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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 EVAN JUSTIN TAYLOR; and ROSE
18 ELIZABETH TAYLOR,

18 Plaintiffs,

19 v.

20 SUNNYVALE SCHOOL DISTRICT;
21 GUDIEL R. CROSTHWAITE, in his
22 personal and official capacities as
23 Superintendent of Schools for the
24 Sunnyvale School District; PEGGY SHEN
25 BREWSTER, in her personal and official
26 capacities as member of the Sunnyvale
27 School District Board of Education;
28 ISABEL JUBES-FLAMERICH, in her
personal and official capacities as
member of the Sunnyvale School District
Board of Education; EVELYN CASTILLO
PROFETA, in her personal and official
capacities as member of the Sunnyvale
School District Board of Education;

CASE No.: 26-6211

JUDGE:

**VERIFIED COMPLAINT FOR
PRELIMINARY INJUNCTION,
PERMANENT INJUNCTION,
DECLARATORY RELIEF, AND
DAMAGES**

DEMAND FOR JURY TRIAL

1 MICHELLE MAGINOT, in her personal
2 and official capacities as member of the
3 Sunnyvale School District Board of
4 Education; BRIDGET WATSON, in her
5 personal and official capacities as
6 member of the Sunnyvale School District
7 Board of Education; PAUL SLAYTON, in
8 his official capacity as Director of Student
9 Support Services for the Sunnyvale
10 School District; and SHANA RIEHL, in
11 her official capacity as Interim Principal
12 of Cumberland Elementary School,
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Defendants.

1 exposure to the material.” Cal. Dep’t of Educ., *Supreme Court Decision in Mahmoud*
2 v. Taylor at 1 (Aug. 6, 2025), <https://perma.cc/E89X-8SJ2>.

3 4. In particular, the CDE recognized that “a notice and opt out option” was
4 “require[d]” for “the specific facts presented in *Mahmoud*—an elementary classroom
5 curriculum that incorporated LGBTQ+ themed storybooks”—such that “the
6 *Mahmoud* case will necessarily impact how [Local Education Agencies] approach the
7 implementation of policies and curricular materials that may substantially interfere
8 with children’s religious development or ‘undermin[e] the religious beliefs and
9 practices the parent wishes [to] instill in the child,’” including that “LEAs may be
10 required to notify parents of the plan and provide parents with an opportunity to opt
11 out” under “these circumstances.” *Id.* at 1-2.

12 5. Other California public school districts got the message and—while
13 continuing to provide LGBTQ+ instruction—implemented notice and opt-out policies.
14 Riverside Unified School District, for instance, created an online form entitled
15 “*Mahmoud* Parent/Guardian Request for Student Opt-Out of Specific Instructional
16 Content,” which provides parents “the option to request that their child be excused
17 from specific instructional content when it may conflict with a parent or family’s
18 religious upbringing of their child pursuant to that parent or family’s sincerely held
19 religious beliefs.” Riverside Unified Sch. Dist. Bd. of Educ., *Mahmoud*
20 *Parent/Guardian Request for Student Opt-Out of Specific Instructional Content*,
21 <https://perma.cc/C3ZW-E5A8>. Forms are submitted electronically to
22 “mahmoudoptout@riversideunified.org” and Riverside schools commit to “[f]inding
23 [a]lternative[]” educational activities. Riverside Unified Sch. Dist., *Mahmoud Opt-*
24 *Out Policy*, <https://perma.cc/MQ85-C5A2>.

25 6. At first, Sunnyvale seemed to get the message too. The Sunnyvale Board of
26 Education hosted a governance meeting on August 21, 2025, to discuss *Mahmoud* and
27 “Instructional Program and Assessments” as “[k]ey topics.” Sunnyvale Sch. Dist.,
28 Facebook (Aug. 19, 2025), <https://perma.cc/6GEH-RNVL>. In that meeting,

1 Superintendent Crosthwaite provided the Board with the CDE’s guidance on how to
2 implement opt-outs post-*Mahmoud*. Sunnyvale Sch. Dist., *Regular Board Meeting-
3 Governance*, Cal. Sch. Bds. Ass’n (Aug. 21, 2025), <https://perma.cc/8SLN-FGDU>.

4 7. Not long after, on September 18, 2025, the Board adopted Resolution # R26-
5 08: “Reaffirming Sunnyvale’s Commitment to Safe, Inclusive Schools for All Students
6 and Staff.” Sunnyvale Sch. Dist., *Resolution # R26-08: Reaffirming Sunnyvale’s
7 Commitment to Safe, Inclusive Schools for All Students and Staff* (Sep. 18, 2025),
8 <https://perma.cc/T3TK-BQCX>. Among the recitals, the “Board recognize[d]
9 that ... legal opt-out provisions may exist”—albeit while committing “not to focus
10 narrowly on opt-out requirements” and declaring that “our first responsibility is to
11 remind families of the richness of what ‘opting in’ provides.” *Id.* at 1.

12 8. But Sunnyvale abruptly flipped its position, making this case necessary.
13 Sunnyvale has now affirmatively disclaimed its constitutional responsibility to afford
14 families what the First Amendment requires: notice and the ability to opt their
15 children out of instruction that “substantially interferes with the religious
16 development of their children.” *Mahmoud*, 606 U.S. at 550.

17 9. Sunnyvale requires “LGBTQ+-inclusive” instruction of the same type
18 addressed in *Mahmoud*. **Exhibit A** at 1. According to Sunnyvale, “California state
19 law and [Sunnyvale’s own] Board-adopted policy regarding instructional materials
20 and curriculum” demand that it does so. *Id.* “Under California law,” Sunnyvale has
21 declared, “districts are required to provide inclusive instructional content that
22 reflects the diversity of our community, including representation of LGBTQ+
23 individuals and families, as part of our core academic program.” *Id.* The Board
24 resolved, following *Mahmoud*, that it “will continue to ... [e]nsure that inclusive
25 curriculum—including LGBTQIA representation”—“remains integral to the
26 District’s equity and inclusion efforts.” *Resolution # R26-08*, [https://perma.cc/T3TK-
27 BQCX](https://perma.cc/T3TK-BQCX). Sunnyvale’s website offers a plethora of LGBTQ+ books and teaching
28 resources to that end—including some of the very books at issue in *Mahmoud*.

1 10. Sunnyvale has also embraced LGBTQ+ teaching guidance from the Santa
2 Clara County Office of Education (“SCCOE”), which oversees Sunnyvale. That
3 guidance tells teachers to integrate “diverse gender identities and expressions” in
4 history lessons, to “disrupt traditional definitions of the family” through lessons on
5 “[g]ender identity” and what it means to be “Two Spirit,” and to use various “LGBTQ”
6 picture books for “Pre K – Elementary” literacy. Santa Clara Cnty. Off. of Educ.,
7 *LGBTQ+ Teaching Guide* at 8-9, 17, <https://perma.cc/EVJ5-Y8Y6>.

8 11. “But [many] Americans wish to present a different moral message to their
9 children. And their ability to present that message is undermined when the exact
10 opposite message is positively reinforced in the public school classroom at a very
11 young age.” *Mahmoud*, 606 U.S. at 552.

12 12. Plaintiffs Justin and Rose Taylor, who have a rising third-grade son and
13 rising first-grade daughter at Cumberland Elementary School (“Cumberland”) in the
14 Sunnyvale School District, are two such parents. As devout members of The Church
15 of Jesus Christ of Latter-day Saints, they, like “[m]any Americans,” including the
16 parents in *Mahmoud*, “believe that biological sex reflects divine creation, that sex and
17 gender are inseparable, and that children should be encouraged to accept their sex
18 and to live accordingly.” 606 U.S. at 552.

19 13. The Taylors also believe that Sunnyvale’s curriculum is age-inappropriate
20 and inconsistent with their religious beliefs, practices, and child-raising philosophies,
21 and that forcing their children to participate in Sunnyvale’s LGBTQ+ instruction will
22 undermine their efforts to raise their children in accordance with their religious
23 beliefs.

24 14. So, in September 2025, the Taylors asked Sunnyvale to notify them and opt
25 their children out of all “lessons, instructions, and events” when “LGBTQ+-inclusive”
26 storybooks or similar materials ... will be used in any way.” **Exhibit B** at 1. In their
27 emailed request, the Taylors specifically called attention to the Supreme Court’s
28 opinion in *Mahmoud*.

1 15. In response, in early October, Sunnyvale provided the Taylors with a form
2 presenting various categories of parental “opt out options,” including any
3 “[i]nstructional [m]aterials” that “substantially interfere with [a] child’s religious
4 development” or “conflict with [parents’] religious beliefs or moral convictions.”
5 **Exhibit C.** The form indicated that the District would “review” such requests and
6 “excuse [the parents’] child from that instruction in accordance with applicable law.”
7 *Id.* at 2. The Taylors confirmed their original opt-out request.

8 16. By November, Sunnyvale had also directed school librarians not to “check out
9 material that includes LGBTQ+ or Gender Identity material” to the Taylor children.
10 Ex. B at 2-3.

11 17. All the while, the Taylors patiently awaited an official response, crediting a
12 Sunnyvale official’s explanation that the delay in confirming their requested opt-out
13 was simply because “[o]ur typical ‘opt out’ process is not functional for Mahmoud v.
14 Taylor yet.” *Id.*

15 18. Yet after months of cordial conversation, Sunnyvale abruptly reversed course
16 and denied the Taylors’ request for notice and opt-outs, stating in a letter that
17 LGBTQ+ instruction “is not optional and is not subject to parent opt-out provisions.”
18 Ex. A at 1. According to Sunnyvale, “the U.S. Supreme Court’s decision in Mahmoud
19 v. Taylor ... addressed a specific set of facts in another state,” did not create a “general
20 or automatic right for parents to opt their children out of required curriculum,” and
21 “does not override California’s statutory requirements governing instructional
22 content.” *Id.* With that, the denial letter concluded that Sunnyvale is “not granting
23 opt-outs from LGBTQ+-inclusive curriculum or storybooks that are part of our
24 adopted educational program.” *Id.*

25 19. After Sunnyvale denied Plaintiffs their requested notice and opt-out,
26 Plaintiffs’ counsel also sent Sunnyvale a letter on April 1, 2026, detailing *Mahmoud’s*
27 holding and explaining why denying the Taylors an opt-out violates the First
28 Amendment. Sunnyvale acknowledged receipt but still never granted an opt-out.

1 20. Instead, despite this clear, longstanding knowledge of *Mahmoud*, which gives
2 parents the right to receive notice and opt their children out of LGBTQ+ instruction,
3 Sunnyvale doubled down.

4 21. Sunnyvale's denial of parental notice and opt-outs for religiously burdensome
5 instruction violates the Free Exercise Clause's guarantee that parents have the right
6 to guide the religious development of their children.

7 22. In the face of Sunnyvale's unconstitutional denial of notice and opt-outs, and
8 willful disregard for Supreme Court precedent, the Taylors bring this lawsuit to
9 vindicate those long-recognized and now clearly established rights.

10 **DIVISIONAL ASSIGNMENT**

11 23. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) in that a
12 substantial part of the events or omissions giving rise to the claims alleged in this
13 pleading occurred in the Northern District of California. Pursuant to Local Rule 3-
14 2(e), all civil actions that arise in the counties of Santa Clara, Santa Cruz, San Benito,
15 or Monterey shall be assigned to the San Jose Division.

16 **PARTIES**

17 ***The Plaintiffs***

18 24. Plaintiffs Justin and Rose Taylor are domiciled in California. They reside in
19 the Sunnyvale School District in Santa Clara County.

20 25. They currently have two children enrolled at Cumberland in the Sunnyvale
21 School District: a rising third-grade son and a rising first-grade daughter.

22 ***The Defendants***

23 26. Defendant Sunnyvale School District is a government entity that exists to
24 provide K-8 education to students in Sunnyvale, California.

25 27. The District's principal place of business is 819 W. Iowa Avenue, Sunnyvale,
26 CA 94086.

1 28. The District comprises eight elementary schools and two middle schools in a
2 thirteen-mile area in the northwest section of Santa Clara County—the heart of
3 Silicon Valley.

4 29. As of spring 2026, the District employs more than 800 educators,
5 administrators, and support staff, and serves nearly 6000 students. Educ. Data
6 P’ship, *District Summary – Sunnyvale – Student*, <https://perma.cc/Q49V-BQ5G>.

7 30. The District has an operating budget of over \$150 million. Educ. Data P’ship,
8 *District Summary – Sunnyvale – Financial Data*, <https://perma.cc/HTM7-BB73>.

9 31. The District is diverse: as of the 2025-2026 school year, over 25% of its
10 students were Asian, over 40% were Hispanic/Latino, and nearly 10% were
11 multiracial. Cal. Dep’t of Educ., *2025-26 Enrollment by Ethnicity* (2025),
12 <https://perma.cc/8A5B-XWF5>.

13 32. Over a quarter of the District’s students speak English as a second language.
14 Cal. Dep’t of Educ., *English Learner Students by Language by Grade* (2025-26),
15 <https://perma.cc/K8X3-QML8> (1,451 students out of 5,682).

16 33. Approximately 45 languages are represented among the District’s students.
17 Sunnyvale Sch. Dist., *Media Kit: Fast Facts*, <https://perma.cc/LV4P-73QH>.

18 34. Unlike many other school districts in Silicon Valley, the District is of mixed
19 socioeconomic class. 27% of students are on free or reduced lunch. *Id.*

20 35. Defendant Gudiel R. Crosthwaite, Ph.D., is the Superintendent of the
21 District.

22 36. In that role, Dr. Crosthwaite is charged with implementing the policies at
23 issue.

24 37. At all relevant times, Dr. Crosthwaite was acting under color of state law.

25 38. He is sued in his official and personal capacities.

26 39. Defendants Peggy Shen Brewster, Isabel Jubes-Flamerich, Evelyn Castillo
27 Profeta, Michelle Maginot, and Bridget Watson are elected members of the Sunnyvale
28 Board of Education.

1 40. In their roles, they are responsible for establishing the policies at issue,
2 approving curriculum and textbooks, and governing the District in accordance with
3 the California Education Code and other federal and state laws.

4 41. At all relevant times, they were acting under color of state law.

5 42. They are sued in their official and personal capacities.

6 43. Defendant Paul Slayton is Director of Student Support Services for the
7 District.

8 44. In that role, Mr. Slayton coordinates and supports board policies related to
9 student service requests.

10 45. At all relevant times, he was acting under color of state law.

11 46. He is sued in his official capacity.

12 47. Cumberland is an elementary school in the District.

13 48. Cumberland's students are also highly diverse: as of the 2025-2026 school
14 year, almost 40% of its students were Asian, over 17% were Hispanic/Latino, and
15 nearly 10% were multiracial. Cal. Dep't of Educ., *2025-26 Enrollment by Ethnicity*
16 (2025), <https://perma.cc/8A5B-XWF5>.

17 49. Defendant Shana Riehl is the Interim Principal of Cumberland as of Spring
18 2026 and held that position during the relevant time period.

19 50. In that role, Ms. Riehl is charged with implementing the District policies at
20 issue.

21 51. At all relevant times, she was acting under color of state law.

22 52. She is sued in her official capacity.

23 53. Each Defendant is a "person" under 42 U.S.C. § 1983 for purposes of
24 injunctive relief, and is sued pursuant to *Ex parte Young*, 209 U.S. 123 (1908).

25 JURISDICTION AND VENUE

26 54. This court has jurisdiction over this matter because Plaintiffs assert causes
27 of action, including civil rights causes of action, arising under federal statutes and
28 the U.S. Constitution. 28 U.S.C. §§ 1331, 1343.

1 55. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) in that a
 2 substantial part of the events or omissions giving rise to the claims alleged in this
 3 pleading occurred within the jurisdiction of this Court. 28 U.S.C. § 1391. Additionally,
 4 on information and belief, all Defendants are domiciled or located in the Northern
 5 District of California.

6 **FACTUAL BACKGROUND**

7 *The Taylors*

8 56. Justin and Rose Taylor are religiously devout members of The Church of
 9 Jesus Christ of Latter-day Saints.

10 57. They have four children, two of whom currently attend Cumberland.

11 58. Guided by Church teaching, the Taylors believe that “[a]ll human beings—
 12 male and female—are created in the image of God,” are “a beloved spirit son or
 13 daughter of heavenly parents,” and possess “a divine nature and destiny.” The First
 14 Presidency and Council of the Twelve Apostles of The Church of Jesus Christ of
 15 Latter-day Saints, *The Family: A Proclamation to the World*, The Church of Jesus
 16 Christ of Latter-day Saints (Sep. 23, 1995), <https://perma.cc/VT3C-NX3K>.

17 59. Accordingly, the Taylors believe that every individual has inherent divine
 18 worth and equal dignity before God and should be treated with love, kindness, and
 19 respect, regardless of religion, race, sex, sexual orientation, gender identity,
 20 nationality, or other such identifying characteristics.

