

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MELISSA WOOD, on behalf of her
minor child, **C.W.**
9975 Morgantown Road
Newburg, Maryland 20664
Charles County

JOHN KEVIN WOOD, individually and on
behalf of his minor child, **C.W.**
9975 Morgantown Road
Newburg, Maryland 20664
Charles County

Plaintiffs,

-v.-

CHARLES COUNTY PUBLIC SCHOOLS
Jesse L. Starkey Administration Building
5980 Radio Station Road
La Plata, Maryland 20646
Charles County

**BOARD OF EDUCATION OF
CHARLES COUNTY**
Jesse L. Starkey Administration Building
5980 Radio Station Road
La Plata, Maryland 20646
Charles County

EVELYN ARNOLD, individually and as the
Principal of La Plata High School
Jesse L. Starkey Administration Building
5980 Radio Station Road
La Plata, Maryland 20646
Charles County

SHANNON MORRIS, individually and as a
Vice-Principal of La Plata High School
Jesse L. Starkey Administration Building
5980 Radio Station Road
La Plata, Maryland 20646
Charles County

Defendants.

COMPLAINT

[Civil Rights Action under 42 U.S.C § 1983]

Plaintiffs Melissa Wood, on behalf of her minor child, C.W., and John Kevin Wood, individually and on behalf of his minor child, C.W. (collectively “Plaintiffs”), by and through their undersigned counsel, bring this civil rights Complaint against the above-named Defendants, their employees, agents, and successors in office, and in support thereof allege the following upon information and belief:

INTRODUCTION

1. The First Amendment prohibits the promotion of the religion of Islam over other faiths, such as Christianity or Judaism, in our public schools.

2. The United States Supreme Court has held that our public schools should not promote a certain religion over others: “School sponsorship of a religious message is impermissible because it sends the ancillary message to members of the audience who are nonadherents ‘that they are outsiders, . . . and an accompanying message to adherents that they are insiders.’” *Santa Fe Indep. Sch. Dist. v. Doe*, 530 U.S. 290, 309-10 (2000) (quoting *Lynch v. Donnelly*, 465 U.S. 668, 688 (1982) (O’Connor, J., concurring)).

3. United States Supreme Court precedent does not create a double standard that allows for the promotion of Islam in our public schools while disallowing and silencing the teachings of Christianity and Judaism.

4. This case, therefore, seeks to protect and vindicate the fundamental constitutional rights of two Maryland parents and their daughter, C.W., who were harshly punished for voicing concerns about the desecration of their Christian beliefs and heritage and the promotion of the Islamic faith in the Defendants’ World History class.

5. Defendants concealed that their high school World History class promoted Islam. The class syllabus failed to mention that the course involved the teaching and promotion of

Islam. The class syllabus also failed to mention that Defendants were using two different textbooks. Defendants required that students keep the second textbook, which extensively covered Islam, at the school. Defendants only allowed students to take home the first textbook that did not extensively cover or devote a separate chapter to Islam.

6. Defendants patently rejected the valid requests and complaints of Plaintiffs, as concerned parents, and discriminated against Plaintiffs' daughter, C.W., by removing her from the academic environment of her World History class, relegating her to the student library, and issuing her failing grades on assignments because C.W. refused to deny and insult her Christian beliefs by affirming, for example, that Muslims hold stronger faith convictions than Christians. *See* Exhibit 1 ("Most Muslim's faith is stronger than the average Christian.") (emphasis in original).

7. Defendants' curriculum, practices, policies, actions, procedures, and customs promote the Islamic faith by requiring students to profess the five pillars of Islam and to write out faith statements of the religion. Defendants require that students write out and confess the *Shahada*, the Islamic Profession of Faith.

8. Defendants, however, do not treat Christianity in the same manner as Islam. Defendants do not require students to profess or write out faith statements of Christianity, including creeds associated with Christianity. In fact, Defendants teach about Christianity in a disparaging manner and do not require students to learn any tenants of Christianity or Judaism, such as the Ten Commandments.

9. Defendants spent only one day teaching Christianity, but devoted approximately two weeks to promoting Islam.

10. A school cannot achieve diversity by punishing and alienating students who hold Judeo-Christian beliefs, while bolstering the doctrines and teachings of other religions.

11. Defendants have treated Plaintiffs' Christian beliefs and heritage as subordinate to Islamic beliefs and heritage, have treated Plaintiffs' Christian beliefs and heritage with deliberate indifference, and have been hostile toward C.W. and her family.

