

1 THE COURT: All right. Thank you all, and thank you for
2 your patience. The following will be the Court's ruling on the
3 Plaintiff's Motion For Preliminary Injunction:

4 In order to grant a preliminary injunction, the Court
5 must find, one, that the plaintiffs have a substantial
6 likelihood of success on the merits; two, that they will suffer
7 irreparable injury unless the injunction issues; and, three,
8 that the threatened injury to the plaintiffs outweigh whatever
9 damage the proposed injunction may cause the defendants; and,
10 fourth, that if issued, the injunction would not be adverse to
11 the public interest.

12 That's the *Siegel* case, S-I-E-G-E-L, Eleventh Circuit
13 case from 2000, sets forth those factors along the legions of
14 other cases that do the same.

15 As to the first factor, I find that plaintiffs have
16 shown a substantial likelihood of success on the merits of their
17 claim that their First Amendment right to speak on a matter of
18 public concern was violated.

19 In an abundance of caution, I will assume that the more
20 stringent framework set forth in *Pickering v. Board of*
21 *Education*, 391 United States 563 from 1968, and its progeny,
22 apply here. This, of course, places a higher burden on
23 plaintiffs, but I find they're able to meet even that higher
24 burden.

25 First, the at-issue speech, Mr. Youmans' Facebook posts

1 and the comment below one of them, were all matters of public
2 concern, specifically, property taxes, the use of funds by the
3 school system, the performance of the school system, and what he
4 believed to be, what he called today, administrative bloat,
5 quote, unquote. It appears to be undisputed that the speech was
6 made by Mr. Youmans in his capacity as a private citizen.

7 I find that plaintiffs' interest in free speech --
8 criticizing the public school board -- outweigh defendants'
9 interest in promoting the efficiency of the school system here.
10 Indeed, I've not been presented with compelling evidence of how
11 the decision here promoted the efficiency of the school system
12 or how the plaintiffs' speech in any way hindered the efficiency
13 of any of the defendants, the school system.

14 Regardless of whoever the ultimate decisionmaker was, it
15 seems clear from the uncontroverted evidence presented today
16 that the speech the plaintiff made played a substantial part in
17 the decision to terminate the plaintiffs' relationship with
18 defendants.

19 The record is replete with evidence of this retaliatory
20 motive, but here are some nonexhaustive examples. Dr. Reid's
21 testimony today was that some board members were bothered by the
22 post and asked Dr. Reid to look into plaintiff and his program
23 because of those posts. Also, the minutes from the board's
24 November 2025 work session make clear that Mr. Youmans' prior
25 criticism of the board remained a motivating consideration for

1 the board, as the board continued to inquire to, quote, about
2 possible options for the course, close quote.

3 Dr. Reid's February 5th, 2026, meeting with Mr. Youmans
4 provides additional evidence that the termination of the program
5 was motivated by his public speech and criticism.

6 To be sure, at portions of the conversation she denied
7 that motive, but at other points of the conversation, it was
8 clear that her concerns about his quote, unquote professionalism
9 and the entire impetus behind terminating the program were his
10 Facebook posts.

11 Indeed, even at the very end of the conversation with
12 him, she took the opportunity to dispute the points he raised in
13 the post and to explain why the tax increase was needed.

14 Likewise, her testimony today left the Court with a firm
15 impression that the speech, indeed, played a substantial
16 motivating factor in the termination of the program. The
17 Court's in a unique position of being able to sit here as a
18 neutral fact finder, listen to the witnesses, watch them and to
19 judge the credibility of their testimony, and that's the
20 impression that I was left with.

21 Even if the board was the decisionmaker here as opposed
22 to Dr. Reid, the evidence is the board had been informed of very
23 little about the program, other than the content of the course
24 and the content of Mr. Youmans' Facebook posts.

25 While Dr. Reid's final email to the board regarding

1 terminating the program was not provided to the Court today,
2 Dr. Reid testified that she did not inform the board of any of
3 the issues identified in her later affidavit. So it appears
4 that if the board was the decisionmaker, the only evidence we
5 have is that they made the decision based upon the Facebook
6 posts.

7 Finally, the Court turns to the fourth prong, which is
8 whether defendants have shown by a preponderance of the
9 evidence that they would have terminated the program regardless
10 of Mr. Youmans' Facebook post.