21 60. Also as taught by the Church, the Taylors believe that marriage is ordained
 22 of God and that the family is central to God’s plan for their eternal destiny.
 23 Correspondingly, they believe that sexuality should be expressed only in marriage
 24 between a man and a woman and that a person’s “gender” or “biological sex” is “an
 25 essential characteristic of individual premortal, mortal, and eternal identity and
 26 purpose.” *The Family: A Proclamation to the World*, <https://perma.cc/VT3C-NX3K>; see
 27 also The Church of Jesus Christ of Latter-day Saints, *Church Policies and Guidelines*
 28 § 38.6.23, in *General Handbook: Serving in The Church of Jesus Christ of Latter-day*

1 *Saints* (Mar. 2026), <https://perma.cc/K7J9-2QF5> (explaining that “[t]he intended
2 meaning of *gender*” in the Family Proclamation “is biological sex at birth”).

3 61. They believe that husbands and wives have a solemn responsibility to love
4 and care for their children, and a sacred duty to rear their children in love and
5 righteousness, provide for their physical and spiritual needs, and observe the
6 commandments of God.

7 62. They believe that fathers and mothers will be held accountable before God
8 for the discharge of these obligations. In particular, they believe there are detrimental
9 spiritual consequences from letting authority figures such as schoolteachers teach
10 their children principles concerning sexuality and gender that contradict Church
11 teachings.

12 63. They believe that they have a sacred religious duty to teach their children
13 about sexuality and gender in a way that is consistent with their religious beliefs.

14 64. They believe that such matters should be taught to children in age-
15 appropriate ways and when parents think best.

16 65. They believe that Sunnyvale’s LGBTQ+ instruction goes far beyond teaching
17 kindness and respect (as a matter of manners or virtuous citizenship).

18 66. Rather, they believe such instruction pushes on young, impressionable
19 children an ideological view of gender and sexuality that undermines the religious
20 and moral values they are obligated to instill in their children.

21 67. They believe that it is spiritually, mentally, and physically injurious to
22 introduce children prematurely to the perspective and values affirmed by “LGBTQ+
23 inclusive” instruction, including messages that condone or celebrate same-sex
24 relationships or that suggest one’s gender is distinct from his or her biological sex.

25 68. Instruction—including lesson plans, books, discussions, and curricula—
26 designed to disrupt or interfere with these religious beliefs about gender and
27 sexuality violates the Taylors’ sincerely held religious beliefs and violates their
28 fundamental right to guide the religious upbringing of their children.

Sunnyvale's LGBTQ+ Instruction

69. Sunnyvale School District has a comprehensive LGBTQ+ curriculum, which integrates LGBTQ+ history, representation, and examples throughout instructional units to show “diverse backgrounds, identities, experiences, and abilities, including those who are lesbian, gay, genderqueer, bisexual, transgender, queer/questioning, intersex, asexual (LGBTQIA).” *Resolution # R26-08* at 1, <https://perma.cc/T3TK-BQCX>. This instruction applies “across [all] grade levels.” Sunnyvale Sch. Dist., *SSD Board of Education passes resolution reaffirming the District's commitment to safe, inclusive schools*, <https://perma.cc/B33Q-YZF5>.

70. The Santa Clara County Office of Education oversees Sunnyvale and has issued a “Teaching Guide” for “LGBTQ+” instruction for purposes of implementing Sunnyvale’s commitment “to celebrate and recognize the contributions, struggles, and achievements of lesbian, gay, bisexual, transgender, and queer individuals throughout history.” Santa Clara Cnty. Off. of Educ., *LGBTQ+ Teaching Guide* at 2, <https://perma.cc/EVJ5-Y8Y6>. According to the guidance, LGBTQ+ instruction should suffuse lessons across subject matter areas:

- “Health and Science Lessons” should adopt a “strategy” of “explicitly teach[ing] about gender identity and sexual orientation in a comprehensive and inclusive way,” including “guidance on how to teach about gender identity and sexual orientation.” *Id.* at 21. Among other things, that means replacing references to “women” with “ovaries” in discussions about reproductive capacity to acknowledge “gender diversity” and “[helping] students recognize recurring injustices such as ... sex verification in sports.” *Id.*
- “Literacy Lessons” should include various “LGBTQ” books for “Pre K – Elementary” ages. *Id.* at 17 (collecting recommended book lists).
- “History Lessons” should promote “acceptance of diverse gender identities and expressions.” *Id.* at 8. For example, the Guide provides a sample fourth-grade lesson on “Two Spirit and Non-Traditional Families,” with the goal of

1 “disrupt[ing] traditional definitions of the family” through lessons on “Gender
2 identity” and what it means to be “Two Spirit.” *Id.* at 9-10.

- 3 • Even for math, the guidance directs that “[i]ncorporating LGBTQ+ inclusion
4 in mathematics curriculum is crucial,” so teachers should “use problems that
5 relate to marriage equality, gender-neutral bathrooms, and LGBTQ+ rights
6 to demonstrate mathematical concepts such as statistics, probability, and
7 geometry.” *Id.* at 12.

8 71. The guidance lays bare its motivations in quoting “LGBTQ+ rights activist”
9 Barbara Gittings: “The struggle is really won in the hearts and minds of the
10 community, where it really counts.” *Id.* at 8. Here, this means converting the
11 impressionable hearts and minds of four- to ten-year-olds.

12 72. Sunnyvale has embraced this guidance. *See, e.g.,* Sunnyvale Sch. Dist.,
13 *LGBTQIA+ Resources*, <https://perma.cc/65HW-W68F> (linking to SCCOE LGBTQ+
14 teaching guidance as “Staff Resources”).

15 73. Cumberland, the Sunnyvale elementary school where the Taylor children
16 attend, openly lists the books it uses to carry out such instruction, as does the District
17 itself.

18 74. “A few short descriptions will serve to illustrate the general tenor of the
19 storybooks” recommended for use in Cumberland’s and the District’s mandatory
20 LGBTQ+ instruction. *Mahmoud*, 606 U.S. at 533.

21 75. For example, one book, *Pride Puppy*,¹ invites three- and four-year-olds to look
22 for images of things they might find at a pride parade, including an “intersex [flag],”
23 a “[drag] king” and “[drag] queen,” “leather,” “underwear,” and an image of a
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26 ¹ *See* Santa Clara Cnty. Off. of Educ., *LGBTQ+ Teaching Guide* at 17,
27 <https://perma.cc/EVJ5-Y8Y6> (collecting sources with recommended LGBTQ+ books
28 for “Pre K-Elementary,” including *Pride Puppy*); San José Public Library, *LGBTQ
Materials for Pre K to Elementary*, <https://perma.cc/4HSA-LN3R> (linked by *LGBTQ+
Teaching Guide* and listing *Pride Puppy*).

1 celebrated LGBTQ activist and sex worker, “Marsha P. Johnson.” The book also
 2 depicts a minister wearing a rainbow stole and students and teachers
 3 enthusiastically advocating for “Peers + Queers,” “Pride Club,” “Love Knows No
 4 Gender,” and “Two Spirit Pride.” **Exhibit D** at 10, 14.

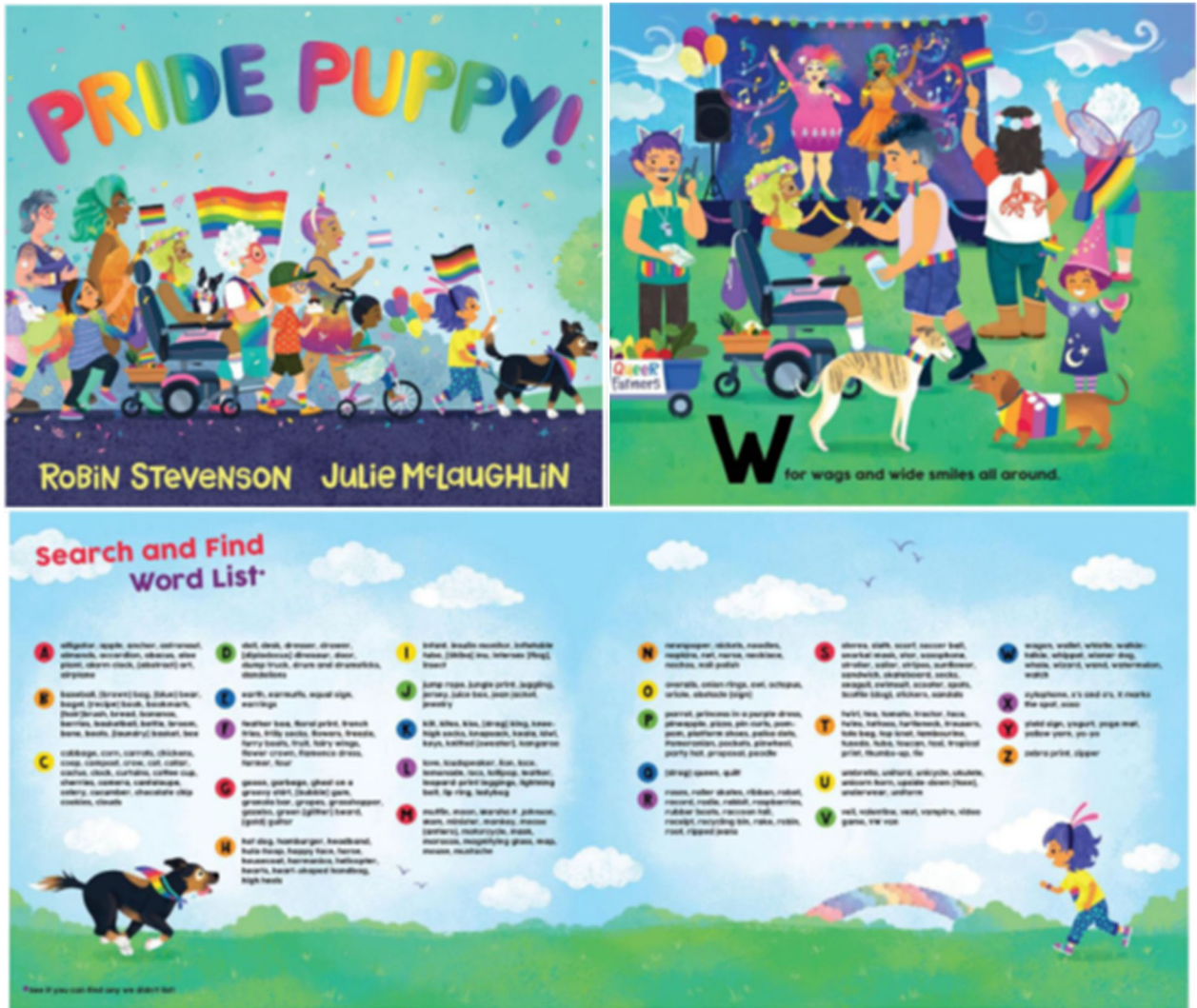


Fig. 1

76. Another picture book, *Prince & Knight*,² tells the story of a coming-of-age
 prince whose parents wish to match him with “a kind and worthy bride” but who falls

² See Sunnyvale Sch. Dist., *LGBTQIA Resources*, <https://perma.cc/RA8E-HSHG> (recommending LGBTQ+ “Picture Books,” including *Prince & Knight*); Sunnyvale Pub. Libr., *LGBTQ+ Picture Books*, <https://perma.cc/WQL4-8NRJ> (linked by Sunnyvale and listing *Prince & Knight*).

1 into the embrace of a knight. The prince and knight gaze into each other's eyes and
2 their hearts begin to race. The two men then get married and the whole kingdom
3 applauds. **Exhibit E** at 6-36.

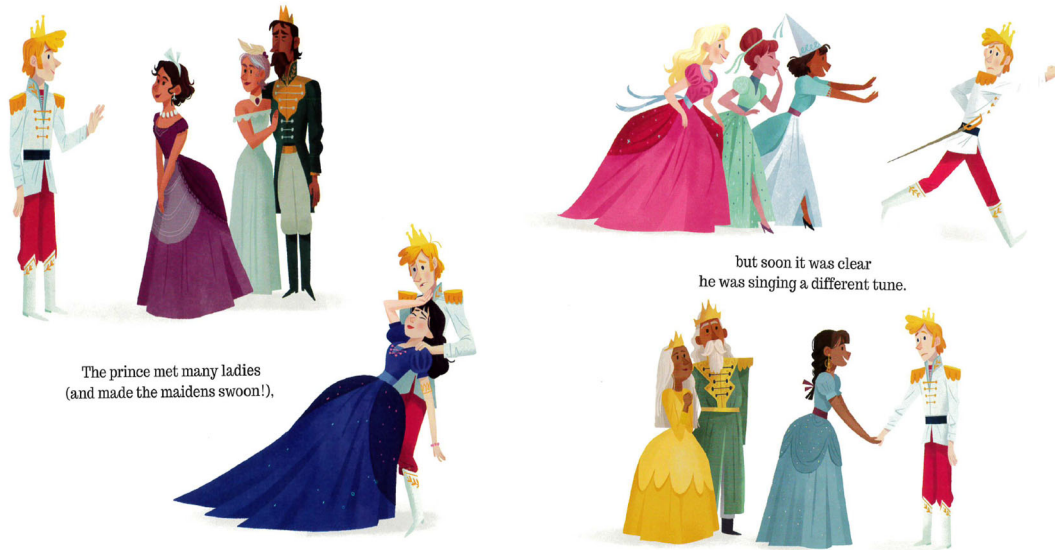


Fig. 2

1 77. A third book, *The Hips on the Drag Queen Go Swish, Swish, Swish*,³ by Lil
2 Miss Hot Mess,⁴ changes the lyrics of the classic children’s song *The Wheels on the*
3 *Bus* to lyrics celebrating drag. The book is replete with drag queens sporting facial
4 hair, high-heeled boots, and “bling,” and shows them “swish[ing]” their hips,
5 “shimmy[ing]” their shoulders, and “twirl[ing].” Describing the book, its author has
6 publicly stated that “There’s no ‘Drag 101,’ but [the book] gets [kids] swishing and
7 shimmying and twirling, so they can embody and celebrate some of the things queens
8 do. If they like it, maybe they’ll want to be drag queens when they grow up, too.”
9 Joshua Rotter, *A Drag Queen Story Hour star and activist publishes her own kids’*
10 *book*, 48hills (May 5, 2020), <https://perma.cc/C63V-VL97>.

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24 ³ See Sunnyvale Sch. Dist., *LGBTQIA Resources*, <https://perma.cc/RA8E-HSHG>
25 (recommending LGBTQ+ “Picture Books”); Sunnyvale Pub. Libr., *LGBTQ+ Picture*
26 *Books*, <https://perma.cc/WQL4-8NRJ> (linked by Sunnyvale and listing *The Hips on*
27 *the Drag Queen*).

28 ⁴ Lil Miss Hot Mess is the stage name of Harris Kornstein’s drag queen persona.
Harris Kornstein, *Harris Kornstein: scholar + artist of queer play*,
<https://perma.cc/CVH2-2JC8>.



Fig. 3

78. A fourth book, *Jack (not Jackie)*,⁵ by Erica Silverman, follows the story of a young girl, Susan, who struggles with but ultimately accepts her younger sibling Jackie's gender transition. Inuka Wellington, *Jack Not Jackie by Erica Silverman*

⁵ See *Sunnyvale Sch. Dist., LGBTQIA Resources*, <https://perma.cc/RA8E-HSHG> (recommending LGBTQ+ "Picture Books"); *Sunnyvale Pub. Libr., LGBTQ+ Picture Books*, <https://perma.cc/WQL4-8NRJ> (linked by Sunnyvale and listing *Jack (not Jackie)*).

1 ***READ* *ALOUD****,* YouTube (Nov. 2, 2022),
2 <https://www.youtube.com/watch?v=2yDN-jFrL64>. When Susan tries to play with
3 Jackie through traditionally feminine toys and activities, like play-acting as “forest
4 fairies,” Jackie refuses, preferring to play-act as an explorer and make mud pies. *Id.*
5 at 1:37. When Susan takes Jackie shopping for girls’ clothes, Jackie instead runs to
6 the boys’ section, picking out shorts, a shirt, a baseball cap, and a tie. *Id.* at 2:35.
7 After Susan objects, saying “No ties! ... ties are for boys,” her mother tells her that
8 “[we] wear what feels right,” and that for Jackie, wearing a tie is “not wrong ... just
9 different.” *Id.* at 2:49. When Jackie finally declares that “I am a boy,” and wants to
10 go by Jack, Susan again objects, shouting that “I WANT MY SISTER BACK!” *Id.* at
11 4:03. Ultimately, Susan is made to realize that Jackie is still the same person, and
12 that “My sister. My brother. It’s okay, either way,” causing her “heart ... to feel
13 bubbly again.” *Id.* at 5:01.

14 79. In an author’s note, Silverman explains that, beginning “as early as two years
15 old ... transgender children like Jack ... feel a profound disconnect between their
16 gender identity—who they know themselves to be and the sex (M or F) that the doctor
17 wrote down on their birth certificate.” *Id.* at 5:37. The note further states that “if a
18 child’s self-expression is met with disapproval or anger, it causes serious damage that
19 can take years to overcome.” *Id.* Finally, the author notes the “power of books to open
20 our hearts and minds,” and expresses hope that the work has “done the same for you.”
21 *Id.* at 5:41 The book closes with a list of books, articles, and online resources about
22 parenting transgender and “gender-creative” children. *Id.* at 5:43.