12. Plaintiffs challenge Defendants' acts, policies, practices, customs, and procedures, which deprived and are depriving Plaintiffs and C.W. of their fundamental right to be free from a public school's promotion of certain religious beliefs, their fundamental right to be able to speak freely and raise concerns about religion being taught in our public schools without retaliation, and their fundamental right to be free from unjust discrimination against their Christian heritage.

13. Plaintiffs bring this civil rights action under the First and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1983, Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and under the laws of the State of Maryland.

14. Plaintiffs seek a declaration that Defendants violated Plaintiffs' clearly established constitutional and statutory rights; a preliminary and permanent injunction barring Defendants from continuing the acts, policies, practices, customs, and procedures that violate the rights of Plaintiffs and other school children as set forth in this Complaint; and a judgment awarding nominal and compensatory damages for the loss of Plaintiffs' constitutional and statutory rights. Plaintiffs also seek an award of the reasonable costs of litigation, including attorneys' fees and costs pursuant to 42 U.S.C. § 1988 and other applicable law.

JURISDICTION AND VENUE

15. This action arises under the First and Fourteenth Amendments to the United States Constitution, 42 U.S.C. § 1983, Title IX of the Education Amendments of 1972, and Title

VI of the Civil Rights Act of 1964. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3). The court has supplemental jurisdiction over the state law claim pursuant to 28 U.S.C. § 1367(a).

16. This Court is authorized to award Plaintiffs declaratory and injunctive relief pursuant to 28 U.S.C. §§ 2201 and 2202, by Rules 57 and 65 of the Federal Rules of Civil Procedure, and by the general legal and equitable powers of this Court.

17. Plaintiffs' claims for compensatory and nominal damages are authorized under 42 U.S.C. § 1983 and by the general legal and equitable powers of this Court.

18. This Court is authorized to award Plaintiffs their reasonable costs of litigation, including attorneys' fees and expenses, pursuant to 42 U.S.C. § 1988.

19. Venue is proper under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to Plaintiffs' claims occurred in this District.

PLAINTIFFS

20. Plaintiff Melissa Wood is an adult resident of the State of Maryland. She is the mother and a legal guardian of C.W., her minor child. She brings this action on behalf of C.W. as her next friend.

21. Plaintiff John Kevin Wood is the father and a legal guardian of C.W., his minor child. Plaintiff John Kevin Wood brings this action on behalf of his minor daughter, C.W., as her next friend. He also brings this action on his own behalf to redress the violation of his First Amendment rights of free expression, political participation, and information access, and his Fourteenth Amendment right to procedural due process.

22. C.W. is a minor child. At all relevant times, C.W. is and has been a high school student at La Plata High School in Charles County, Maryland.

DEFENDANTS

23. Defendant Charles County Public Schools and Defendant Board of Education of Charles County (hereinafter collectively referred to as “Charles County Public Schools”) are public entities established and organized under, and pursuant to, the laws of the State of Maryland with the authority to sue and be sued in their own name.

24. La Plata High School is a high school managed, governed, operated by, and located within Charles County Public Schools in La Plata, Maryland.

25. Defendants Charles County Public Schools and its officials are responsible for creating, adopting, approving, ratifying, and enforcing the policies, practices, customs, and procedures of the public schools within Charles County, including La Plata High School.

26. Defendants Charles County Public Schools and its officials are responsible for selecting and managing the materials used in the curriculum taught at La Plata High School.

27. Defendants Charles County Public Schools and its officials are responsible for how the schools within the district meet the educational standards set by the State of Maryland.

28. Defendants Charles County Public Schools receives federal funds and are subject to Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964.

29. Defendants Charles County Public Schools and its officials are responsible for the training and supervision of its teachers and administrators, including the training and supervision of Defendants Evelyn Arnold and Shannon Morris.

30. Defendant Evelyn Arnold is an adult resident of the State of Maryland. Defendant Evelyn Arnold was at all relevant times the Principal of La Plata High School employed by Defendant Charles County Public Schools.

31. As the Principal, Defendant Arnold was required to enforce the policies, practices, customs, and/or procedures of Charles County Public Schools.

32. At all times relevant to this Complaint, Defendant Evelyn Arnold acted under color of state law and within the scope of her employment with Charles County Public Schools.