11 To be clear, from the plaintiffs' perspective, is it
12 Mr. Youmans or Mr. Youman?

13 MR. SECHLER: I'm sorry, Your Honor. It's Mr. Youmans.

14 THE COURT: I thought so. Mr. Youmans' Facebook posts.

15 On this topic, defendants continue to point to the
16 reasons offered in Dr. Reid's affidavit, which is at Doc. 25-2,
17 Pages 4 through 5. However, the evidence indicates that each of
18 these supposed reasons was pretextual. First, no one with the
19 school district, including Dr. Reid, raised these issues with
20 Mr. Youmans at any point in time throughout his ten-year
21 relationship with the district, but certainly not before the
22 termination decision was made, nor did Dr. Reid raise them with
23 him afterwards, during their meeting, which she testified she
24 understood to be for him to receive reasons for the termination,
25 nor did she describe these reasons to her email exchange with

1 him thereafter.

2 It stands to reason that if these proffered reasons were
3 genuine concerns for the safety of students and for
4 professionalism, Dr. Reid would have addressed these concerns
5 right away by reaching out to Mr. Youmans, or at least before
6 the end of the school year. Instead, she allowed him to
7 continue to teach students without even raising these concerns
8 with him at all.

9 Second, there is no evidence that Dr. Reid raised these
10 concerns with the board. They're not mentioned in the board
11 work session minutes, and she testified today that they were not
12 included in her email to the board immediately prior to the
13 termination.

14 I've reviewed this record very thoroughly of what you
15 all have provided me and the testimony thoroughly. That record
16 does not contain any evidence of these issues or these concerns
17 until Dr. Reid filed her affidavit in this case last month.

18 Second, a review of the reasons themselves and the
19 testimony the Court heard today about those reasons reveals that
20 these could be more aptly described as failures of the district
21 and not failures of the plaintiffs.

22 The Court found Mr. Youmans' testimony very credible,
23 that he could have met all of these conditions and requirements
24 easily if someone had just picked up the phone and asked him
25 about them.

1 Finally, outside of the issues raised in the affidavit,
2 the Court finds credible Mr. Youmans' testimony that he has only
3 had one complaint about his released time teaching and that that
4 pertained to the version of the Bible he was using, prior to the
5 decision to terminate, in a different school system. He
6 testified he's never received a complaint from a parent, a
7 faculty member or an administrator of the Vidalia City School
8 System in any way before this termination.

9 The next factor in determining whether to grant a
10 preliminary injunction is whether there is a substantial threat
11 that the plaintiffs will suffer irreparable injury if the
12 injunction is not granted. Here plaintiffs are suffering an
13 irreparable injury. Mr. Youmans is being punished for
14 exercising his First Amendment right to speak on a matter of
15 public concern.

16 In *Cate v. Oldham*, an Eleventh Circuit case from 1983,
17 the Court held that, quote, it is well settled that the loss of
18 First Amendment freedoms for even minimal periods of time
19 constitutes irreparable injury justifying the grant of a
20 preliminary injunction, close quote.

21 Because of Dr. Youmans' and the Center's protected
22 speech, the district has barred them from pursuing their mission
23 of providing released time education to Vidalia High students.

24 Such a, quote, direct reaction to the exercise of their
25 First Amendment rights, close quote, inflicts irreparable harm,

1 warranting an injunction. That is the *Kadalie* case, K-A-D-A-I
2 -- excuse me -- K-A-D-A-L-I-E -- vs. *Board of Regents of the*
3 *University System of Georgia*, a Southern District of Georgia
4 case from July 18th of 2005.

5 In that case, The Honorable William T. Moore, Jr., aptly
6 stated, "The Eleventh Circuit has explained this reasoning" --
7 that being irreparable injury -- "extends to cases alleging,"
8 quote, "current deprivation in the form of penalization for
9 having exercised rights in the past," close quote, quoting the
10 *Cate* case there.

11 Judge Moore continued, "Accordingly, in order to provide
12 the zealous protection that the First Amendment clearly
13 deserves, courts must be able to adjoin activity that seeks to
14 penalize past speech or defer future speech."

15 Judge Moore cited *Cate* for that point.

16 Then he went on to state, "As explained above, plaintiff
17 has demonstrated that defendants' efforts towards terminating
18 his employment" -- there it was an employment agreement -- "are
19 likely a direct reaction to his exercise of his First Amendment
20 rights. Accordingly, if the Court does not enjoin defendants
21 from completing these efforts, plaintiff will likely suffer the
22 irreparable injuries of punishment for exercising those rights
23 in the past and deterrence from doing so in the future," close
24 quote.

25 That's all that I'll quote today regarding that case,

1 but it's quite apt to the case at hand.