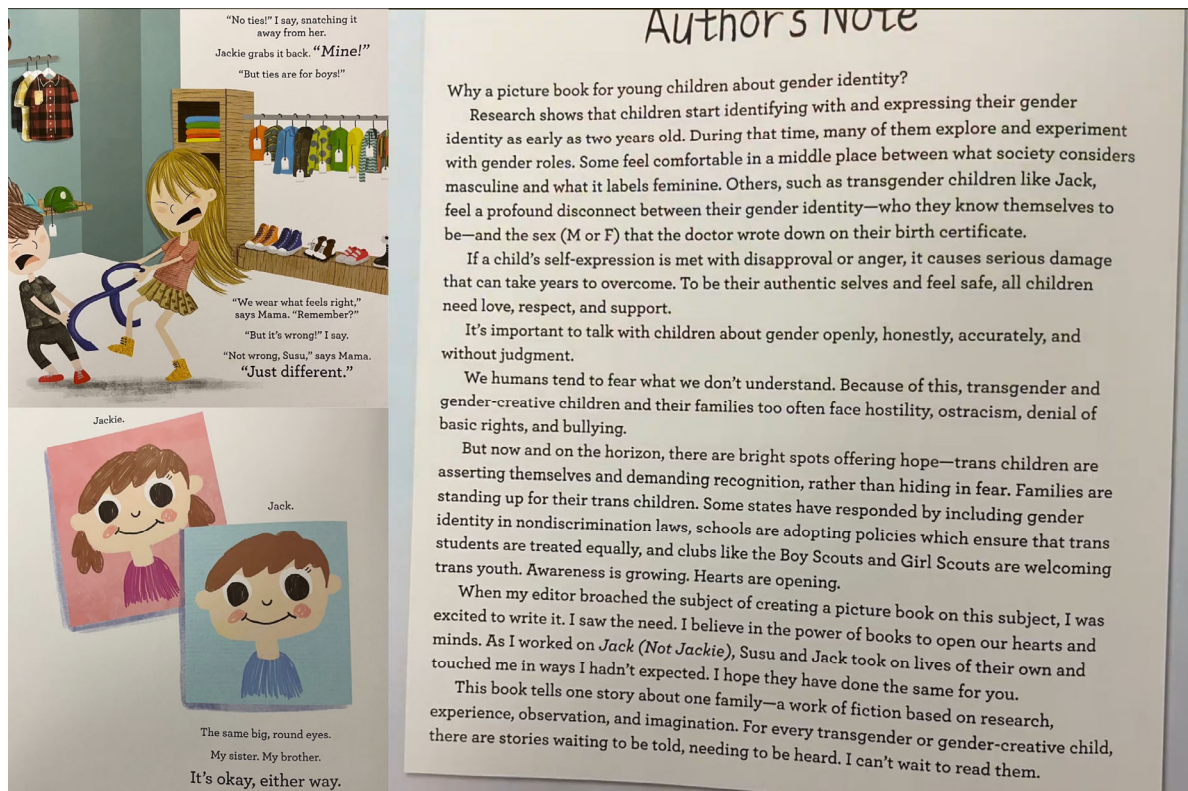


Fig. 4

80. A fifth book, *Stella Brings the Family*,⁶ by Miriam B. Schiffer, follows the story of Stella, a girl with two fathers, who is told to invite a special guest for her class Mother’s Day party. First Grade Party, *Stella Brings the Family- Read Aloud*, YouTube (Oct. 23, 2020), https://www.youtube.com/watch?v=uKZXuPBhX_Y. Because “Stella would be the only one without a mother at the Mother’s Day party,” she “worr[ies] about the party when she should have been worrying about other things.” *Id.* at 0:44. She explains to her friends that her fathers and extended family members do all the things that mothers do, like “reading [her] bedtime stories” and “kiss[ing her] when [she is] hurt,” but is still unsure about inviting them all to the party. *Id.* at 1:35. On the day of the party, Stella “[has] the biggest crowd of them all,” with her fathers and extended family all attending. *Id.* at 2:46. The party ends up

⁶ See Sunnyvale Sch. Distr., *LGBTQIA Resources*, <https://perma.cc/RA8E-HSHG> (recommending LGBTQ+ “Picture Books”); Sunnyvale Pub. Libr., *LGBTQ+ Picture Books*, <https://perma.cc/WQL4-8NRJ> (linked by Sunnyvale and listing *Stella Brings the Family*).

1 being “better than Stella had imagined,” and concludes with Stella assuring her
 2 exhausted teacher that for Father’s Day, she won’t bring nearly as many people, “just
 3 two.” *Id.*



Fig. 5

81. Finally, a sixth book, *Born Ready: The True Story of a Boy Named Penelope*,⁷
 by Jodie Patterson, adapts the true story of a child, Penelope, who claims that “I don’t
 feel like a boy. I AM a boy.” **Exhibit F** at 12. The mother agrees to tell their family
 “what we know,” that Penelope “[is] a boy.” *Id.* at 3:34. Penelope’s grandfather agrees
 that “gender isn’t such a big deal.” *Id.* at 4:19. When Penelope’s brother protests that
 Penelope “can’t become a boy. You have to be born one,” he is told that “[n]ot
 everything needs to make sense. *This is about love.*” *Id.* at 4:40. Papa agrees that
 Penelope is a boy as long as Penelope will “tell me yourself.” *Id.* at 5:00. And when

⁷ See *LGBTQ+ Teaching Guide* at 17, <https://perma.cc/EVJ5-Y8Y6> (linking “Recommended Books by the California Department of Education,” including *Born Ready*); Cal. Dep’t of Educ., *CDE Recommended List 2022-2025, Cumulative*, TeachingBooks, <https://perma.cc/EV49-H65S> (linked by *LGBTQ+ Teaching Guide* and listing *Born Ready*).

1 Penelope tells the principal “I think like a boy. I feel like a boy. ... I’m sure I’m a boy,”
2 the teacher notes that “today [Penelope is] *my* teacher.” *Id.* at 6:19.



Fig. 6

25 82. Sunnyvale has “voiced its expectation that teachers use the LGBTQ-Inclusive
26 Books as part of instruction.” *Mahmoud*, 606 U.S. at 535 (internal quotation marks
27 omitted). *See Resolution # R26-08* at 2, <https://perma.cc/T3TK-BQCX> (committing to
28 “[p]rovide strong guidance, resources, and training for teachers to confidently

1 implement inclusive materials and resist pressures that would erase or diminish
2 LGBTQIA content”); Ex. A at 1 (LGBTQ+ instruction “required”).

3 ***Sunnyvale’s Opt-Out Policy***

4 83. Although Sunnyvale has denied Plaintiffs opt-outs from the LGBTQ+
5 instruction, it allows opt-outs from other areas of instruction.

6 84. Under California law, Sunnyvale must provide notice and opt-outs for human
7 sexuality instruction because “parents and guardians have the ultimate
8 responsibility for imparting values regarding human sexuality to their children.” Cal.
9 Educ. Code § 51937; *see also id.* §§ 51938-51939 (requiring rights and procedures for
10 notice, opt-outs, and alternative activities). Thus, as in *Mahmoud*, Sunnyvale
11 “continues to permit children to opt out of other school activities, including the ‘family
12 life and human sexuality’ unit of instruction, for which opt outs are required under
13 [state] law.” *Mahmoud*, 606 U.S. at 540.

14 85. And, also like the school board in *Mahmoud*, Sunnyvale “goes to great lengths
15 to provide independent, parallel programming for many other students, such as those
16 who qualify as emergent multilingual learners (EMLs) or who qualify for an
17 individualized educational program.” 606 U.S. at 566.⁸

18 86. Yet Sunnyvale continues to stand by pre-*Mahmoud* policies and guidance
19 documents requiring LGBTQ+ instruction and prohibiting opt-outs. And post-
20 *Mahmoud*, Sunnyvale has doubled down.

21
22
23
24 ⁸ *See* Cal. Dep’t of Educ., *2025-26 Special Education Enrollment by Program*
25 *Setting: Cumberland Elementary Report*, DataQuest, <https://perma.cc/6GJG-8DAD>
26 (showing that 82 Cumberland Elementary students were enrolled in special
27 education); Cal. Dep’t of Educ., *2025-26 K-12 Enrollment by Age Range: Cumberland*
28 *Elementary Report*, DataQuest, <https://perma.cc/66LD-EKQ3> (showing that 14.7% of
Cumberland Elementary students were enrolled in IEPs); *see also* Cal. Dep’t of Educ.,
English Learner Students by Language by Grade: Cumberland Elementary (2025-26),
<https://perma.cc/S6WS-TMFW> (showing that 15.7% of Cumberland Elementary
students were enrolled in EML programs).

1 ***The Taylors’ Notice and Opt-out Request***

2 87. Having learned of Sunnyvale’s LGBTQ+ curriculum and the *Mahmoud*
3 decision, the Taylors “began contacting individual teachers, principals, [and District]
4 staff about the [instruction] and asking that their children be excused from classroom
5 instruction related to [it].” *Mahmoud*, 606 U.S. at 537.

6 88. The Taylors first reached out to Cumberland’s Interim Principal Shana Riehl
7 and their children’s teachers via email on September 25, 2025. Ex. B at 1.

8 89. Tracking the Supreme Court’s opinion in *Mahmoud*, that email requested
9 that the school:

- 10 (1) provide the Taylors with “[a]dvance written notice whenever any ‘LGBTQ+
11 inclusive’ storybooks or similar materials, will be used in any way”;
12 (2) allow their children to be “excused from those lessons, instructions, and
13 events in which such books or similar materials are used,” and be provided
14 with “a neutral alternative activity without academic penalty, stigma, or
15 unexcused absences”; and
16 (3) provide basic “[i]nformation about how the District permits parents to
17 review curriculum materials.” *Id.* at 1.

18 90. Removing any doubt about the school’s constitutional obligations, the email
19 specifically called attention to the Supreme Court’s decision in *Mahmoud*. *Id.*

20 91. Cumberland appeared understanding at first, and Ms. Riehl made an initial
21 notation to school librarians not to check out books that carried LGBTQ+ messages
22 to the Taylor children. *Id.* at 2-3.

23 92. On October 8, 2025, Paul Slayton, the District’s Director of Student Support
24 Services, sent the Taylors Sunnyvale’s Parent Opt-out Form. Ex. C.

25 93. The form identified various “opt out options” available to parents. *Id.* In
26 addition to opt-outs for sexual health education (comprehensive or partial),
27 behavioral health surveys, and physical examinations, the form provided opt-outs for
28 any “[o]ther [i]nstructional [m]aterials” that “substantially interfere with [a] child’s

1 religious development” or “conflict with [parents] religious beliefs or moral
2 convictions.” *Id.* The form indicated that the District would “review” such requests
3 and “excuse [the parents] child from that instruction in accordance with applicable
4 law.” *Id.* at 2.

5 94. The Taylors confirmed their original notice and opt-out request and
6 continued open and cordial dialogue with Ms. Riehl and Paul Slayton, for months.
7 Ex. F at 2-7.

8 95. But after the New Year, the Taylors heard nothing back from Sunnyvale until
9 they again reached out to Mr. Slayton regarding their request. *Id.* at 7.

10 ***Sunnyvale’s Knowing Denial of Notice and Opt-Outs***

11 96. Once the Taylors reached back out to Mr. Slayton, he assured them that he
12 would convey their full request to Superintendent Crosthwaite. *Id.*

13 97. Mr. Slayton also informed the Taylors that Sunnyvale’s “typical ‘opt out’
14 process is not functional for Mahmoud v. Taylor yet” and that “legal council [sic] is
15 still a bit confused as to how to formally respond to these requests,” so he would
16 “defer” the Taylors’ request until he could consult District leadership. *Id.* at 8.

17 98. Both the Board and Superintendent were well aware of *Mahmoud’s* holding
18 and what it required.

19 99. In an August 21, 2025 Board meeting, Superintendent Crosthwaite discussed
20 *Mahmoud* with the Board and supplied it with guidance from the California
21 Department of Education. Cal. Sch. Bds. Ass’n, *Regular Board Meeting-Governance*
22 (Aug. 21, 2025); *see also* Sunnyvale Sch. Dist., Facebook (Aug. 19, 2025),
23 <https://perma.cc/6GEH-RNVL>.

24 100. That guidance explained that the “fundamental holding in *Mahmoud* is that
25 where a school (or its board) adopts policies or curricular materials that the school
26 has reason to know will ‘substantially interfere with the religious development’ of
27 parents’ children and/or will pose a ‘very real threat of undermining the religious
28 beliefs and practices’ that parents wish to instill in their children, the school must

1 provide notice to parents of the policy or material and an opportunity for the parents
2 to opt their children out of the policy or exposure to the material.” *Supreme Court*
3 *Decision in Mahmoud v. Taylor* at 1, <https://perma.cc/E89X-8SJ2>.

4 101. The guidance also recognized that a “notice and opt out option” was
5 “require[d]” for “the specific facts in *Mahmoud*—an elementary classroom curriculum
6 that incorporated LGBTQ+ themed storybooks”—such that “the *Mahmoud* case will
7 necessarily impact how [Local Education Agencies] approach the implementation of
8 policies and curricular materials that may substantially interfere with children’s
9 religious development or ‘undermin[e] the religious beliefs and practices the parent
10 wishes to instill in the child,’” including that “LEAs may be required to notify parents
11 of the plan and provide parents with an opportunity to opt out” under “these
12 circumstances.” *Id.* at 1-2.

13 102. On February 3, 2026, Sunnyvale abruptly and inexplicably changed course.
14 Thanking the Taylors “for [their] patience” as Sunnyvale “conducted a final
15 administrative review of [their] request to opt out of [LGBTQ+] instructional
16 materials,” Mr. Slayton informed the Taylors that, “[f]ollowing a comprehensive
17 review at the District leadership level,” Sunnyvale was denying their opt-out request,
18 because it “[did] not align” with Sunnyvale’s “core instructional framework” and its
19 “commitment to a unified curriculum.” **Exhibit G** at 1.

20 103. Through Mr. Slayton, District leadership acknowledged that this was a “shift
21 from [their] previous working sessions,” which had “focused on designing an
22 individual implementation plan” for the Taylors to “opt out of [LGBTQ+] instructional
23 materials.” *Id.* at 1. Through Mr. Slayton, District leadership also “acknowledge[d]
24 the impact” this would “have on [the Taylor] family,” but insisted upon denying
25 “accommodations” to “maintain[] the integrity of the board-approved curriculum.”
26 *Id.* Mr. Slayton attached a formal denial letter, signed by Mr. Slayton and bearing
27 the names of Superintendent Crosthwaite and the Board Defendants. *Id.*
28

1 104. The denial letter declared that the “LGBTQ+-inclusive curriculum [and]
2 storybooks” were part of Sunnyvale’s “adopted educational program” pursuant to
3 “California state law and Board-adopted policy regarding instructional materials and
4 curriculum.” Ex. A at 1. It states that “[t]his content is not optional and is not subject
5 to parent opt-out provisions.” *Id.* at 1.

6 105. The denial letter acknowledged *Mahmoud* and brushed it aside, asserting
7 that it “addressed a specific set of facts in another state” and “does not override
8 California’s statutory requirements governing instructional content.” *Id.*
9 “Accordingly, and after further review,” the denial letter explained, “Sunnyvale
10 School District is not granting opt-outs from LGBTQ+-inclusive curriculum or
11 storybooks that are part of our adopted educational program.” *Id.*

12 106. Resurrecting a position rejected in *Mahmoud*, the denial letter closed with
13 cold comfort: “While [Sunnyvale] cannot remove students from required instruction,
14 we encourage families to engage in ongoing conversations with their children ... if
15 questions arise about classroom learning.” *Id.* at 1-2. *Contra Mahmoud*, 606 U.S. at
16 563 (rejecting the argument that “parents who send their children to public school
17 must endure” religiously prohibitive instruction and instead “must try to counteract
18 that teaching at home”—a dodge that makes “no difference to the First Amendment
19 analysis”).

20 107. Sunnyvale’s denial is flatly inconsistent with *Mahmoud* itself. It is also
21 inconsistent with the CDE’s guidance on *Mahmoud*’s “fundamental holding” as
22 requiring “a notice and an opt out option” for “an elementary classroom curriculum
23 that incorporate[s] LGBTQ+ themed storybooks.” *Supreme Court Decision in*
24 *Mahmoud v. Taylor* at 1, <https://perma.cc/E89X-8SJ2>.

25 108. Instead, Sunnyvale’s opt-out denial is consistent with the District’s post-
26 *Mahmoud* resolution to “confidently implement inclusive materials and resist
27 pressures that would erase or diminish LGBTQIA content”—for to do otherwise
28

1 would be to make a “compromise[] for the comfort of adults or institutional caution.”
2 *Resolution # R26-08* at 2, <https://perma.cc/T3TK-BQCX>.

3 109. Sunnyvale’s denial is also consistent with pre-*Mahmoud* County-level
4 guidance stating that “[i]t is essential ... that LGBTQ+ topics are not part of parental
5 opt out options” and “[s]chools may not facilitate the selective opt-out of lessons that
6 are focused on LGBTQ+ content by parents/guardians.” Santa Clara Cnty. Off. of
7 Educ., *LGBTQ+ Teaching Guide* at 6, <https://perma.cc/EVJ5-Y8Y6>; Santa Clara
8 Cnty. Off. of Educ., *LGBTQ+ District and School Policy Guide* at 20 (Nov. 24, 2024),
9 <https://perma.cc/QFS7-CAH2>.