33. Defendant Shannon Morris is an adult resident of the State of Maryland. Defendant Shannon Morris was at all times relevant to this Complaint, a Vice-Principal of La Plata High School employed by Defendant Charles County Public Schools.

34. As a Vice-Principal, Defendant Morris was required to enforce the policies, practices, customs, and procedures of Charles County Public Schools.

35. At all times relevant to this Complaint, Defendant Morris acted under color of state law and within the scope of her employment with Charles County Public Schools.

STATEMENT OF FACTS

I. Plaintiffs John Kevin Wood and Melissa Wood, and their Daughter, C.W.

36. Plaintiff John Kevin Wood is a veteran who served in the United States Marine Corps for eight years. Plaintiff John Kevin Wood's service includes four years on active duty from 1988 to 1992 and four in the active reserves from 1992 to 1996.

37. While on active duty, Plaintiff John Kevin Wood was deployed to the Persian Gulf to fight on behalf of the United States in Operation Desert Shield/Desert Storm. Two of Plaintiff John Kevin Wood's Marine comrades were killed in Operation Desert Shield/Desert Storm.

38. The Wood family relied dearly on their Christian faith and heritage on September 11, 2001, when Plaintiff John Kevin Wood, who serves as a firefighter and first responder,

reported to the destruction at the Pentagon caused by an Islamic terrorist attack on the United States.

39. Throughout Plaintiff John Kevin Wood's career in public service, the Wood family relied upon their strong Christian faith and their Christian heritage to get through difficult times.

40. Plaintiffs object to the public school forcing their minor child, C.W., to profess, either in words or writing, Islamic beliefs as a requirement of her public school education.

41. Plaintiffs specifically object to the public school promoting Islamic religious beliefs as truth and to the disparaging treatment of Christianity.

42. Plaintiffs John Kevin Wood, Melissa Wood, and C.W. are, and always have been, faithful Christians.

43. Plaintiffs Melissa Wood and John Kevin Wood have raised their child, C.W., to follow the teachings of Christianity and, specifically, the Christian teachings of the Lutheran Church.

44. Plaintiffs John Kevin Wood, Melissa Wood, and their daughter, C.W., believe that Jesus Christ is the Son of God and our Savior, that Jesus Christ died on the cross for our sins, and that following the teachings of Jesus Christ is the one and only path to eternal salvation.

45. As Christians, Plaintiffs, and their daughter, C.W., believe that it is a sin to profess commitment in word or writing to any other god but the Christian God. They believe this is made clear in the Ten Commandments and reaffirmed by Jesus as the greatest commandment.

46. Plaintiffs John Kevin Wood, Melissa Wood, and their daughter, C.W., try to adhere to the teachings of their faith to the best of their abilities and deliberately try to avoid any practices that disparage or violate their Christian faith and heritage.

47. In living out their Christian faith and heritage, Plaintiffs Melissa Wood and John Kevin Wood, and their daughter, C.W., attend church, belong to a church community, read the Bible, and pray on a nightly basis to their Savior, the Lord Jesus Christ.

48. Plaintiffs John Kevin Wood, Melissa Wood, and their daughter, C.W., identify both religiously and culturally as Christians.

II. The Promotion of the Islamic Religion in C.W.'s World History Class.

49. During the 2014-15 school year, C.W. was a 16-year-old student in the 11th grade at La Plata High School in Defendant Charles County Public Schools.

50. During the 2014-15 school year, Defendant Arnold was the Principal of La Plata High School.

51. During the 2014-15 school year, Defendant Morris was a Vice-Principal of La Plata High School.

52. In October 2014, C.W. was enrolled in the 11th grade World History class at La Plata High School.

53. On October 22, 2014 in C.W.'s World History class, Defendants assigned C.W. a graded assignment to complete certain faith statements fundamental to the Islamic belief system and contrary to Christianity. *See* (Exhibits 1, 2).

54. Later that day, Plaintiff John Kevin Wood and his daughter, C.W., discussed the homework assigned to C.W. in her 11th grade World History class. During this conversation, Plaintiff John Kevin Wood learned that Charles County Public Schools were instructing his

daughter, C.W., and the students in the 11th grade World History class in the teachings and beliefs of Islam. Charles County Public Schools' curriculum and instruction promoted the Islamic religion over other faiths.

55. Plaintiff John Kevin Wood was surprised to learn about the graded homework assignments Defendants required of C.W. because Defendants omitted any information about the teaching and promotion of Islam in C.W.'s 11th grade World History class from the class syllabus.

