defendant Bedell moved to appoint Heather Borges, a white female, as the Interim Superintendent, a motion that was approved by all other members of the BoE.

103. After placing Plaintiff on administrative leave, Defendant Henrick read from a prepared statement explaining the decision to place Plaintiff on administrative leave in which he stated that the BoE’s “main concern” was the “integrity of our educational environment and the safety and well-being” of the students. Through this public statement, Defendant Henrick wrongly implied that Plaintiff’s presence as Superintendent and on school district property represented a threat to the safety and well-being of the students and the integrity of their educational environment.

M. Charges Against Plaintiff Dismissed; Henrick Denies Plaintiff’s Reinstatement Request

104. On January 31, 2024, the misdemeanor breach of peace charge against Plaintiff was completely dismissed by the Court, without objection by the State, following a hearing in which the prosecutor characterized Plaintiff as a “stand up person” and represented to the Court that there was “nothing physical” by Plaintiff against the other person involved.

105. On February 6, 2024, Plaintiff wrote to the BoE and requested that he be immediately reinstated.

106. The following day, February 7, 2024, Defendant Henrick rejected Plaintiff’s request and reminded Plaintiff that he was not to communicate with the Stratford Public Schools community or engage in any work on its behalf.

N. Defendants Launch Expanded Investigation to Perpetuate Plaintiff’s Leave

107. Less than three weeks later, on February 26, 2024, Defendant Henrick publicly moved to expand the investigation into Dr. Osunde to include several baseless allegations relating to Plaintiff’s job performance, none of which were identified as reasons

connected to the original decision to place Plaintiff on administrative leave or launch an investigation.

108. Defendants' move to expand the investigation into various accusations relating to Plaintiff's performance was also contrary to the positive performance evaluations that Plaintiff had previously received from the BoE, and the new contract extension that Plaintiff had received from the BoE just six months earlier.

109. In a departure from the BoE's past practice involving other personnel matters, Defendant Henrick publicly announced additional accusations against Plaintiff – none of which have any merit – in public session and without providing Plaintiff advance notice or any opportunity to respond.

110. In response to Defendant Henrick's request, Defendants Henrick, Bedell, Kennedy, and O'Brien voted in favor of expanding the investigation into the matters concerning Plaintiff that Henrick had identified, with the remaining three members of the BoE voting against the measure.

111. Defendants' actions against Plaintiff reflect obvious disparate treatment compared to other Superintendents employed by the BoE, including the white female who preceded Plaintiff as Superintendent, Janet Robinson.

112. During the time period that he has acted as Chair of the BoE to continue Plaintiff's leave of absence and expand the scope of the investigation concerning Plaintiff, Defendant Henrick has acted as Board Chair in ways that confirm the politically partisan way that he has approached, and exercised, his authority as the Chair of the BoE, and his view that there is a Republican "team" that includes Henrick, Bedell, Kennedy, and O'Brien, and another "team" that includes the Democratic members of the BoE.



113. Defendant Henrick clearly views Plaintiff as being a member of the wrong “team,” and he has acted to discriminate and retaliate against Plaintiff for unlawful reasons connected to that perception.
114. Upon information and belief, Defendants have coordinated with Louis DeCilio, Chairman of the Stratford Republicans, in taking actions against Plaintiff as Superintendent.
115. Defendants’ actions have caused Plaintiff to suffer significant harm, both personally and professionally, and they have caused serious damage to Plaintiff’s career and prospects for employment and earning potential.
116. If Plaintiff was not a Black male, Defendants would have treated him differently and Plaintiff would not presently be on administrative leave and subject to an expanded investigation with no end in sight.
117. If Plaintiff had not complained about race discrimination by Henrick and DeCilio, and suggested that there was a causal association between the Town of Stratford decreasing the percentage of funding that it provides to the Stratford Public Schools in recent years as the percentage of students of color in the Stratford Public Schools has increased, and engaged in other constitutionally protected speech, Defendants would have treated Plaintiff differently and Plaintiff would not presently be on administrative leave and subject to an expanded investigation with no end in sight.
118. If Plaintiff was not a Democrat and Defendants did not incorrectly perceive that Plaintiff engaged in partisan political actions for the purpose of causing political harm to Stratford Republicans, Defendants would have treated Plaintiff differently and Plaintiff

would not presently be on administrative leave and subject to an expanded investigation with no end in sight.

**COUNT ONE: RACE DISCRIMINATION IN VIOLATION OF 42 U.S.C. 1981 (as against ALL DEFENDANTS)**

119. Based on the foregoing, Defendants have subjected Plaintiff to discrimination based on race in violation of 42 U.S.C. 1981, as enforced through 42 U.S.C. 1983.

120. Defendants have subjected Plaintiff to acts of discrimination and adverse employment actions, at least in part, based on race.

121. As a result of Defendants' actions, Plaintiff has suffered damages.

122. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.

123. Plaintiff has incurred attorney's fees and costs in pursuing this action.

**COUNT TWO: RACE DISCRIMINATION IN VIOLATION OF FOURTEENTH AMENDMENT (as against ALL DEFENDANTS)**

124. Based on the foregoing, Defendants have subjected Plaintiff to discrimination based on race in violation of the Equal Protection Clause of the Fourteenth Amendment, as enforced through 42 U.S.C. 1983.

125. Defendants have subjected Plaintiff to acts of discrimination and adverse employment actions, at least in part, based on race.

126. As a result of Defendants' actions, Plaintiff has suffered damages.

127. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.