10 110. But Sunnyvale knows, and knew at all relevant times, that this is not legally
11 permissible.

12 111. Upon the Taylors’ receipt of the formal denial letter, counsel sent Sunnyvale
13 a detailed letter explaining *Mahmoud*’s requirements.

14 112. The letter explicitly noted that California requirements could not preempt
15 the federal Constitution and cited *Mirabelli v. Bonta*, 607 U.S. 492 (2026), as
16 evidence.

17 113. The letter also noted that individual Board members, the Superintendent,
18 and Defendants Slayton and Riehl would be personally liable for these constitutional
19 violations in light of clear Supreme Court precedents.

20 114. Sunnyvale acknowledged receipt of the letter but provided no response. To
21 this day, it continues to deny the Taylors their requested notice and opt-outs.

22 **FIRST CAUSE OF ACTION**

23 **42 U.S.C. § 1983**

24 **U.S. Const., amend. I, Free Exercise Clause**

25 **Parental Right to Direct Children’s Education and Religious Development**

26 115. Plaintiffs incorporate by reference all preceding paragraphs.

27 116. The Free Exercise Clause guarantees an “enduring American tradition”: “the
28 rights of parents to direct ‘the religious upbringing’ of their children.” *Espinoza v.*

1 *Mont. Dep't of Revenue*, 591 U.S. 464, 486 (2020) (quoting *Wisconsin v. Yoder*, 406
2 U.S. 205, 213-14 (1972)).

3 117. Under this American tradition, it is generally “for the parent, not the [school],
4 to direct the branches of education [a child] shall pursue, so far as they are taught.”
5 *Trs. of Schs. v. People ex rel. Van Allen*, 87 Ill. 303, 309 (1877); see also *Morse v.*
6 *Frederick*, 551 U.S. 393, 424 (2007) (Alito, J., concurring) (“It is a dangerous fiction
7 to pretend that parents simply delegate their authority—including their authority to
8 determine what their children may say and hear—to public school authorities.”); *Bell*
9 *v. Itawamba Cnty. Sch. Bd.*, 799 F.3d 379, 391 (5th Cir. 2015) (en banc) (referencing
10 “Justice Alito’s controlling concurrence” in *Morse*). Accordingly, unless public safety
11 or the “special characteristics” of the school setting are at issue, a school’s desired
12 “educational mission” is insufficient to restrict First Amendment rights. *Morse*, 551
13 U.S. at 423 (Alito, J., concurring).

14 118. As the Supreme Court recently confirmed, government policy contravenes
15 that tradition, and violates the Free Exercise Clause, when it substantially interferes
16 with parents’ rights to direct their children’s education and religious development on
17 matters of core religious exercise and parenting. *Mahmoud*, 606 U.S. 522; *Mirabelli*,
18 607 U.S. at 496.

19 119. When a policy substantially interferes with parental rights, courts skip the
20 neutrality-and-general-applicability analysis from *Employment Division v. Smith*,
21 494 U.S. 872, 878-79 (1990), and proceed straight to strict scrutiny. *Mahmoud*, 606
22 U.S. at 564.

23 120. Here, Defendants’ forced inculcation of LGBTQ+ instruction without notice
24 or opt-outs disrupts and displaces Plaintiffs’ religious values and teachings on gender,
25 romance, sex, and sexuality, and thereby substantially interferes with Plaintiffs’
26 parental rights. *Mahmoud*, 606 U.S. at 569.

1 121. Defendants’ LGBTQ+ instruction is “unmistakably normative” because it is
2 “clearly designed to present certain values and beliefs as things to be celebrated and
3 certain contrary values and beliefs as things to be rejected.” *Id.* at 550.

4 122. Withholding parental notice and opt-outs from this instruction substantially
5 interferes with the religious development of Plaintiffs’ children. *Id.* at 550.

6 123. As such, withholding parental notice and opt-outs imposes a substantial
7 burden on religious exercise. *Yoder*, 406 U.S. at 218.

8 124. Burdens on parental rights like those in *Yoder* and *Mahmoud*, and thus here,
9 do not pass strict scrutiny. *Mahmoud*, 606 U.S. at 565-67.

10 125. Defendants acted contrary to clearly established law when they instituted a
11 policy barring all parental opt-outs for LGBTQ+ instruction and specifically denied
12 Plaintiffs’ opt-out requests.

13 126. Because of this case’s factual similarity to *Mahmoud*, *Mahmoud* and *Yoder*
14 provide more than enough legal authority to clearly establish that Defendants’ denial
15 of notice and opt-outs violates parental rights.

16 127. But if that was not enough, the Supreme Court has also already applied
17 *Mahmoud* and *Yoder* to hold that California’s school policies denying parents notice
18 and the ability to opt out of policies and instruction concerning sex and gender
19 identity in schools likely violate parental rights under the Free Exercise Clause.
20 *Mirabelli*, 607 U.S. at 496.

21 128. Plaintiffs have and will continue to suffer the irreparable injury of their First
22 Amendment rights being denied by Defendants.

23 129. Plaintiffs also may in the future suffer monetary damages in suffering
24 emotional and physical distress that has diverted time, attention, and focus from
25 their responsibilities and in being forced to pursue other educational opportunities
26 for their children because of Defendants’ disregard for their constitutional rights.

1 130. To remedy their injuries, Plaintiffs are entitled to declaratory, injunctive, and
2 monetary relief, including but not limited to compensatory damages, punitive
3 damages, and pre-judgment and post-judgment interest.

4 **SECOND CAUSE OF ACTION**
5 **42 U.S.C. § 1983**
6 **U.S. Const., amend. I, Free Exercise Clause**
7 **General Applicability**

8 131. Plaintiffs incorporate by reference all preceding paragraphs.

9 132. A government policy will fail the Free Exercise Clause’s general applicability
10 requirement if it prohibits any religious conduct while permitting similar conduct
11 that “undermines the government’s asserted interests in a similar way, or if it
12 provides a mechanism for individualized exemptions.” *Kennedy v. Bremerton Sch.*
Dist., 597 U.S. 507, 526 (2022) (cleaned up).

13 133. The mere existence of a mechanism for individualized exemptions means the
14 policy at issue is not generally applicable, “regardless whether any exceptions have
15 been given.” *Fulton v. City of Philadelphia*, 593 U.S. 522, 537 (2021).

16 134. If a policy is not generally applicable for either of these reasons, that “is
17 sufficient to trigger strict scrutiny.” *Kennedy*, 597 U.S. at 526 (citation omitted).

18 135. Here, both general applicability triggers are met by Defendants’ refusal to
19 accommodate Plaintiffs’ notice and opt-out requests.

20 136. This failure burdens Plaintiffs’ freedom to form their children on a matter of
21 core religious exercise and parenting: how to understand who they are.

22 137. The first trigger for failing general applicability—a mechanism for
23 individualized assessments—is established several times over.

24 138. Sunnyvale has already exercised discretion in facilitating the Taylors’
25 request that their children not be permitted to check out LGBTQ+ books from the
26 library.

27 139. Sunnyvale also, at least as of October 2025, claimed discretion to grant
28 individual parental opt-out requests for *any* “[o]ther [i]nstructional [m]aterials” that

1 “substantially interfere with [a] child’s religious development” *or* “conflict with
2 [parents’] religious beliefs or moral convictions”—subject to the District’s “review” of
3 the individual opt-out request. Ex. C at 2.

4 140. Further, as the months-long process “focused on designing an individual
5 implementation plan” for the Taylors’ requested opt-outs demonstrates, Sunnyvale
6 retains discretion to “explore potential accommodations” and grant individualized
7 exceptions from its LGBTQ+ instruction. Ex. G at 1; *see Fulton*, 593 U.S. at 537.

8 141. The second trigger—not accommodating some opt-out requests while
9 permitting conduct that similarly undermines the supposed government interest—is
10 also demonstrated in multiple ways.

11 142. Sunnyvale permits parents to excuse their children from “all or part of
12 comprehensive sexual health education [and] HIV prevention education.” Cal. Educ.
13 Code § 51938(a).

14 143. It also permits substantial numbers of children to be opted out of mainstream
15 classes to attend classes designed for students who qualify as emergent multilingual
16 learners (EMLs) or for an individualized educational program.

17 144. Its Opt-Out Form also includes categorical opt-outs for “Physical
18 Examination[s]” and behavioral-health “Surveys, tests, research, and evaluation.”
19 Ex. C.

20 145. On information and belief, Sunnyvale permits opt-outs from instruction for a
21 variety of other reasons, including student participation in athletic or other extra-
22 curricular activities.

23 146. Strict scrutiny therefore applies.

24 147. Defendants cannot meet their burden to prove that forced participation in
25 the LGBTQ+ curriculum pursues a compelling governmental interest or that it is
26 narrowly tailored to achieve such an interest.

1 148. Defendants cannot “rely on broadly formulated interests” but must explain
2 “the asserted harm of granting specific exemptions to particular religious claimants.”
3 *Fulton*, 593 U.S. at 541 (cleaned up).

4 149. In other words, Defendants cannot explain why it must force *these* Plaintiffs
5 to violate *their* religious freedom to form their children in their own religious
6 traditions. *See, e.g., id.* (“[S]o long as the government can achieve its interests in a
7 manner that does not burden religion, it must do so.”).

8 150. Defendants cannot show that forcing all children to participate in the
9 LGBTQ+ curriculum is the only way to teach inclusion and civility toward all
10 individuals.

11 151. Defendants acted contrary to clearly established law when they denied
12 Plaintiffs’ opt-out requests.

13 152. Plaintiffs have and will continue to suffer the irreparable injury of their First
14 Amendment rights being denied by Defendants.

15 153. Plaintiffs also have or may in the future suffer monetary damages in
16 suffering emotional and physical distress that has diverted time, attention, and focus
17 from their responsibilities and in being forced to pursue other educational
18 opportunities for their children because of Defendants’ disregard for their
19 constitutional rights.

20 154. To remedy their injuries, Plaintiffs are entitled to declaratory, injunctive, and
21 monetary relief, including but not limited to compensatory damages, punitive
22 damages, and pre-judgment and post-judgment interest.

23 155. To the extent this Court finds Defendants’ policy generally applicable, then
24 *Smith*, 494 U.S. 872, was wrongly decided.

25 **THIRD CAUSE OF ACTION**
26 **42 U.S.C. § 1983**
27 **U.S. Const., amend. I, Free Exercise Clause**
28 **Neutrality**

156. Plaintiffs incorporate by reference all preceding paragraphs.

1 157. The Free Exercise Clause requires that government policies be “neutral”
2 toward religious exercise.

3 158. “A government policy will not qualify as neutral if it is specifically directed
4 at religious practice”—detectable if the policy “discriminates on its face, or if a
5 religious exercise is otherwise its object.” *Kennedy*, 597 U.S. at 526 (cleaned up).

6 159. “A plaintiff may also prove a free exercise violation by showing that ‘official
7 expressions of hostility’ to religion accompany laws or policies burdening religious
8 exercise; in cases like that [the Supreme Court] ha[s] ‘set aside’ such policies without
9 further inquiry.” *Id.* at 525 n.1 (quoting *Masterpiece Cakeshop, Ltd. v. Colo. C.R.*
10 *Comm’n*, 584 U.S. 617, 639 (2018)).

11 160. But even “[f]acial neutrality is not determinative.” *Church of Lukumi Babalu*
12 *Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 534 (1993).

13 161. The Free Exercise Clause also “forbids subtle departures from neutrality,”
14 “protect[ing] against governmental hostility which is masked, as well as overt.” *Id.*

15 162. Thus, if public schools are “to respect the Constitution’s guarantee of free
16 exercise,” they “cannot impose regulations that are hostile to the religious beliefs of
17 affected citizens and cannot act in a manner that passes judgment upon or
18 presupposes the illegitimacy of religious beliefs and practices.” *Masterpiece Cakeshop*,
19 584 U.S. at 638.

20 163. Non-neutrality may be demonstrated by the totality of the circumstances
21 surrounding a policy’s application, including “the effect of [the] law in its real
22 operation,” which “is strong evidence of its object.” *Lukumi*, 508 U.S. at 535.

23 164. A policy reflects non-neutrality in this way when it “as a whole stands most
24 obviously in opposition to more traditional understandings of sexuality and gender,”
25 which “are often held by persons with religious viewpoints.” *Bates v. Pakseresht*, 146
26 F.4th 772, 794 (9th Cir. 2025).

27 165. Just so, Defendants’ policy to mandate participation in LGBTQ+ curriculum
28 to discourage a biological understanding of human sexuality is not neutral toward

1 religion, in part because it “disproportionately [burdens] persons who observe certain
2 religious faiths,” *id.*, and assumes that traditional religious views regarding family
3 life, gender, and sexuality are hurtful, hateful, or bigoted. *See also New Hope Fam.*
4 *Servs., Inc. v. Poole*, 966 F.3d 145, 169 (2d Cir. 2020) (explaining that when the effect
5 of a state policy “fell almost exclusively on adoption services holding particular
6 religious beliefs, that is some reason to suspect that the object of the law was to target
7 those beliefs and to exclude those who maintain them from the adoption process”).

8 166. This burdens Plaintiffs’ freedom to form their children on a matter of core
9 religious exercise and parenting: how to understand who they are. *See Bates*, 146
10 F.4th at 794 (policy non-neutral where it “will overwhelmingly block those ... parents
11 who hold traditional religious views on sexuality and gender”).

12 167. Defendants’ policy of forced participation in LGBTQ+ instruction is not
13 neutral toward religious exercise.

14 168. Defendants acted contrary to clearly established law when they denied
15 Plaintiffs’ opt-out requests.

16 169. As with general applicability, Defendants’ lack of neutrality toward religious
17 concerns “is sufficient to trigger strict scrutiny.” *Kennedy*, 597 U.S. at 526.

18 170. For the foregoing reasons, Defendants cannot meet their burden to establish
19 that required LGBTQ+ instruction achieves a compelling government interest, and
20 that forcing Plaintiffs to violate their religious beliefs is narrowly tailored to achieve
21 that interest.

22 171. Plaintiffs have and will continue to suffer the irreparable injury of their First
23 Amendment rights being denied by Defendants.

24 172. Plaintiffs also have or may in the future suffer monetary damages in
25 suffering emotional and physical distress that has diverted time, attention, and focus
26 from their responsibilities and in being forced to pursue other educational
27 opportunities for their children because of Defendants’ disregard for their
28 constitutional rights.

1 173. To remedy their injuries, Plaintiffs are entitled to declaratory, injunctive, and
2 monetary relief, including but not limited to compensatory damages, punitive
3 damages, and pre-judgment and post-judgment interest.

4 174. To the extent this Court finds Defendants’ policy neutral, then *Smith*, 494
5 U.S. 872, was wrongly decided.

6 **FOURTH CAUSE OF ACTION**
7 **42 U.S.C. § 1983**
8 **U.S. Const., amend. I, Free Speech Clause**
9 **Viewpoint Discrimination**

10 175. Plaintiffs incorporate by reference all preceding paragraphs.

11 176. Defendants’ policy to discourage a biological understanding of human
12 sexuality through LGBTQ+ instruction is religious viewpoint discrimination and
13 thereby violates the First Amendment’s Free Speech Clause.

14 177. No matter the “forum” in which speech occurs, viewpoint discrimination is
15 always prohibited. *Rosenberger v. Rector & Visitors of Univ. of Va.*, 515 U.S. 819, 829
16 (1995).

17 178. Accordingly, schools—like other fora for private speech—cannot exclude
18 speech “on the basis of the religious nature of the speech.” *Good News Club v. Milford*
19 *Cent. Sch.*, 533 U.S. 98, 105 (2001); *Rosenberger*, 515 U.S. at 831 (“Religion may be a
20 vast area of inquiry, but it also provides, as it did here, a specific premise, a
21 perspective, a standpoint from which a variety of subjects may be discussed and
22 considered.”).

23 179. Here, however, Sunnyvale’s LGBTQ+ instruction is “broadly reflective of a
24 particular viewpoint on sexual orientation and gender identity” and excludes
25 religious perspectives on the topic of gender identity. *Bates*, 146 F.4th at 786.

26 180. Defendants acted contrary to clearly established law when they denied
27 Plaintiffs’ opt-out requests.

28 181. As a “finding of viewpoint bias end[s] the matter,” there is no subsequent
analysis of strict scrutiny. *Iancu v. Brunetti*, 588 U.S. 388, 399 (2019) (“Once we have

1 found that a law aims at the suppression of views, why would it matter that Congress
2 could have captured some of the same speech through a viewpoint-neutral statute?”
3 (cleaned up)).

4 182. Plaintiffs have and will continue to suffer the irreparable injury of their First
5 Amendment rights being violated because of Defendants’ viewpoint discrimination.

6 183. Plaintiffs also have or may in the future suffer monetary damages in
7 suffering emotional and physical distress that has diverted time, attention, and focus
8 from their responsibilities and in being forced to pursue other educational
9 opportunities for their children because of Defendants’ disregard for their
10 constitutional rights.