56. As a result of his discovery that day, Plaintiff John Kevin Wood engaged in a discussion with his daughter, C.W., about the assignments and instructional materials used, approved, and managed by Charles County Public Schools for the 11th grade World History class concerning the promotion of Islam.

57. Plaintiff John Kevin Wood reviewed the assignments and instructional materials used, approved, and managed by Charles County Public Schools for the 11th grade World History class concerning its instruction on and promotion of Islam.

58. Defendants required the students in the 11th grade World History class, including C.W., to profess statements on the teachings and beliefs of Islam in written worksheets as graded homework assignments.

59. C.W. and her classmates in 11th grade World History were instructed that "Most Muslim's faith is stronger than the average Christian." (Exhibit 1) (emphasis in original).

60. C.W. also had to profess the *Shahada*, by claiming, "There is no god but Allah and Muhammad is the messenger of Allah." (Exhibit 2). This statement is in direct contradiction to C.W.'s deep-seeded Christian beliefs and heritage that it is sinful to express that there is any other god but the monotheistic Christian God.

61. C.W. and her classmates in 11th grade World History were instructed that “jihad” is a “holy war waged on behalf of Islam as a religious duty; a personal struggle in devotion to Islam especially involving spiritual discipline.” (Exhibit 1) (emphasis in original).

62. C.W. and her classmates in 11th grade World History were instructed from the text of the Qur’an and had to learn and recite the Five Pillars of Islam. (Exhibit 2).

63. C.W. and her classmates in 11th grade World History were instructed that the Islamic religion is a fact while Christianity and Judaism are just beliefs. For example that the “Qur’an is the word of Allah as revealed to Muhammad in the same way that Jews and Christians believe the Torah and the Gospels were revealed to Moses and the New Testament writers,” (Exhibit 1) (emphasis added only to “is” and “believe”), and that Muhammad *was* visited by the Angel Gabriel who proclaimed to him that there is only one true god. (Exhibit 2).

64. C.W. and her classmates in 11th grade World History were instructed from the Qur’an that “Men are the managers of the affairs of women” and that “[r]ighteous women are therefore obedient.” (Exhibits 1, 2) (emphasis in originals). This statement conflicts with Plaintiffs and C.W.’s Christian beliefs and heritage that C.W. is blessed by God with the talents, gifts, and abilities to manage her own affairs and to place her obedience with God.

65. Defendants’ World History course only spent one day discussing Christianity.

66. During its brief instruction on Christianity, Defendants failed to cover any portion of the Bible or other non-Islamic religious texts, such as the Ten Commandments. Instead, the class included disparaging remarks about Christianity and the Pope.

67. Plaintiff John Kevin Wood learned that La Plata High School used two different textbooks in their 11th grade World History class.

68. The first textbook, “Modern World History: Patterns of Interaction,” was allowed to go home with the students. This textbook did not contain a separate chapter devoted to Islam.

69. La Plata High School without informing the students’ parents, however, used a second book in class, “World History (Survey): Patterns of Interaction.”

70. This second textbook contains additional sections on the Islamic religion that are not included in the first textbook.

71. The second textbook, “World History (Survey): Patterns of Interaction,” stayed at La Plata High School and was not allowed to go home with the students.

72. Defendants’ approved curriculum required C.W. to complete the graded assignments in her World History class at La Plata High School that endorse Islam and that favor Islam over Christianity.

73. Plaintiffs John and Melissa Wood objected to their minor child, C.W., being given religious instruction and being indoctrinated in Islam as part of her public high school education.

74. Defendants never informed Plaintiffs of any “opt-out” policy with regard to the World History course instruction in and promotion of Islam.

75. Upon discovering that his child was being instructed and indoctrinated in Islam and being forced to complete assignments promoting biased, non-factual positions such as “Most Muslim’s faith is stronger than the average Christian,” Plaintiff John Kevin Wood called La Plata High School on October 22, 2014 to voice his disapproval and to request that his child be given an alternative assignment. *See* (Exhibit 1). Since it was after school hours, Plaintiff John Kevin Wood left a voice message expressing his concern with and disapproval of the Defendants’ promotion of Islam.

76. On October 23, 2014, Defendant Morris, a Vice-Principal of La Plata High School, and Plaintiff John Kevin Wood connected on the phone to discuss Plaintiffs' concerns.