128. Plaintiff has incurred attorney's fees and costs in pursuing this action.

**COUNT THREE: RETALIATION IN VIOLATION OF 42 U.S.C. 1981 (as against ALL DEFENDANTS)**

129. Based on the foregoing, Defendants have retaliated against Plaintiff in violation of 42 U.S.C. 1981, as enforced through 42 U.S.C. 1983.
130. Plaintiff engaged in protected activity by opposing and resisting discrimination based on race.
131. Defendants had knowledge of Plaintiff's protected activity.
132. Defendants have subjected Plaintiff to acts of retaliation and adverse employment actions, at least in part, because of Plaintiff's protected activity.
133. As a result of Defendants' actions, Plaintiff has suffered damages.
134. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.
135. Plaintiff has incurred attorney's fees and costs in pursuing this action.

**COUNT FOUR: RETALIATION IN VIOLATION OF FOURTEENTH AMENDMENT (as against ALL DEFENDANTS)**

136. Based on the foregoing, Defendants have retaliated against Plaintiff in violation of Fourteenth Amendment of the U.S. Constitution, as enforced through 42 U.S.C. 1983.
137. Plaintiff engaged in protected activity by opposing and resisting discrimination based on race.
138. Defendants had knowledge of Plaintiff's protected activity.
139. Defendants have subjected Plaintiff to acts of retaliation and adverse employment actions, at least in part, because of Plaintiff's protected activity.
140. As a result of Defendants' actions, Plaintiff has suffered damages.

141. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.

142. Plaintiff has incurred attorney's fees and costs in pursuing this action.

**COUNT FIVE: VIOLATION OF FIRST AMENDMENT (as against ALL DEFENDANTS)**

143. Based on the foregoing, Defendants have retaliated against Plaintiff in violation of the First Amendment and Fourteenth Amendment of the U.S. Constitution, as enforced through 42 U.S.C. 1983.

144. Defendants have subjected Plaintiff to retaliation and adverse actions because he is a Democrat, and because they incorrectly perceive that Plaintiff has engaged in partisan political activities and political speech for political purposes to harm the political standing of Republican elected officials and/or Republican political candidates in Stratford.

145. Defendants have subjected Plaintiff to acts of retaliation and adverse employment actions, at least in part, because of reasons that violate the First Amendment.

146. As a result of Defendants' actions, Plaintiff has suffered damages.

147. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.

148. Plaintiff has incurred attorney's fees and costs in pursuing this action.

**COUNT SIX: VIOLATION OF CONN. GEN. STAT. 31-51q (as against STRATFORD BOARD OF EDUCATION)**

149. Based on the foregoing, Defendant Stratford Board of Education has subjected Plaintiff to acts of retaliation and discipline in violation of Conn. Gen. Stat. 31-51q.

150. Defendants have subjected Plaintiff to retaliation, discipline, and adverse actions because he is a Democrat, and because they incorrectly perceive that Plaintiff has engaged in partisan political activities and political speech for political purposes to harm the political standing of Republican elected officials and/or Republican political candidates in Stratford.

151. In addition, Plaintiff engaged in protected speech under Sections 3, 4, or 14 of the Connecticut Constitution when he engaged in speech relating to serious wrongdoing, deliberately unconstitutional conduct, official dishonesty, and threats to health and safety. This includes, but is not limited to, (a) speech relating to the Town of Stratford decreasing its percentage of funding for the Stratford Public Schools as the racial diversity of the student population increased, and the negative consequences that students would suffer as a result of that decreased funding; (b) speech expressing serious concerns about the passage of the Stratford-specific exemption to the MBR requirements, shortly after Plaintiff expressed concerns about the Town of Stratford decreasing its funding to the public schools as the racial diversity of the student population increased; (c) speech expressing serious concerns about the insidious and destructive consequences for public education for students in the Stratford Public Schools if the Town of Stratford adopted a budget that used the MBR funding exemption that the Town of Stratford had secured; and (d) speech objecting to false statements and lies being presented to a public body as part of an official proceeding.

152. Defendants have subjected Plaintiff to acts of retaliation, discipline, and adverse employment actions, at least in part, because of reasons that violate Conn. Gen. Stat. 31-51q.

153. As a result of Defendants' actions, Plaintiff has suffered damages.
154. Through their actions, Defendants have demonstrated a reckless disregard for Plaintiff's rights.
155. Plaintiff has incurred attorney's fees and costs in pursuing this action.

### **DEMAND FOR RELIEF**

Plaintiff hereby demands Judgment against Defendants, a Trial by Jury, and other relief, including, but not limited to the following:

1. Compensatory and economic damages, including, but not limited to, decreased earning potential, emotional distress, harm to reputation, and loss of enjoyment of life's activities.
2. Attorney's fees and costs.
3. Statutory punitive damages.
4. Interest.
5. Equitable Relief, and Prospective Injunctive Relief, including, but not limited to, an Order: (a) requiring that Defendants immediately reinstate Plaintiff to his position as Superintendent and issue a corrective publication to the entire community; (b) prohibiting Defendants from any further acts of discrimination or retaliation against Plaintiff; and (c) mandating the removal of any negative material from Plaintiff's employment records that are the product of discrimination or retaliation.
6. Other relief that in law or equity may pertain.

### **JURY DEMAND**

Plaintiff hereby demands a trial by jury.

PLAINTIFF,  
UYI OSUNDE

By:           /s/Todd Steigman          

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