2 The Court now turns to whether the threatened injury to
3 the plaintiffs outweighs the harm an injunction may cause to the
4 defendants and to whether the grant of a preliminary injunction
5 would not disserve the public's interest. As the parties have
6 said, those factors oftentimes merge when it's a governmental
7 defendant.

8 In any event, while any infringement of a First
9 Amendment right is substantial, here, the associated injuries of
10 the plaintiffs are not as great as we frequently see as the case
11 law often discusses.

12 Mr. Youmans and the Center can still teach Vidalia High
13 students through dual enrollment, perhaps. He can still hold
14 other types of classes and other avenues. He can still post on
15 Facebook. So he has an injury. It's not a huge injury, to use
16 a colloquial term.

17 But, on the other hand, the burden on the defendants by
18 granting the injunction is even more minimal. The Court is not
19 ordering defendants to extend employment to anyone or even to
20 extend any money or pay anybody any money. While it will place
21 some burden on the school system to reinstate this program at
22 the eleventh hour, plaintiff filed his motion seeking this
23 relief in May.

24 Also, this was programming that has been offered in the
25 district for more than ten years without any apparent

1 difficulty. From Dr. Reid's own testimony, there will likely
2 only be a handful of students who will seek to revise their
3 schedules, and school has actually not started yet.

4 Lastly, no student is being required to take these
5 courses or to have Dr. Youmans as their teacher.

6 To be sure, the school district may require that some of
7 the concerns that Dr. Reid raised, such as proof of liability
8 insurance and background checks and proof of parental
9 permission, be met, but the Court credits Mr. Youmans' --
10 Dr. Youmans' testimony that he and the district could satisfy
11 those requirements quite easily. It certainly wouldn't be too
12 much of a burden on the district to do what their own
13 superintendent said they should have been doing for years now.

14 The public interest is certainly not disserved by
15 protecting free speech and by giving the students the option to
16 continue to take the course while this litigation is pending,
17 particularly considering the very minimal intrusion this will be
18 to the defendants' interest in administering their school
19 system.

20 Accordingly, I grant the Plaintiffs' Motion For
21 Preliminary Injunction, Doc. 9, as follows:

22 Throughout the pendency of this lawsuit, defendants
23 shall permit plaintiffs to continue to provide released time
24 education to Vidalia High School students in the same manner
25 that it had been permitted during the 2025-2026 school year,

1 provided, however, defendants may take reasonable steps to
2 ensure that the concerns raised by Dr. Reid's affidavit at
3 Doc. 25-2, Paragraph 7, Subparagraphs 1 through 5, are
4 addressed.

5 Defendants shall provide students a reasonable
6 opportunity to adjust their schedules to participate in the
7 plaintiffs' released time program throughout the 2026-2027
8 school year in an enrollment process similar to that allowed
9 for other Vidalia High School courses.

10 The Court is not requiring defendants to institute a
11 special enrollment process for a specific period of time as
12 requested by plaintiffs, because the Court does not want to
13 micromanage the district. But defendants shall provide a
14 reasonable opportunity for students to enroll in this program
15 during the Fall 2026 semester and all other semesters during
16 the pendency of this lawsuit.

17 Finally, because of the interests at hand, because of
18 the resources at issue, and because of the lack of financial
19 obligation that the injunction creates, I waive the security
20 requirement under Rule 65(c).

21 That will be the order of the Court.

22 I'm sure you all would like a transcript of that order.
23 Obviously, you can contact Madam Court Reporter about that.

24 Again, I echo what I said earlier. I appreciate the
25 efforts that all sides made to get the Court this very complex

1 case and these complex issues to the Court in an efficient
2 manner so that I could give you a ruling.

3 Obviously, you've got your motion to dismiss still
4 pending. We'll get onto that, and we can discuss whether there
5 should be any discovery while those motions to dismiss are
6 pending, now that I've ruled on the preliminary injunction.

7 That will be raised with Judge Ray, the magistrate
8 judge in the case. Okay.

9 Anything further from the plaintiffs at this time?

10 MR. MARTIN: Nothing further, Your Honor.

11 THE COURT: Thank you. Anything further from the
12 defendants?

13 MR. MEADER: No, Your Honor.

14 THE COURT: All right. Thank you all.

15 Everyone have a good evening. Safe travels for those of
16 you who are traveling, and we'll see you when we see you again
17 on this case. We'll be adjourned.

18 (Proceedings concluded at 4:36 p.m.)

19

20

21

22

23

24

25