77. Plaintiff John Kevin Wood explained his concerns and requested an alternative assignment for C.W..

78. Defendant Morris ignored Plaintiffs' valid and sincere objections and refused to give C.W. an alternative assignment to Defendants' Islamic instruction and required professions of the Islamic faith.

79. Plaintiff John Kevin Wood reiterated that C.W. could not complete the assignments that promoted Islam.

80. Defendant Morris asserted that C.W. would receive zeros on incomplete assignments, even if they violated Plaintiffs and C.W.'s Christian religious beliefs and heritage, and promoted Islam.

81. Plaintiff John Kevin Wood, as a former U.S. Marine who witnessed friends and innocent civilians killed and brutalized in the name of Islam, strongly objected to his child being forced to either accept Defendants' pro-Islam instruction, religious teaching, and indoctrination or receive a zero on these units of instruction.

82. Plaintiff John Kevin Wood informed Defendant Morris that C.W. would not be completing the assignments that promoted Islam and that he was dissatisfied with Defendants' treatment of C.W. and refusal to provide C.W. with an alternative assignment.

83. Over the telephone, Plaintiff John Kevin Wood communicated to Defendant Morris that, if Defendants wished to retaliate against C.W. for her adherence to her Christian faith, he would pursue his complaints through lawyers and the media.

84. The day following his telephone conversation with Defendant Morris, on October 24, 2014, Plaintiff John Kevin Wood received a telephone call from the La Plata High School resource officer, Officer Mark Kaylor of the Charles County Sheriff's Office. Officer Kaylor advised Plaintiff John Kevin Wood that Defendant Morris had filed a complaint against him based on their telephone conversation the previous day and that a no trespass order was now in place forbidding him from entering the grounds of La Plata High School.

85. Plaintiff John Kevin Wood advised Officer Kaylor that he never threatened any physical harm against the school or anyone in the school, but merely communicated—over the telephone—his frustration and intent to contact lawyers and the media if the school forced his daughter to engage in religious study that promoted Islam.

86. Defendant Evelyn Arnold, in response to Plaintiff John Kevin Wood's objection and his expressed intent to take legal action and to inform the media, issued a written order banning Plaintiff John Kevin Wood from the school grounds. (Exhibit 3).

87. Defendant Arnold's order threatened that, if Plaintiff John Kevin Wood entered the school premises for any reason, he would be considered a trespasser and law enforcement would be immediately contacted.

88. Defendants failed to give Plaintiff John Kevin Wood any opportunity to refute the untrue allegations contained in Defendant Arnold's order.

89. Defendants banned Plaintiff John Kevin Wood from the grounds of his child, C.W.'s, public school based only on the unfounded, retaliatory, and vague accusations of Defendant Morris.

90. Due to being banned from his daughter, C.W.'s, school since October of 2014, Defendants have forced Plaintiff John Kevin Wood to miss countless Parent Teacher School

Organization (“PTSO”) meetings, planning events for C.W., including meetings that discuss important events and the planning of events for C.W.’s senior year of high school, parent/teacher conferences, and events where C.W. has been honored for her academic achievements.

91. Plaintiff John Kevin Wood takes an active part in his daughter’s education and advocates his views for his daughter’s education.

92. As part of advocating his view, Plaintiff John Kevin Wood would have spoken at these meetings, including the PTSO meetings, to discuss issues of school policy and curriculum at La Plata High School, to advocate against the promotion of Islam and the disparagement and degradation of Christian beliefs, and to express views about plans for his daughter’s curricular and extra-curricular activities at La Plata High School.

93. Through Defendants’ issuance of their trespass notice and ban of Plaintiff John Kevin Wood from school premises, Defendants have ensured that Plaintiff John Kevin Wood could not express himself on school property or attend normal parent meetings directing and contributing to the curricular and extra-curricular life of the students, including C.W., at La Plata High School.

94. The actions of Defendants Arnold and Morris, which were done pursuant to the training, supervision, policies, practices, customs, and/or procedures of the Charles County Public Schools, have a chilling effect on the expression of Christian viewpoints because they are contrary to the viewpoint espoused by the School District in favor of Islam.

95. As a result of Plaintiffs’ concerns and complaints, Defendants removed C.W. from the class room during instructional time and required C.W. to spend class time alone in the school library.

96. Defendants punished and singled out C.W. because of her religious objections based on her faith and Christian heritage.

97. Defendants issued failing grades (zeros) to C.W. on multiple assignments in the World History class, resulting in a much lower final grade in the course because she refused to violate her beliefs and derogate her faith.