11 184. To remedy their injuries, Plaintiffs are entitled to declaratory, injunctive, and
12 monetary relief, including but not limited to compensatory damages, punitive
13 damages, and pre-judgment and post-judgment interest.

14 **FIFTH CAUSE OF ACTION**
15 **42 U.S.C. § 1983**
16 **U.S. Const., amend. XIV, Due Process Clause**
17 **Parental Right to Direct Children’s Education and Development**

18 185. Plaintiffs incorporate by reference all preceding paragraphs.

19 186. There are few rights older or more fundamental than the right of parents to
20 raise their children in accordance with their beliefs. The earliest Supreme Court cases
21 upholding this fundamental right predate incorporation of the Free Exercise Clause.
22 *See, e.g., Meyer v. Nebraska*, 262 U.S. 390, 399, 401 (1923) (upholding the right of
23 parents to “establish a home and bring up children” and to “control [their] education”);
24 *Pierce v. Soc’y of Sisters of the Holy Names of Jesus & Mary*, 268 U.S. 510, 534-35
25 (1925) (upholding the “liberty of parents and guardians to direct the upbringing and
26 education of children under their control”); *cf. Cantwell v. Connecticut*, 310 U.S. 296,
303 (1940) (incorporating the Free Exercise Clause against the states).

27 187. “[T]he child is not the mere creature of the State; those who nurture him and
28 direct his destiny have the right, coupled with the high duty, to recognize and prepare

1 him for additional obligations.” *Troxel v. Granville*, 530 U.S. 57, 65 (2000) (quoting
2 *Pierce*, 268 U.S. at 535).

3 188. That right—that high duty—is not only deeply embedded in “[t]he history
4 and culture of Western civilization,” *Yoder*, 406 U.S. at 232; it also has “a
5 constitutional dimension,” *Troxel*, 530 U.S. at 65.

6 189. A century of Supreme Court decisions establishes that “the Due Process
7 Clause of the Fourteenth Amendment protects the fundamental right of parents to
8 make decisions concerning the care, custody, and control of their children.” *Id.* at 66.

9 190. “Under long-established precedent, parents—not the State—have primary
10 authority with respect to ‘the upbringing and education of children.’” *Mirabelli*, 607
11 U.S. at 497 (quoting *Pierce*, 268 U.S. at 534-35); *see also id.* at 804 (Barrett, J.,
12 concurring) (noting that “the doctrine of substantive due process has long embraced”
13 this parental right).

14 191. Simply put, the “‘liberty’ specially protected by the Due Process Clause
15 includes the right[] ... to direct the education and upbringing of one’s children.”
16 *Washington v. Glucksberg*, 521 U.S. 702, 720 (1997).

17 192. And together, *Mahmoud* and *Mirabelli* clearly guarantee notice and opt-outs
18 for any school practices that interfere with parents’ right to direct the development
19 of their children under both the Free Exercise Clause and the Due Process Clause.

20 193. Sunnyvale’s policies regarding LGBTQ+ instruction violate the Taylors’
21 fundamental right to make key decisions regarding the upbringing, education,
22 custody, care, and control of their children, including the right to opt their children
23 out of instruction on family life and human sexuality that violates their deeply held
24 beliefs and practices.

25 194. At bottom, Sunnyvale’s actions violate the “cardinal” principle “that the
26 custody, care and nurture of the child reside first in the parents, whose primary
27 function and freedom include preparation for obligations the state can neither supply
28

1 nor hinder.” *Troxel*, 530 U.S. at 65-66 (quoting *Prince v. Massachusetts*, 321 U.S. 158,
2 166 (1944)).

3 195. Defendants have disavowed what “[p]ublic schools must not forget”: “that ‘*in*
4 *loco parentis*’ does not mean ‘displace parents.’” *Gruenke v. Seip*, 225 F.3d 290, 307
5 (3d Cir. 2000).

6 196. There is no compelling state interest in forcing elementary school children to
7 participate in the LGBTQ+ instruction that outweighs the Taylors’ constitutional
8 right to direct the education, upbringing, care, custody, and control of their children.

9 197. Plaintiffs have and will continue to suffer the irreparable injury of their
10 Fourteenth Amendment rights being denied by Defendants.

11 198. Plaintiffs also have or may in the future suffer monetary damages in
12 suffering emotional and physical distress that has diverted time, attention, and focus
13 from their responsibilities and in being forced to pursue other educational
14 opportunities for their children because of Defendants’ disregard for their
15 constitutional rights.

16 199. To remedy their injuries, Plaintiffs are entitled to declaratory, injunctive, and
17 monetary relief, including but not limited to compensatory damages, punitive
18 damages, and pre-judgment and post-judgment interest.

19 **DEMAND FOR JURY TRIAL**

20 Plaintiffs demand that the Court set this matter for trial before a jury of their
21 peers.

22 **PRAYER FOR RELIEF**

23 Wherefore, Plaintiffs request that the Court:

24 a. Enter a declaration that the refusal to afford Plaintiffs a right to opt out from
25 LGBTQ+ instruction, including the forced reading of the District’s recommended
26 LGBTQ+ storybooks, violates the Free Exercise Clause of the First Amendment;

27 b. Enter a declaration that forcing Plaintiffs to educate their children, read,
28 and/or speak consistently with the perspectives contained in the LGBTQ+ instruction

1 and compelling Plaintiffs’ children to accept one viewpoint to the exclusion of all
2 others violates their rights under the Free Speech Clause of the First Amendment;

3 c. Enter a declaration that forcing students, over their parents’ objection, to
4 read or listen to the LGBTQ+ instruction violates the Taylors’ rights under the Due
5 Process Clause of the Fourteenth Amendment;

6 d. Enter preliminary and permanent injunctions prohibiting Defendants from
7 forcing Plaintiffs’ children—over the objection of their parents—to read, listen to,
8 discuss, or otherwise participate in the LGBTQ+ instruction, and also requiring
9 Defendants to provide advance notice and an opportunity for opt-outs to any other
10 instruction related to family life or human sexuality.

11 e. Award Plaintiffs nominal, compensatory, actual, and punitive damages for
12 loss of their rights under federal law;

13 f. Award attorneys’ fees and costs under 42 U.S.C. § 1988; and

14 g. Award such other relief as the Court may deem just and proper.

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1 Respectfully submitted,

2 Dated: June 22, 2026

3 By: /s/ Daniel L. Chen
4 Daniel L. Chen (CA SBN 312576)
5 Eric C. Rassbach (CA SBN 288041)
6 The Hugh and Hazel Darling Foundation
7 Religious Liberty Clinic
8 Pepperdine University, Caruso School of Law
9 24255 Pacific Coast Hwy.
10 Malibu, CA 90263
11 310-506-4611 tel / 310-506-7663 fax
12 daniel.l.chen@pepperdine.edu

13 Eric S. Baxter (DC BN 479221)*
14 Michael J. O'Brien (DC BN 90025077)*
15 Amanda L. Salz (DC BN 1671976)*
16 Phillip J. Allevato (CA BN 362581)†
17 The Becket Fund for Religious Liberty
18 1919 Pennsylvania Ave., Suite 400
19 Washington, DC 20006
20 202-955-0095 tel / 202-955-0090 fax

21 * *Pro hac vice* application pending
22 † Not a member of the D.C. Bar; admitted in
23 California. Practice limited to cases in federal
24 court.

25 *Attorneys for Plaintiffs*

VERIFICATION OF COMPLAINT ACCORDING TO 28 U.S.C. § 1746

I, Evan Justin Taylor, declare under penalty of perjury that the foregoing allegations that pertain to me are true and correct to the best of my knowledge.

Dated: 6/22/2026

A handwritten signature in black ink, appearing to read "E. Taylor", is written over a horizontal line.

Evan Justin Taylor

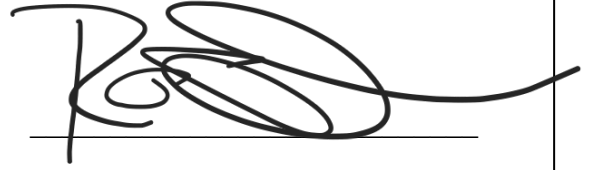
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VERIFICATION OF COMPLAINT ACCORDING TO 28 U.S.C. § 1746

I, Rose Taylor, declare under penalty of perjury that the foregoing allegations that pertain to me are true and correct to the best of my knowledge.

Dated: 6/22/2026

A handwritten signature in black ink, appearing to read 'RE Taylor', written over a horizontal line.

Rose Elizabeth Taylor

Exhibit A



Superintendent
Gudiel R. Crosthwaite, Ph.D.

Board of Education
Peggy Shen Brewster
Isabel Jubes-Flamerich
Michelle Maginot
Evelyn Castillo Profeta
Bridget Watson

To: Evan and Rose Taylor
[REDACTED]

Re: Formal response to opt out request

Date: February 2, 2026

Subject: Response to Parental Opt-Out Request Regarding Curricular Materials

Dear Mr. and Mrs. Taylor,

Thank you for reaching out and for sharing your concerns regarding instructional materials used in our elementary classrooms. We appreciate the opportunity to clarify how Sunnyvale School District approaches curriculum, family engagement, and applicable law.

Sunnyvale School District follows California state law and Board-adopted policy regarding instructional materials and curriculum. Under California law, districts are required to provide inclusive instructional content that reflects the diversity of our community, including representation of LGBTQ+ individuals and families, as part of our core academic program. This content is not optional and is not subject to parent opt-out provisions.

You referenced the U.S. Supreme Court's decision in *Mahmoud v. Taylor*. That decision addressed a specific set of facts in another state and does not create a general or automatic right for parents to opt their children out of required curriculum. It also does not override California's statutory requirements governing instructional content. Accordingly, and after further review, Sunnyvale School District is not granting opt-outs from LGBTQ+-inclusive curriculum or storybooks that are part of our adopted educational program.

We recognize that families hold a wide range of beliefs and values, and we are committed to maintaining open communication with parents. While we cannot remove students from required instruction, we encourage families to engage in ongoing

conversations with their children and with school staff if questions arise about classroom learning.

If you would like to discuss specific instructional materials or have additional questions about our curriculum, we welcome you to contact your school principal to continue the conversation.

Thank you for your understanding and for your partnership with Sunnyvale School District.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Slayton", with a stylized flourish extending to the right.

Paul Slayton
Director of Student Support Services
Sunnyvale School District



Exhibit B



Request for advance notice and opt-out from specific instructional materials

32 messages

Evan Justin Taylor <[REDACTED]> Thu, Sep 25, 2025 at 9:02 AM
 To: shana.riehl <[REDACTED]> <[REDACTED]>
 Cc: melissa.bennett <[REDACTED]> <[REDACTED]> karen.soriano@ <[REDACTED]> <[REDACTED]> Rose Taylor <[REDACTED]>

Dear Principal Riehl,

We are the parents of [REDACTED] (2nd grade, Ms. Soriano) and [REDACTED] (Kindergarten, Mrs. Bennett). Based on our sincerely held religious beliefs and our right to direct our children's religious upbringing, we respectfully request:

1. Advance written notice whenever any "LGBTQ+-inclusive" storybooks or similar materials, will be used in any way (e.g., classroom read-alouds; other group, paired, and individual reading; and teacher-guided discussions presenting messages on same-sex marriage same-sex relationships or gender identity) whether used in the classroom, the school library, a school assembly, or during a field trip or any other school event whether on or off campus where our children would be present;
2. That our children be excused from those lessons, instructions, and events in which such books or similar materials are used, and that our children be provided a neutral alternative activity without academic penalty, stigma, or unexcused absences; and
3. Information about how the District permits parents to review curriculum materials, including the process for requesting and obtaining permission to review any instructional materials or resources that may be used in our children's classrooms.

As recognized in the U.S. Supreme Court's June 27, 2025 decision in *Mahmoud v. Taylor*, parents are entitled—pending final resolution—to notice and the opportunity to have their children excused from instruction involving such books or similar materials. We understand and respect the District's commitment to inclusive schools (see Sunnyvale SD Resolution R26-08 and Board Policy 0410) and note that the Resolution acknowledges that legal opt-out provisions exist. Our request seeks an accommodation consistent with those principles.

Please confirm the process and point of contact for notices, and the timeline by which we will receive notice before any such materia are used.

We also respectfully request that our opt-out request remain confidential and only shared with those who have a need to know in orde to process and effectuate this request. Thank you for your prompt attention.

Sincerely,

Evan and Rose Taylor

[REDACTED]
[REDACTED]

E. Justin Taylor

Tel: [REDACTED]
Email: [REDACTED]

Evan Justin Taylor <[REDACTED]> Fri, Oct 3, 2025 at 8:01 PM
 To: Shana Riehl <[REDACTED]>

Sounds good. Thank you for the update. I hope you have a good weekend.

E. Justin Taylor

Tel: [REDACTED]
Email: [REDACTED]

[Quoted text hidden]

Evan Justin Taylor <[redacted]>

To: Shana Riehl <[redacted]>

Cc: Rose Taylor <[redacted]>

Hi Principal Riehl,

We have been in communications with Paul Slayton, District Director of Student Support Services. He informed us that we can meet with you regarding a review of curricula materials used in the classrooms of our children.

Separately, we offered to sit down and discuss out LGBTQ+-inclusive notice and opt-out request. Is there a time this week that would work for you? Perhaps a morning around 8:30 after we drop out kids off or in the afternoon around 1:30 before we pick them up? If n we can do our best to make another time work.

Kind Regards,

Justin and Rose Taylor

E. Justin Taylor

Tel: [redacted]

Email: [redacted]

[Quoted text hidden]

Tue, Nov 4, 2025 at 4:23 PM

Shana Riehl <[redacted]>

To: Evan Justin Taylor <[redacted]>

Cc: Rose Taylor <[redacted]>

Hello Evan and Rose,

Thank you for reaching out and your patience. I am working with the district office to determine the best way to allow you access to curricular materials as we have a large quantity of materials. I want to make sure not to miss any items you would want to view.

Once I have a plan I can then better determine times to meet. I will follow up by next Wednesday Nov 12 with an update if not sooner.

-Shana
[Quoted text hidden]

[Quoted text hidden]

Tue, Nov 4, 2025 at 8:57 PM

Evan Justin Taylor <[redacted]>

To: Shana Riehl <[redacted]>

Cc: Rose Taylor <[redacted]>

Hi Principal Riehl,

Thank you for the update. We will wait to hear from you about the material review and a time to meet.

Warm regards,
Justin and Rose

E. Justin Taylor

Tel: [redacted]

Email: [redacted]

[Quoted text hidden]

Wed, Nov 12, 2025 at 4:47 PM

Shana Riehl <[redacted]>

To: Evan Justin Taylor <[redacted]>

Cc: Rose Taylor <[redacted]> Paul Slayton <[redacted]>

Hello Evan,

Thank you for your patience as we navigate your request. In speaking with the district and reviewing your request we will be moving through this process in stages as the district is still working on its full process to meet all requests.

The first area I can address is materials in the school library. We checked in with Julie Griffin, our district library specialist and one of our first steps will be to make a notation in the library system that will add a note in your student's library record. It will read, "Per parent email to the school district, do NOT check out material that includes LGBTQ+ or Gender Identity material to this student." It will include the date the note is added to the record.

Second, we can begin with the review of the currently approved district curriculum. I will pull the materials and have them available for review in our conference room. Please let me know when you'd like to come in and review this material.

You also mentioned you'd like to meet to discuss your request. I may not have all of the answers yet but I'd be happy to meet. I can meet this Friday 11/14 at 8:30am if you are available.

-Shana
[Quoted text hidden]

Evan Justin Taylor <[redacted]> Thu, Nov 13, 2025 at 4:23 PM
To: Shana Riehl <[redacted]>
Cc: Rose Taylor <[redacted]> Paul Slayton <[redacted]>

Hi Principal Riehl,

Thank you for your response. Meeting tomorrow morning will work for me.

I'm going to write down a couple of questions I had while reviewing your email so I don't forget to bring them up tomorrow. Before I do I want to add that I recognize that the Supreme Court case is relatively recent, so I appreciate that the need to work through this process and that there are still a lot of questions without answers. Thank you all the same for fielding them as we have them (And Paul if these are questions that are better directed to you, please feel free to chime in.)

- Thank you for notating our request on the school library system. I don't know what group reading occurs during class visits to the library, have the librarians also been notified of our request or given any instructions or guidance?
- During parent teacher conferences we asked both of our children's teachers if they had any questions regarding our request (we had copied them both on our initial email to you). Neither of them asked us any questions nor said they had heard anything from the school (this was back when our initial request was being reviewed by the district). Have any instructions or guidance been provided to our students' teachers about our request?
- I think addressing the above two questions could be done in parallel with implementing a district process. But is there any reason that couldn't be the case?
- Can you provide any additional details about what the stages will be, what a fool process would look like, and any associated timeline?
- Are any actions going to be taken in the interim or will our request be addressed after the final stages are complete?

Please let me know if tomorrow will still work for you. I'll plan on it unless I hear otherwise.