98. Defendants failed to listen and failed to protect C.W. from discrimination due to her and her parents' sincerely held religious beliefs. In fact, Defendants specifically punished C.W. due to her Christian faith by ostracizing and punishing C.W. because she would not act contrary to her Christian faith by disparaging and degrading her religious beliefs.

99. Defendants freely provide alternative assignments and accommodations to students of other religions. For example, in Charles County Public Schools' middle schools, Defendants allow accommodations to be made for students of the Islamic religion who cannot satisfy certain physical education requirements due to wearing religious dress, such as a hijab.

100. Defendants Charles County Public Schools approve and manage the curriculum taught and the curricular materials used to teach its curriculum at La Plata High School, including the curriculum and the materials for the World History class attended by C.W in October 2014.

101. Indeed, subsequent to Plaintiffs notifying Defendants of their concerns regarding C.W. and the curriculum taught in the 11th grade World History class, Defendant Board of Education of Charles County met to examine the actions of Defendants Morris and Arnold. Defendants Charles County Public Schools approved and ratified the acts, policies, practices, procedures, and customs that caused C.W.'s removal from the academic environment and receipt of failing grades in the 11th grade World History class.

102. Furthermore, Charles County Public Schools reviewed its curriculum, instructional materials, and the textbooks used in the 11th grade World History course at La Plata High School. Charles County Public Schools approved and ratified the curriculum, instructional materials, and textbooks.

103. Defendants require the same curriculum, instructional material, and textbooks of students in their World History class today, and still refuse any opt out, even on the basis of sincerely held religious beliefs.

104. The State of Maryland's educational standards do not specifically require that students in the 11th grade World History class profess or learn the Five Pillars of Islam.

105. The State of Maryland's educational standards do not specifically require that students in the 11th grade World History class learn or assert that "Most Muslim's faith is stronger than the average Christian." (Exhibit 1) (emphasis in original).

106. The State of Maryland's educational standards do not specifically require that students in the 11th grade World History class define "jihad" as "a personal struggle in devotion to Islam especially involving spiritual discipline." (Exhibit 1).

107. The State of Maryland's educational standards do not specifically require that students in the 11th grade World History learn from the text of the Qur'an or profess Islamic faith beliefs.

108. Defendants deliberately choose this curriculum, instructional materials, and texts, and punish Christian students who disagree with espousing religious statements and reproducing religious doctrine that promotes Islam.

109. The actions, policies, procedures, customs, and curriculum of Defendants unconstitutionally endorse the Islamic religion.

FIRST CLAIM FOR RELIEF

(Establishment Clause – First Amendment Violation)

110. Plaintiffs hereby incorporate by reference all stated paragraphs.

111. Defendants' acts, policies, practices, procedures, and/or customs of funding and implementing a curriculum that impermissibly endorses and advances the Islamic religion violates the Establishment Clause of the First Amendment to the United States Constitution, depriving C.W. of rights guaranteed under the First Amendment to the United States Constitution as applied to the states and their political subdivisions under the Fourteenth Amendment and 42 U.S.C. § 1983.

112. Defendants Evelyn Arnold and Shannon Morris, acting pursuant to School District training, supervision, policies, practices, customs, and/or procedures, compelled C.W. to participate in instruction and activities that impermissibly endorse Islam and that favor Islam over Christianity.

113. Defendants compelled C.W. to profess beliefs contrary to her own by forcing her to complete, for a grade, religiously biased statements such as "Most Muslim's faith is stronger than the average Christian." (Exhibit 1).

114. Defendants violate the Establishment Clause by conveying the message that Islam is favored or preferred over any other religious belief.

115. As a direct and proximate result of Defendants' violation of the First Amendment, Plaintiffs have suffered irreparable harm, including the loss of fundamental constitutional rights, entitling them to declaratory and injunctive relief. Additionally, Plaintiffs are entitled to nominal damages for the past loss of constitutional rights.

SECOND CLAIM FOR RELIEF

(Freedom of Speech- First Amendment Violation)

116. Plaintiffs hereby incorporate by reference all stated paragraphs.

117. By reason of the training, supervision, acts, policies, practices, customs and/or procedures created, adopted, and enforced under color of state law, Defendants deprived C.W. of her right to be free from government compelled speech in violation of the First Amendment as applied to the states and their political subdivisions under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. § 1983.

118. Defendants punished C.W. for expressing her conscientious objection to participating in Islamic religious instruction contrary to C.W.'s own Christian faith by giving C.W. a failing grade on assignments, which C.W.'s conscientious objection prevented her from completing.

119. By favoring speech that approves of and promotes Islam over other religions, Defendants' violation of C.W.'s right to freedom of speech was viewpoint based in violation of the First Amendment.

120. Charles County Public Schools' training, supervision, policies, practices, customs, and/or procedures were the moving force behind the violation of C.W.'s right to freedom of speech and these policies, practices, customs, and/or procedures have had a chilling effect on the free speech rights of C.W. in violation of the First Amendment.

121. As a direct and proximate result of Defendants' actions, policies, customs, and procedures, Plaintiffs have suffered irreparable harm, including the loss of their fundamental constitutional rights, entitling them to declaratory and injunctive relief. Additionally, Plaintiffs are entitled to nominal damages for the past loss of constitutional rights.

THIRD CLAIM FOR RELIEF

(Freedom of Speech—First Amendment Retaliation)

122. Plaintiffs hereby incorporate by reference all stated paragraphs.

123. Defendants punished C.W. for expressing her conscientious objection to participating in Islamic religious instruction and professions of faith, which are contrary to her own Christian faith, by directing that C.W. receive a failing grade on assignments promoting Islam, which C.W.'s conscientious objection prevented her from completing.

124. Defendants' actions injured C.W. in a way likely to chill a person of ordinary firmness, including C.W. and other students in the School District, from voicing objections to religious instruction and from expressing the student's own religious viewpoint if it is contrary to the pro-Islamic viewpoint espoused by the School District.

125. Plaintiff John Kevin Wood's constitutionally protected speech, wherein he objected to the religious instruction Defendants forced upon his child, motivated Defendant Arnold's adverse action of banning him from the school grounds in retaliation for his protected speech.

126. By favoring and compelling speech that promotes and approves of the teachings of Islam and by punishing Plaintiffs for not adopting or supporting these teachings contrary to their Christian faith, Defendants violated Plaintiffs' First Amendment right to engage in Free Speech without retaliation.

FOURTH CLAIM FOR RELIEF

(Violation of Civil Rights—Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964)

127. Plaintiffs hereby incorporate by reference all stated paragraphs.

128. By punishing Plaintiffs and C.W.'s Christian heritage, by forcing C.W. to complete assignments and attest to religious statements with which she disagreed, and by removing C.W. from the educational environment and giving her several failing grades, Defendants have treated C.W. with deliberate indifference to her Christian heritage and violated Title IX of the Education Amendments of 1972.

129. By forcing C.W. to leave the educational environment, to receive failing grades on assignments, and to face the ridicule and punishments of Defendants, Defendants have treated C.W. with deliberate indifference to her Christian heritage and harassed C.W. on the basis of her race or national origin or both amounting to a violation of Title VI of the Civil Rights Act of 1964.

130. By virtue of their unlawful actions, Defendants have caused C.W. to suffer academically and emotionally in ways that have permanently affected C.W..

131. Because the acts of the individual Defendants herein were carried out maliciously against C.W. and with the reckless disregard to Plaintiffs and C.W.'s fundamental rights, Plaintiffs seek punitive damages against the individual Defendants to deter them and others similarly situated from similar wrongful acts in the future.

FIFTH CLAIM FOR RELIEF

(Due Process—Violation of the First Amendment and the Fourteenth Amendment)

132. Plaintiffs hereby incorporate by reference all stated paragraphs.

133. Defendant Evelyn Arnold issued a written order to Plaintiff John Kevin Wood banning him from entering the La Plata High School grounds where his child attends school.

134. Defendants denied Plaintiff John Kevin Wood the opportunity to defend himself against untrue accusations of wrongdoing both before and after banning him from the premises of his child's public school.

135. By excluding Plaintiff John Kevin Wood from all school property at La Plata High School, Defendants have impermissibly burdened his ability to express himself, obtain information, and participate in the political process, thereby violating the First Amendment.

136. By issuing a no-trespass order in a way that creates a high risk of erroneous deprivation of rights and by issuing a no-trespass order that deprived Plaintiff John Kevin Wood of his rights without notice or a meaningful opportunity to be heard, Defendants have contravened the Fourteenth Amendment's guarantee of procedural due process.