Thank you,
Justin

E. Justin Taylor

Tel: [redacted]
Email: [redacted]

[Quoted text hidden]

Shana Riehl <[redacted]> Thu, Nov 13, 2025 at 9:39 PM
To: Evan Justin Taylor <[redacted]>
Cc: Rose Taylor <[redacted]> Paul Slayton <[redacted]>

Hi Evan,

I am available and happy to meet but I will not be able to provide any answers to these questions until I am able to speak with Paul.

-Shana
[Quoted text hidden]

Paul Slayton <[redacted]> Fri, Nov 14, 2025 at 2:33 PM
To: Evan Justin Taylor <[redacted]>
Cc: Shana Riehl <[redacted]> Rose Taylor <[redacted]>

Taylors, you have been so patient!

Honestly I'm still waiting for details from our legal counsel, but I don't think we should wait any longer to connect. Can we talk next week? I think we can at least start to answer questions!

Paul Slayton
Director of Student Support Services
Sunnyvale School District
819 W. Iowa Ave.
Sunnyvale, CA 94086
P: [redacted] Ext. [redacted] F: [redacted]
[redacted] | www.sesd.org

[Quoted text hidden]

Evan Justin Taylor <[redacted]> Mon, Nov 17, 2025 at 11:34 AM
To: Paul Slayton <[redacted]>
Cc: Shana Riehl <[redacted]> Rose Taylor <r[redacted]>

Shana - thank you for meeting with us last week. I apologize that we forgot to discuss reviewing the curriculum materials. Is there a need to review them sooner than later? (Is the district needing the materials back?) We're traveling next week for Thanksgiving break and have asked a bit to do in preparation. Would a day December 3-5th work?

Paul - thank you for helping to answer our questions. Would Friday work for you to connect? Were you thinking in-person or through a video/phone call. Let me know what you had in mind. Earlier in the morning would probably work best for us.

Warm regards,
Justin

E. Justin Taylor

Tel: [redacted]
Email: [redacted]

[Quoted text hidden]

Paul Slayton <[redacted]> Tue, Nov 18, 2025 at 10:43 AM
To: Evan Justin Taylor <[redacted]>
Cc: Shana Riehl <[redacted]> Rose Taylor <r[redacted]>

Either in person or via video call is fine, let me know which you prefer. Would 9:00 work?

Paul Slayton
Director of Student Support Services
Sunnyvale School District
819 W. Iowa Ave.
Sunnyvale, CA 94086
P: [redacted] Ext. [redacted] F: ([redacted])
[redacted] | www.sesd.org

[Quoted text hidden]

Shana Riehl <[redacted]> Tue, Nov 18, 2025 at 1:51 PM
To: Paul Slayton <[redacted]>
Cc: Evan Justin Taylor <[redacted]> ose Taylor <r[redacted]>

Hi Evan,

I can have materials ready and be available on either Dec 3 or 4 between 12-2pm. Let me know if the time will work and which day yo prefer?

-Shana
[Quoted text hidden]

Evan Justin Taylor <[redacted]> Thu, Nov 20, 2025 at 1:24 PM
To: Paul Slayton <[redacted]>
Cc: Rose Taylor <[redacted]>

Thank you for offering to meet, unfortunately my wife and I are both sick. Instead of meeting tomorrow could we meet December 4th or 5th?

Regards,
Justin

E. Justin Taylor

Tel: [redacted]
Email: [redacted]
[Quoted text hidden]

Thu, Nov 20, 2025 at 2:43 PM

Paul Slayton <[redacted]>
To: Evan Justin Taylor <[redacted]>
Cc: Rose Taylor <[redacted]>

Of course!

I'm blocking the morning of December fourth from 9 to 10:30, let me know what works.

Paul Slayton
Director of Student Support Services
Sunnyvale School District
819 W. Iowa Ave.
Sunnyvale, CA 94086
P: [redacted] Ext. [redacted] F: [redacted]
[redacted] | www.sesd.org

[Quoted text hidden]

Wed, Dec 3, 2025 at 2:20 PM

Paul Slayton <[redacted]>
To: Evan Justin Taylor <[redacted]>
Cc: Rose Taylor <[redacted]>

Hey there Taylor family, just checking back in:

Should we plan to meet tomorrow morning? We can either be in person or I can send a link for a virtual meeting. Just let me know which you would prefer, or if we need to schedule to another day.

Paul Slayton
Director of Student Support Services
Sunnyvale School District
819 W. Iowa Ave.
Sunnyvale, CA 94086
P: [redacted] Ext. [redacted] F: [redacted]
[redacted] | www.sesd.org

[Quoted text hidden]

Wed, Dec 3, 2025 at 4:24 PM

Evan Justin Taylor <[redacted]>
To: Paul Slayton <[redacted]>
Cc: Rose Taylor <[redacted]>

Hi Paul,

Yes, we can meet tomorrow morning in-person. Should we meet you at 819 W Iowa Ave?

Regards,
Justin

E. Justin Taylor

Tel: [redacted]

Paul Slayton <[REDACTED]>
To: Evan Justin Taylor <[REDACTED]>
Cc: Rose Taylor <[REDACTED]>

Wed, Dec 3, 2025 at 8:00 PM

Absolutely!

I'm actually traveling back from Sacramento from a school board thing, could we meet at 9:30?

Paul Slayton
Director of Student Support Services
[Sunnyvale School District](#)
819 W. Iowa Ave.
Sunnyvale, CA 94086
P: [REDACTED] Ext. [REDACTED] F: [REDACTED]
[REDACTED] | www.sesd.org

[Quoted text hidden]

Evan Justin Taylor <[REDACTED]>
To: Paul Slayton <[REDACTED]>

Wed, Dec 3, 2025 at 8:16 PM

9:30 works for us. We'll see you then.

E. Justin Taylor

Tel: [REDACTED]
Email: [REDACTED]

[Quoted text hidden]

Evan Justin Taylor <[REDACTED]>
To: Paul Slayton <[REDACTED]>

Thu, Dec 4, 2025 at 9:27 AM

Hi Paul,

I think we'll need to do a video call. Our 5-month-old just went down for a nap. Would that be okay with you?

GoogleMeet would probably be most convenient for us. But we can try to make another option work.

Regards,
Justin

E. Justin Taylor

Tel: [REDACTED]
Email: [REDACTED]
[Quoted text hidden]

Evan Justin Taylor <[REDACTED]>
To: Shana Riehl <[REDACTED]>

Thu, Dec 4, 2025 at 9:33 AM

Hi Principal Riehl,

Sorry for the late reply. But today isn't going to work, we're meeting with Paul shortly. Is there a day next week that works to view the materials? Tuesday or Thursday at 9:30 would work for us.

Regards,
Justin

E. Justin Taylor

Tel: [REDACTED]

Paul Slayton <[Redacted]>
To: Evan Justin Taylor <[Redacted]>

Thu, Dec 4, 2025 at 9:34 AM

Oh my goodness just seeing this! Logging in momentarily. Standby.

Paul Slayton
Director of Student Support Services
Sunnyvale School District
819 W. Iowa Ave.
Sunnyvale, CA 94086

P: [Redacted] Ext. [Redacted] F: ([Redacted])
[Redacted] | www.sesd.org

[Quoted text hidden]

Shana Riehl <[Redacted]>
To: Evan Justin Taylor <[Redacted]>

Thu, Dec 4, 2025 at 12:46 PM

Hi Evan,

No worries. Next Thursday at 9:30am works for me. I look forward to seeing you both again.

-Shana
[Quoted text hidden]

Evan Justin Taylor <[Redacted]>
To: Paul Slayton <[Redacted]>
Cc: Rose Taylor <[Redacted]>

Fri, Jan 23, 2026 at 8:07 PM

Hi Paul,

It's been a minute, but I hope you enjoyed the Christmas season and that the new year has been good to you.

I wanted to follow up on our last conversation. If I'm remembering correctly, I thought we discussed receiving an email or letter from the district in response to Rose's and my initial request. I checked my inbox and didn't see anything, so please let me know if I missed it.

If it hasn't been sent yet, I certainly understand given everything happening close to the end-of-year school break. If you could let me know when you get a minute, thanks!

Best regards,

Justin

E. Justin Taylor

Tel: [Redacted]
Email: [Redacted]

[Quoted text hidden]

Paul Slayton <[Redacted]>
To: Evan Justin Taylor <[Redacted]>
Cc: Rose Taylor <[Redacted]>

Wed, Jan 28, 2026 at 8:59 AM

Evan, thank you for your patience!

We have had a bit of a change in personnel in the Teaching and Learning department, but I will connect with the superintendent today to follow up and make sure you receive the communication you were promised!

Paul Slayton
Director of Student Support Services
Sunnyvale School District

P: [redacted] Ext. [redacted] F: [redacted]

[redacted] | www.sesd.org

[Quoted text hidden]

Wed, Jan 28, 2026 at 9:50 AM

Evan Justin Taylor <[redacted]>

To: Paul Slayton <[redacted]>

Cc: Rose Taylor <[redacted]>

Sounds like it's been a hectic New Year for you! With all the craziness, I appreciate your following up. We'll keep an eye out for the communication. Thanks again.

E. Justin Taylor

Tel: [redacted]

Email: [redacted]

[Quoted text hidden]

Wed, Jan 28, 2026 at 11:05 AM

Paul Slayton <[redacted]>

To: Evan Justin Taylor <[redacted]>

Cc: Rose Taylor <[redacted]>

This is not your official follow up, but I want to make sure I'm capturing things correctly before I finalize the letter and have the Superintendent check it:

Our typical "opt out" process is not functional for Mahmoud v. Taylor yet and, quite frankly, legal council is still a bit confused as to how to formally respond to these requests as they're so new. I am hoping to instead defer to a formal response to your list of concerns and requests, and summarize the District's actions on each. I have this ready, but I want to make sure I captured all the requests we discussed in December (and that you had formerly brought to the Principal).

Could the two of you check through the list below and let me know if I've captured them correct correctly?

1. Advance written notice whenever any "LGBTQ+-inclusive" storybooks or similar materials, will be used in any way (e.g., classroom read-alouds; other group, paired, and individual reading; and teacher-guided discussions presenting messages on same-sex marriage same-sex relationships or gender identity) whether used in the classroom, the school library, a school assembly, or during a field trip any other school event whether on or off campus where the students would be present
2. That the students be excused from those lessons, instructions, and events in which such books or similar materials are used, and that our children be provided a neutral alternative activity without academic penalty, stigma, or unexcused absences; and
3. Information about how the District permits parents to review curriculum materials, including the process for requesting and obtaining permission to review any instructional materials or resources that may be used in the students' classrooms.
4. Confirmation of the process (and point of contact) for notices, and the timeline by which parents will receive notice before any such materials are used. The opt-out request should remain confidential and only shared with those who have a need to know in order to process and effectuate this request.
5. Have instructions and guidance been provided to the students' teachers about our request?
6. What is the process followed in Sunnyvale school District for selection and purchasing of library materials?

Paul Slayton

Director of Student Support Services

[Sunnyvale School District](http://www.sesd.org)

819 W. Iowa Ave.

Sunnyvale, CA 94086

P: [redacted] Ext. [redacted] F: [redacted]

[redacted] | www.sesd.org

[Quoted text hidden]

Wed, Jan 28, 2026 at 11:24 AM

Evan Justin Taylor <[redacted]>

To: Paul Slayton <[redacted]>

Hi Paul,

Thank you for the additional information and checking in. The list appears complete to me from what we've previously corresponded couple clarifications and one additional question is all I have.

With respect to #3 and viewing curriculum materials, Rose and I coordinated with principal Riehl to view district approved curriculum materials. But any information about the degree to which teachers are able to select additional materials would be appreciated.

With respect to #5, could you include whether librarians or other instructors of our children have similarly been notified?

With respect to #6, you would appreciate information about what if anything can be done about our children's time in the library or selecting materials on their own. I know principle Riehl has mentioned that a note on our children's account has been added such tha they should not be able to check out any relevant materials. But we wanted to follow up if anything additional will be done while our kids are simply in the library or during the group reading.

Finally, when should we anticipate the district formalizing a functional opt-out process in line with opt outs provided for other materials?

Thank you again for all your help.

Best regards,
Justin

E. Justin Taylor

Tel: [REDACTED]

Email: [REDACTED]

[Quoted text hidden]

Paul Slayton <[REDACTED]> Fri, Jan 30, 2026 at 10:17 AM
To: Evan Justin Taylor <[REDACTED]>
Cc: Rose Taylor <[REDACTED]>

I incorporated the additional clarification into these items (adding the information you recommended for item #6 into item #1 for clarity). I plan to have a final draft today.

Paul Slayton
Director of Student Support Services
[Sunnyvale School District](#)
819 W. Iowa Ave.
Sunnyvale, CA 94086

P: [REDACTED] Ext. [REDACTED] F: [REDACTED]
[REDACTED] | www.sesd.org

[Quoted text hidden]

Exhibit C



Superintendent
Gudiel R. Crosthwaite, Ph.D.

Board of Education
Peggy Shen Brewster
Isabel Jubes-Flamerich
Michelle Maginot
Evelyn Castillo Profeta
Bridget Watson

October 8, 2025

Evan Taylor parent of [REDACTED]

Re: Sunnyvale School District Parent Opt-Out Form

Dear Mr. Taylor:

The Sunnyvale School District ("District") is in receipt of your letter expressing your concerns related to certain school instruction, programs, and/or activities within the District, dated September 25, 2025.

Below, please find the opt out options that are currently recognized under state law and the District's policies. In the boxes below, please indicate which areas you are requesting that your child, Genevieve Taylor, for 2025-26, be excused and exempted from:

Comprehensive sexual health education and HIV/AIDS prevention education.

I understand that schools must provide such education at least twice during grades 7-12 and may provide it in other grades. (California Education Code § 51934.) As the parent or guardian of my child, I hereby opt out of all of the comprehensive sexual health education, HIV prevention education, and assessments related to that education. I have received notice at the beginning of the school year, an opportunity to review the instructional materials, and an opportunity to request in writing that my child / children be exempted from such education. (California Education Code §§ 51937, 51938.)

Partial Comprehensive sexual health education and HIV/AIDS prevention education.

I understand that schools must provide such education at least twice during grades 7-12 and may provide it in other grades. (California Education Code § 51934.) As the parent or guardian of my child, I hereby opt out of part of the comprehensive sexual health education, HIV prevention education, and assessments related to that education. I specifically opt out of the _____ curriculum. I have received notice at the beginning of the school year, an opportunity to review the instructional materials, and an opportunity to request in writing that my child / children be exempted from such education. (California Education Code §§ 51937, 51938.)

Surveys, tests, research, and evaluation.

I hereby opt out of all voluntary, anonymous, and confidential surveys concerning students' health behaviors and risks, including attitudes or practices relating to sex. (California Education Code § 51938(c).) I understand that no test, questionnaire, survey, or examination containing any questions about the pupil's personal beliefs or practices in sex, family life, morality, and religion, or any questions about the pupil's parents' or guardians' beliefs and practices in sex, family life, morality, and religion, shall be administered to any pupil in kindergarten or grades 1 to 12, inclusive, unless the parent or guardian of the pupil

is notified in writing that this test, questionnaire, survey, or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take this test, questionnaire, survey, or examination. (California Education Code § 51513.)

Physical Examination.

I hereby opt out of my child participating in any nonemergency, invasive physical examination or screening that is—

- i. Required as a condition of attendance;
- ii. Administered by the school and scheduled by the school in advance; and
- iii. Not necessary to protect the immediate health and safety of the student, or of other students.

(20 U.S.C. 1232h.)

If you wish to exercise your rights to exempt your child from any of the above areas, please return this form, signed and dated, to the District.

Name

Date

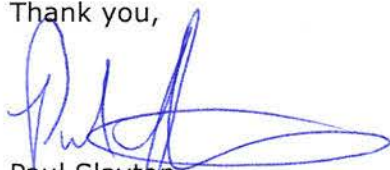
Other Instructional Materials

The District has received your request to be notified about any materials that may substantially interfere with your child's religious development or may conflict with your religious beliefs or moral convictions, and to have your child excused from instruction involving such materials.

The District welcomes parent involvement and believes in working together to support your child's education. You have the right to examine the curriculum materials of the classes in which your child is enrolled, along with all supplemental instructional materials.

To review these materials, please contact your child's principal at (408) 522-8255 or shana.riehl@sesd.org. After reviewing the materials, if you believe any content conflicts with your sincerely held religious beliefs, please inform your child's principal. The District will review your request to excuse your child from that instruction in accordance with applicable law.

Thank you,



Paul Slayton
Director of Student Support Services



Superintendent
Gudiel R. Crosthwaite, Ph.D.

Board of Education
Peggy Shen Brewster
Isabel Jubes-Flamerich
Michelle Maginot
Evelyn Castillo Profeta
Bridget Watson

October 8, 2025

Evan Taylor parent of [REDACTED]

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Below, please find the opt out options that are currently recognized under state law and the District's policies. In the boxes below, please indicate which areas you are requesting that your child, Anthony Taylor, for 2025-26, be excused and exempted from:

Comprehensive sexual health education and HIV/AIDS prevention education.