SIXTH CLAIM FOR RELIEF

(Freedom of Religious Exercise—Violation of Article 36 of the Declaration of Rights of the Constitution of Maryland)

137. Plaintiffs hereby incorporate by reference all stated paragraphs.

138. Defendants have deprived and continue to deprive C.W. of the right to freely exercise her Christian faith.

139. Defendants required C.W. to violate her religious beliefs by declaring through word or action her belief in Islam, including her belief in the Muslim god, in written classroom assignments or receive zeros on those assignments.

140. Defendants forced C.W. to invoke and profess, both in words and writing, Islamic religious beliefs, including that the only god is the Muslim god and that Muhammad is a prophet or receive zeros on those classroom assignments.

141. Expressing, either in words or writing, belief in, reliance on, or devotion to any god other than the Christian God is directly contrary to C.W.'s Christian beliefs.

142. C.W. believes God expressly condemned this practice in the Ten Commandments and reaffirmed it through His Son, Jesus Christ, as the greatest commandment. Defendants, by requiring C.W. to make reference to a belief in the Muslim god, forced C.W. to directly violate her sincerely held religious beliefs.

143. Defendants did not allow C.W. to opt out of these assignments or receive alternative assignments. Defendants refused to accommodate C.W.'s Christian beliefs. Instead, Defendants coerced and punished C.W. for refusing to violate her Christian beliefs.

144. Defendants' coercion and punishment of C.W. is not neutral or generally applicable, as it does not apply to members of other religions who hold different faith beliefs.

145. Defendants' coercion and punishment of C.W. is a substantial burden on her religious exercise.

146. Defendants do not have any compelling interest in violating C.W.'s sincerely held religious beliefs.

147. Defendants do not have any compelling interest in excluding those, such as C.W., who hold Christian beliefs from the academic environment of their 11th grade World History class.

148. Defendants' actions, practices, procedures, policies, and customs chill religious exercise.

149. Defendants' actions, practices, procedures, policies, and customs place a substantial burden on C.W.'s religious exercise, and violate Article 36 of the Declaration of Rights of the Constitution of Maryland.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to:

- a) Declare that Defendants violated Plaintiffs' fundamental constitutional and statutory rights as set forth in this Complaint;
- b) Declare that Defendants' training, supervision, policies, practices, customs, and procedures that promote Islam and that fail to protect the rights of C.W. to be free from religious instruction that violates her fundamental constitutional rights to freedom of speech, freedom of religion, and the equal protection of the law as set forth in this Complaint;
- c) Declare that the no trespass order is a nullity and that Plaintiff John Kevin Wood may be present on school property without threat of arrest;
- d) Permanently enjoin Defendants, their supervisors, employees, agents, and successors in office from funding and implementing religious instruction that endorses Islam or that favors Islam over Christianity as set forth in this Complaint;
- e) Enjoin Defendants from enforcing the no trespass order against Plaintiff John Kevin Wood and enjoin Defendants from issuing any no trespass orders against Plaintiff John Kevin Wood without constitutionally sufficient notice and opportunity to be heard;
- f) Award Plaintiffs John Kevin Wood and Melissa Wood, on behalf of C.W., damages against all Defendants for the violations of their federal constitutional rights, including monetary damages that will fairly compensate Plaintiffs for their injuries, punish the individual Defendants for their unconstitutional actions, and appropriately recognize Defendants' violation of the Plaintiffs' constitutional rights by issuing nominal damages;
- g) Award Plaintiffs reasonable attorneys' fees, costs, and expenses pursuant to 42 U.S.C. § 1988 and other applicable law;

h) Grant such other and further relief as this Court should find just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs hereby demand a trial by jury of all issues triable of right by a jury.

Date: January 27, 2016

Respectfully submitted,

THE LAW OFFICE OF
MICHAEL J. MORAN, P.C.

/s/ Michael J. Moran

Michael J. Moran (Maryland Bar No. 01363)
3407 Eastern Blvd.
Middle River, MD 21220-2145
Phone: (410) 687-8494
Fax: (410) 391-4046
mikemoran@verizon.net

THOMAS MORE LAW CENTER
Richard Thompson (MI Bar No. P21410)*
Kate Oliveri (MI Bar No. P79932)*
24 Frank Lloyd Wright Drive
P.O. Box 393
Ann Arbor, MI 48106
Phone: (734) 827-2001
Fax: (734) 930-7160
rthompson@thomasmore.org
koliveri@thomasmore.org
**Pro hac vice pending*

Attorneys for Plaintiffs