I understand that schools must provide such education at least twice during grades 7-12 and may provide it in other grades. (California Education Code § 51934.) As the parent or guardian of my child, I hereby opt out of all of the comprehensive sexual health education, HIV prevention education, and assessments related to that education. I have received notice at the beginning of the school year, an opportunity to review the instructional materials, and an opportunity to request in writing that my child / children be exempted from such education. (California Education Code §§ 51937, 51938.)

Partial Comprehensive sexual health education and HIV/AIDS prevention education.

I understand that schools must provide such education at least twice during grades 7-12 and may provide it in other grades. (California Education Code § 51934.) As the parent or guardian of my child, I hereby opt out of part of the comprehensive sexual health education, HIV prevention education, and assessments related to that education. I specifically opt out of the _____ curriculum. I have received notice at the beginning of the school year, an opportunity to review the instructional materials, and an opportunity to request in writing that my child / children be exempted from such education. (California Education Code §§ 51937, 51938.)

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is notified in writing that this test, questionnaire, survey, or examination is to be administered and the parent or guardian of the pupil gives written permission for the pupil to take this test, questionnaire, survey, or examination. (California Education Code § 51513.)

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- i. Required as a condition of attendance;
- ii. Administered by the school and scheduled by the school in advance; and
- iii. Not necessary to protect the immediate health and safety of the student, or of other students.

(20 U.S.C. 1232h.)

If you wish to exercise your rights to exempt your child from any of the above areas, please return this form, signed and dated, to the District.

Name

Date


Other Instructional Materials

The District has received your request to be notified about any materials that may substantially interfere with your child's religious development or may conflict with your religious beliefs or moral convictions, and to have your child excused from instruction involving such materials.

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Thank you,



Paul Slayton
Director of Student Support Services

Exhibit D

PRIDE PUPPY!



ROBIN STEVENSON JULIE McLAUGHLIN

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ivaluecanadianstories.ca

PRIDE PUPPY!

ROBIN STEVENSON



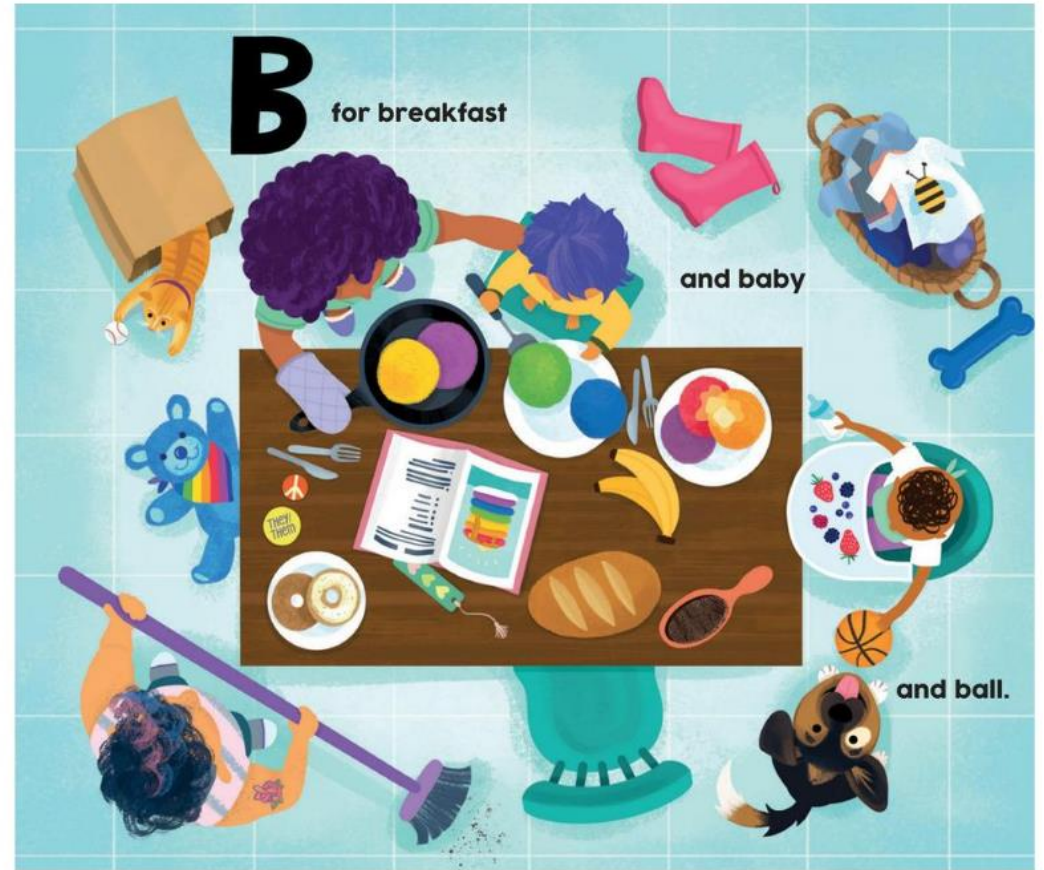
JULIE McLAUGHLIN

ORCA BOOK PUBLISHERS

A for awake, animals and all.



B for breakfast





C for car, our old Chevrolet.

D for dog, dressed up for the day.



I for ice cream, sticky and sweet.

J for joining the crowds on the street.



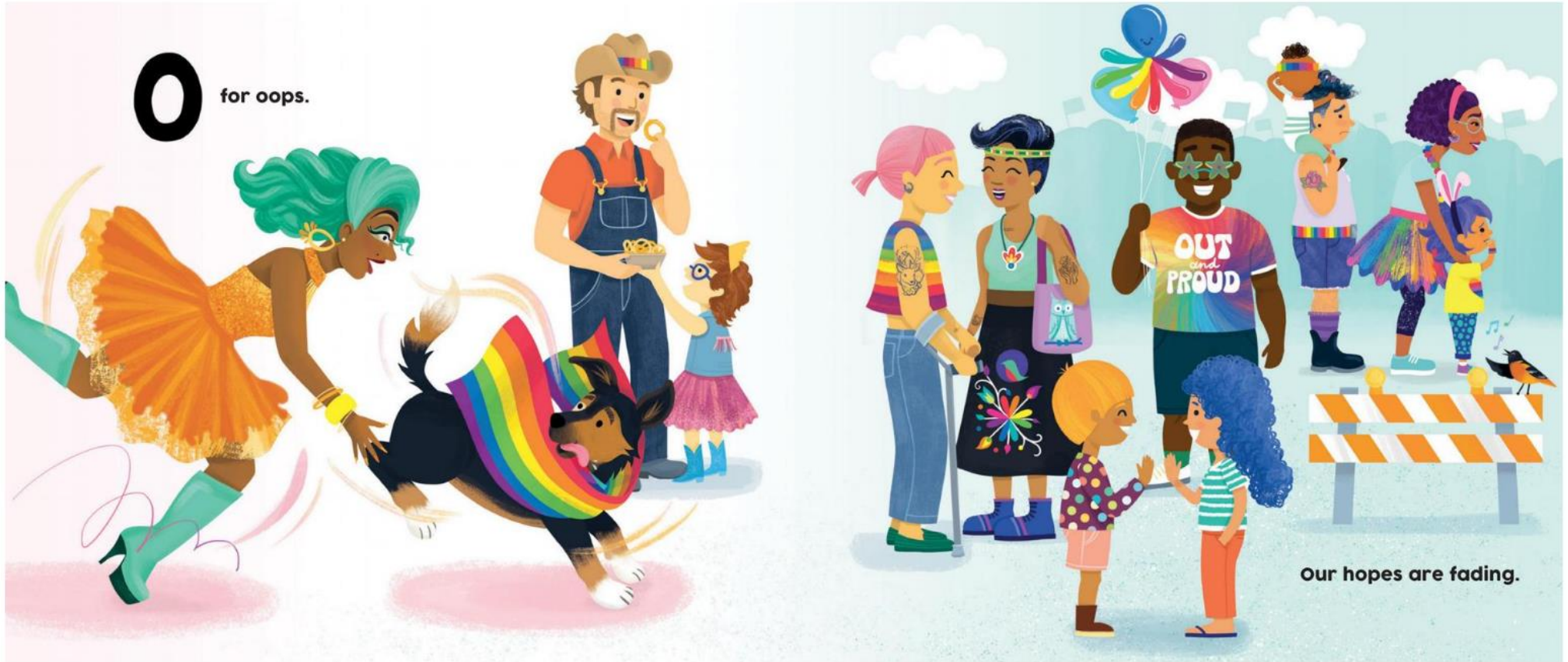


K for kindness and friends that we're keeping.



L for leash
and for loose
and for leaping!









S for school bus and students with signs.

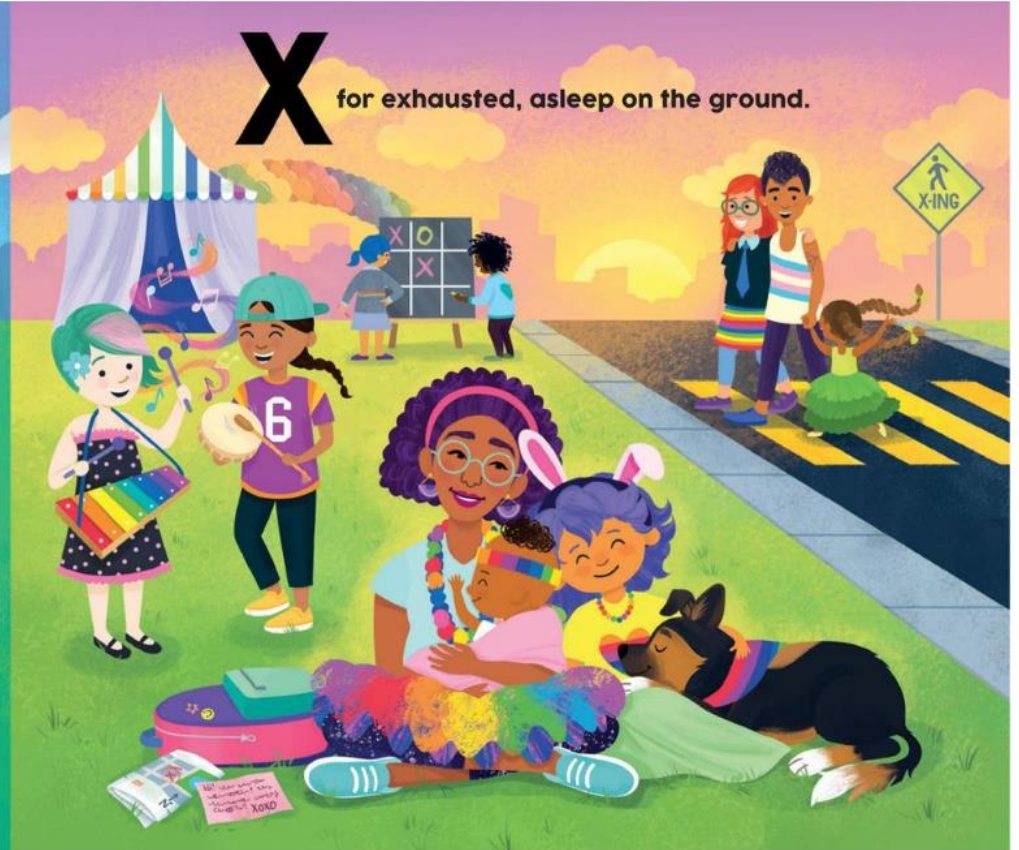
T for teachers and toddlers in lines.

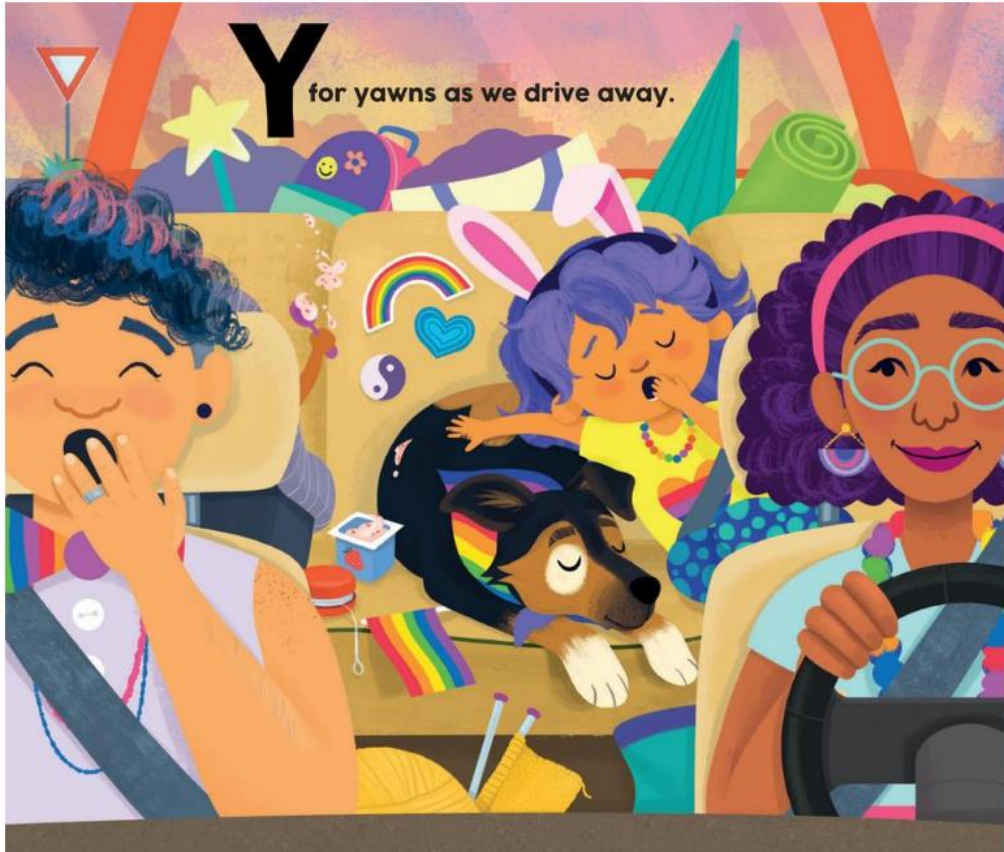


U for umbrellas with colors so bright.



V for VICTORY
...and holding on tight!





Search and Find Word List

A alligator, apple, anchor, astronaut, almonds, accordion, abacus, aloe plant, alarm clock, [abstract] art, airplane

B baseball, [brown] bag, [blue] bear, bagel, [recipe] book, bookmark, [hair]brush, bread, bananas, berries, basketball, bottle, broom, bone, boots, [laundry] basket, bee

C cabbage, corn, carrots, chickens, coop, compost, crow, cat, collar, cactus, clock, curtains, coffee cup, cherries, camera, cantaloupe, celery, cucumber, chocolate chip cookies, clouds

D doll, desk, dresser, drawer, [diplodocus] dinosaur, door, dump truck, drum and drumsticks, dandelions

E earth, earmuffs, equal sign, earrings

F feather boa, floral print, french fries, frilly socks, flowers, freezie, furry boots, fruit, fairy wings, flower crown, flamenco dress, farmer, four

G goose, garbage, ghost on a groovy shirt, [bubble] gum, granola bar, grapes, grasshopper, gazebo, green [glitter] beard, [gold] guitar

H hot dog, hamburger, headband, hula-hoop, happy face, horse, housecoat, harmonica, helicopter, hearts, heart-shaped handbag, high heels

I infant, insulin monitor, inflatable tube, [Shiba] Inu, intersex [flag], insect

J jump rope, jungle print, juggling, jersey, juice box, jean jacket, jewelry

K kilt, kites, kiss, [drag] king, knee-high socks, knapsack, koala, kiwi, keys, knitted [sweater], kangaroo

L love, loudspeaker, lion, lace, lemonade, locs, lollipop, leather, leopard-print leggings, lightning bolt, lip ring, ladybug

M muffin, moon, Marsha P. Johnson, Mom, minister, monkey, moose [antlers], motorcycle, mask, maracas, magnifying glass, map, mouse, mustache

N newspaper, nickels, noodles, napkins, net, nurse, necklace, nachos, nail polish

O overalls, onion rings, owl, octopus, oriole, obstacle [sign]

P parrot, princess in a purple dress, pineapple, pizza, pin curls, pom-pom, platform shoes, polka dots, Pomeranian, pockets, pinwheel, party hat, proposal, poodle

Q [drag] queen, quilt

R roses, roller skates, ribbon, robot, record, radio, rabbit, raspberries, rubber boots, raccoon tail, receipt, recycling bin, rake, robin, roof, ripped jeans

S stereo, sloth, scarf, soccer ball, snorkel mask, star, saxophone, stroller, sailor, stripes, sunflower, sandwich, skateboard, socks, seagull, swimsuit, scooter, spots, scottie (dog), stickers, sandals

T twirl, tea, tomato, tractor, taco, twins, tattoos, turtleneck, trousers, tote bag, top knot, tambourine, tuxedo, tuba, toucan, taxi, tropical print, thumbs-up, tie

U umbrella, unitard, unicycle, ukulele, unicorn horn, upside-down [face], underwear, uniform

V veil, valentine, vest, vampire, video game, VW van

W wagon, wallet, whistle, walkie-talkie, whippet, wiener dog, whale, wizard, wand, watermelon, watch

X xylophone, x's and o's, X marks the spot, xoxo

Y yield sign, yogurt, yoga mat, yellow yarn, yo-yo

Z zebra print, zipper



• See if you can find any we didn't list!



For Justice, who loves my puppy, Tazza, so very much.
—R.S.



For all the beautiful queerdos,
and the late Mr. Pants, dancing over the Rainbow Bridge.
—J.M.



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orcabook.com

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Identifiers: Canadians (print) 2020033224 | Canadians (ebook) 2020033222 | ISBN 9781459824843 (hardcover) | ISBN 9781459824850 (pbk) | ISBN 9781459824867 (EPUB)
Subjects: LCSH: Alphabet books. | LCSH: English language—Alphabet—Juvenile literature. | LCSH: Gay pride parades—Juvenile literature. | LCSH: Lost dogs—Juvenile literature.
Classification: LCC PE1 155.S74 P75 2021 | DDC 421.1/1—dc23

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Summary: A rhyming alphabet book featuring a family that has lost its dog at a Pride parade.
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Artwork created with graphite and finished digitally.

Cover and interior artwork by Julie McLaughlin
Edited by Liz Kemp
Design by Julie McLaughlin and Rachel Page



Exhibit E

Prince




&

Knight



words by Daniel Haack
pictures by Stevie Lewis

Prince
&
Knight



To those who have faced scarier foes
than dragons in the fight for love

— DH

For my mother, whose selfless love inspires
me to be open, kind and loving to others

— SL

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A portion of the proceeds from the
sale of this book will be donated
to accelerating LGBTQ acceptance.
glaad.org





STUDIO
PRESS

words by Daniel Haack
pictures by Stevie Lewis

Prince & Knight

Once upon a time,
in a kingdom far from here,





lived a charming prince
who was handsome and sincere.



His parents knew that soon, it would be time he took the throne.
But with a kingdom so grand, the prince could not rule alone.



So the three of them set out and travelled far and wide,
on a quest to find the prince a kind and worthy bride.



The prince met many ladies
(and made the maidens swoon!),





but soon it was clear
he was singing a different tune.





“Thank you,” he told his parents. “I appreciate you tried, but I’m looking for something different in a partner by my side.”






But while the royals were away,
their land faced quite a scare
from a dragon fast approaching,
breathing fire everywhere!

All the villagers ran in fear!
Even the soldiers hid and fled.
“This vicious beast is far too great.
We must retreat or we’ll be dead!”



A stylized illustration of a forest scene. The background is a mix of green and blue tones, suggesting a misty or shaded forest. In the foreground, there are large, dark brown tree trunks and branches with green leaves. Some branches have small, purple, bell-shaped flowers hanging from them. A stream flows through the lower part of the scene, with some small plants and rocks visible in the water.

The prince heard the dreadful news,
and he raced home with all his might.
To protect his precious realm,
the prince was ready for a fight.



Alas! Before you fear our prince
had to face the beast alone . . .

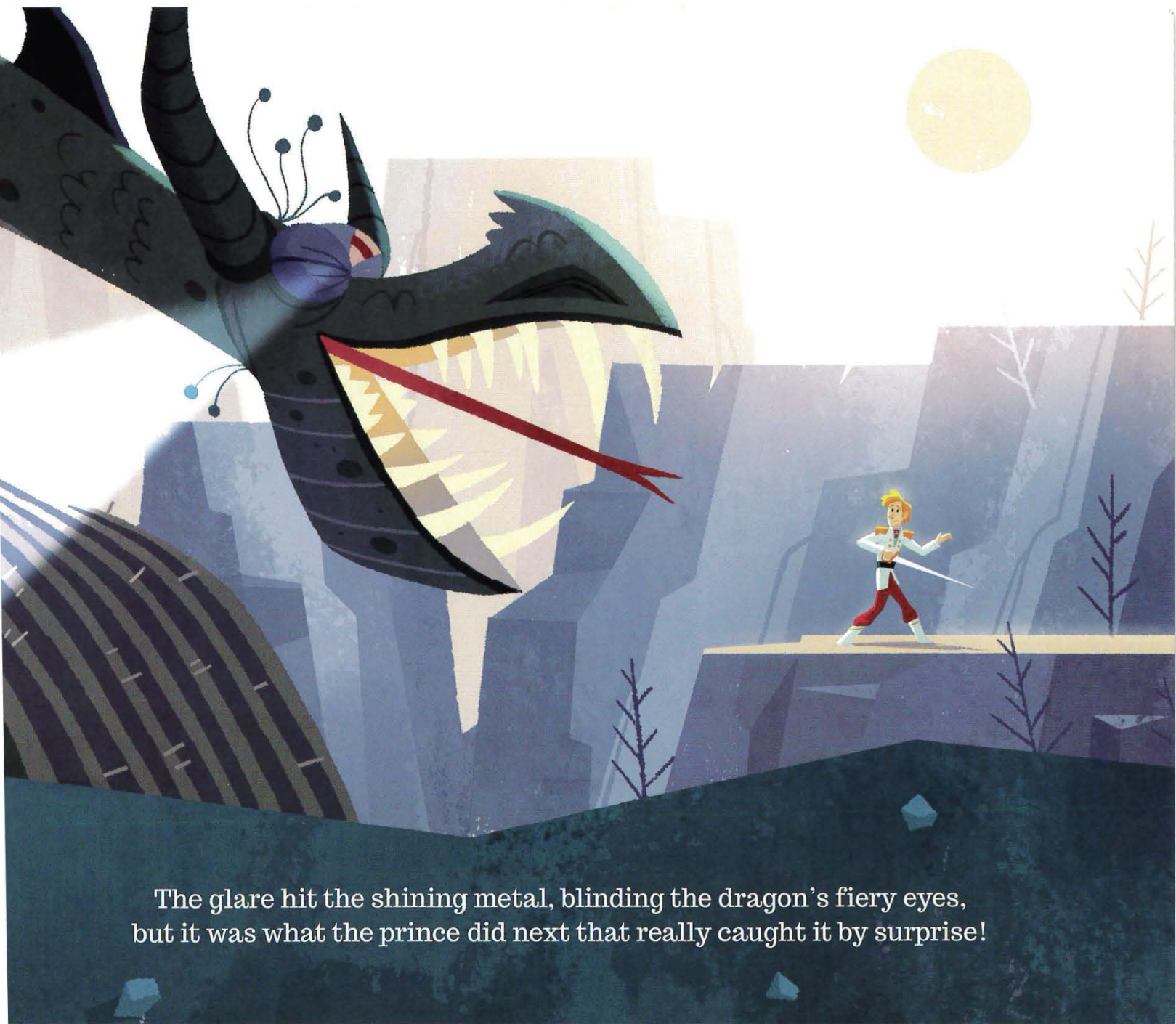




along on horseback
came a knight.
To the prince he was
unknown.

The dragon charged upon our heroes,
thinking it had already won,
but the knight had a bold idea,
and raised his shield to face the sun.





The glare hit the shining metal, blinding the dragon's fiery eyes, but it was what the prince did next that really caught it by surprise!



The prince had climbed atop the dragon
and tied a rope around its head.

He wrapped the cord around the neck
and down the body like a thread.



The plan had worked! The dragon was caught.
Its body was tied and bound,
but the prince up high had lost his grip
and was falling to the ground!





The knight below jumped on his horse
and they began to race.



The prince was caught and free from harm,
held in the knight's embrace.



“You saved my life!”
“And you saved mine!”
They said to one another.



And in a flash, to each it felt
there simply was no other.



The knight took off his helmet
to reveal his handsome face,





and as they gazed
into each other's eyes,
their hearts
began to race.

As the villagers returned,
it became clear to those around
that the prince's one true love
had at last been surely found.





The king and queen
had come back too,
and were overwhelmed
with joy.



“We have finally
found someone
who is perfect
for our boy!”



And on the two men's wedding day,
the air filled with cheer and laughter,
for the prince and his shining knight
would live happily ever after.



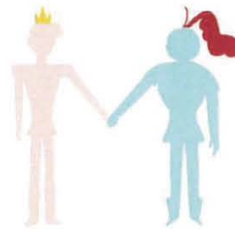


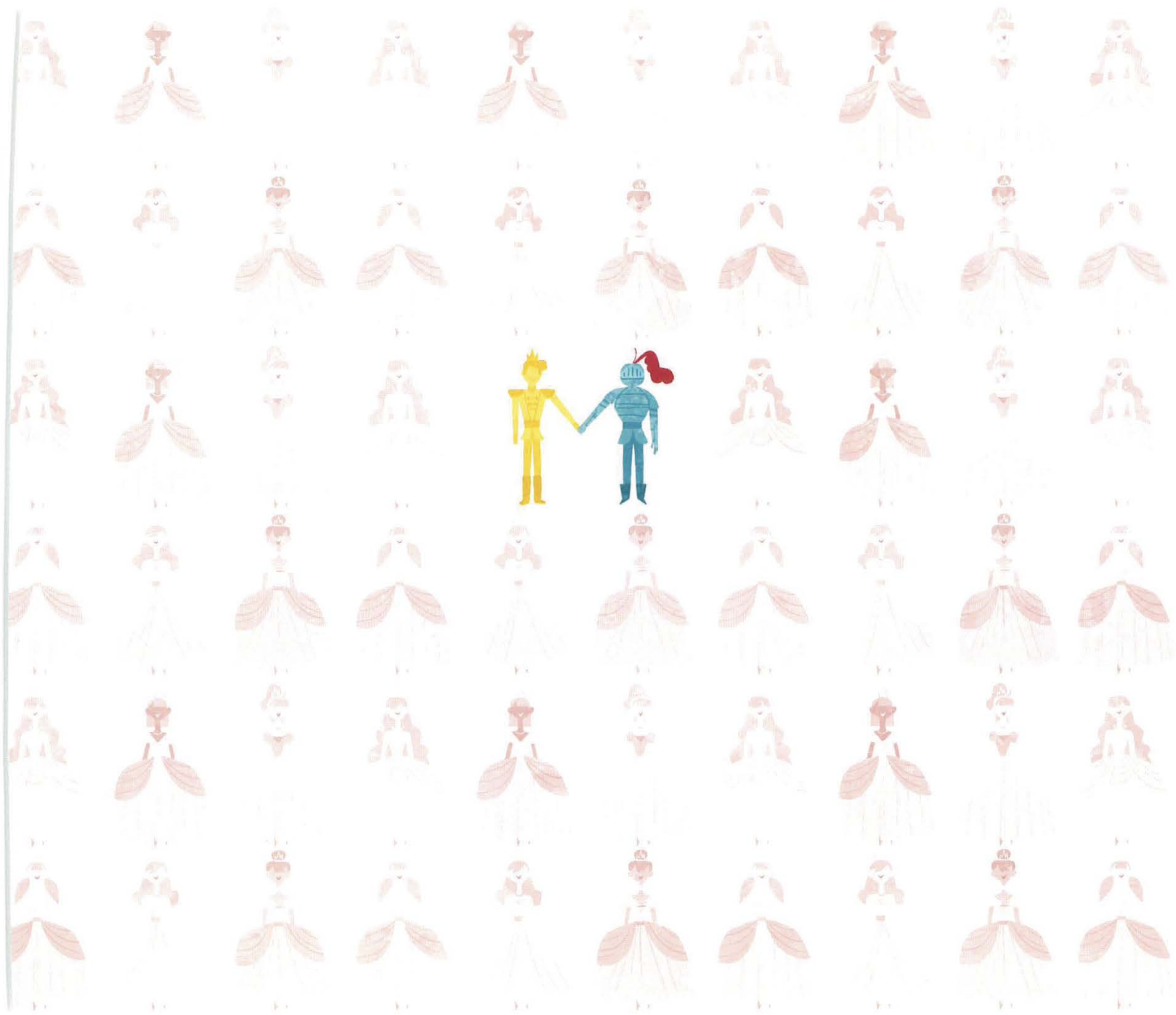
DANIEL HAACK began writing at a young age, although much of his earliest work centred exclusively around his desire to be a swashbuckling hero. Like the Prince and the Knight, he just wants to save the day and get the boy, too. He has since written for various publications and collections, and *Prince & Knight* is his debut children's book. He graduated from Ithaca College and now works in children's educational media, for which he won a Daytime Emmy Award. Originally from Mount Horeb, Wisconsin, and formerly a New Yorker, Daniel now lives in Los Angeles, California, USA.

danielhaack.com

STEVIE LEWIS has been living on the road for the past two years, furthering her passion for climbing, art and the outdoors. Striving to live simply and tread lightly on the earth, she gathers inspiration from a variety of adventures, be it climbing in the high desert in central Oregon, hiking through the wilderness of Alaska, or sharing laughs with fellow travellers around a campfire. After working for years in animation, she now illustrates children's books and creates art based on her travels.

chocosweete.com







Once upon a time.

in a kingdom far from here, there was a prince who would soon take the throne. His parents took him on a search for a bride. They travelled the land far and wide, but the prince was looking for something different in a partner...

Published in partnership with GLAAD. A portion of the proceeds from the sale of this book will be donated to accelerating LGBTQ acceptance. glaad.org



Exhibit F

BORN READY

THE TRUE STORY OF A BOY NAMED PENELOPE



Written by
**JODIE
PATTERSON**

Illustrated by
**Charnelle
Pinkney Barlow**

This story is dedicated to my five children—my stars.
We all have an opportunity to be flexible, to expand our vision, and to put love first.
Thank you for helping me see more, do more, and love more.
—J.P.

To my Dadda Ladda Myles C. Pinkney
—C.P.B.



BORN READY

THE TRUE STORY OF A BOY NAMED PENELOPE

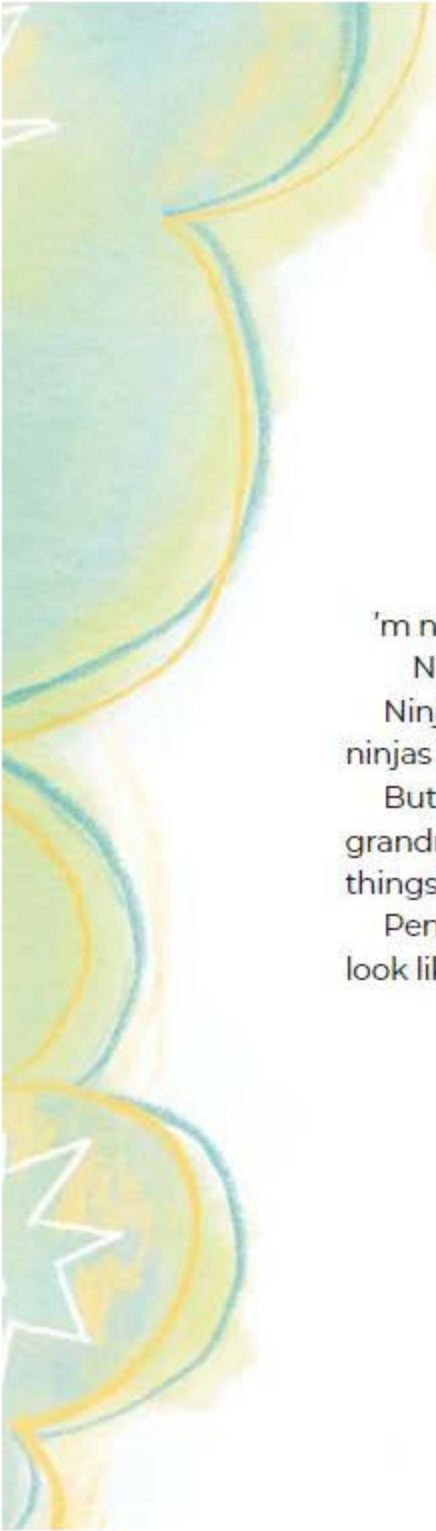
Written by
JODIE PATTERSON

Illustrated by
Charnelle Pinkney Barlow



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Educators and librarians, for a variety of teaching tools,
visit us at RHTeachersLibrarians.com
Library of Congress Cataloging-in-Publication Data
Names: Patterson, Jodie, author. | Pinkney Barlow, Charnelle, illustrator.
Title: Born ready: the true story of a boy named Penelope / Jodie Patterson, Charnelle Pinkney Barlow.
Description: First edition. | New York: Crown Books for Young Readers, 2021. | Audience: Ages 6-8. | Audience: Grades K-1. |
Summary: Just before his fifth birthday, Penelope lets his mother know he is a boy and, with her support and his ninja powers,
faces the rest of his family and his classmates. Drawn from the author's memoir, the bold world,
Identifiers: LCCN 2020010665 (print) | LCCN 2020010666 (ebook) | ISBN 978-0-593-12363-8 (hardcover) |
ISBN 978-0-593-12362-2 (library binding) | ISBN 978-0-593-12366-5 (ebook)
Subjects: CYAC: Transgender people—Fiction. | Family life—Fiction. | African Americans—Fiction.
Classification: LCC PZ7.LP3814 Bor 2021 (print) | LCC PZ 7.LP3814 (ebook) | DDC [E]—dc23
The illustrations in this book were created digitally with handmade watercolor textures.
Book design by Nicole de las Heras.
Random House Children's Books supports the First Amendment and celebrates the right to read.

Crown Books for Young Readers  New York



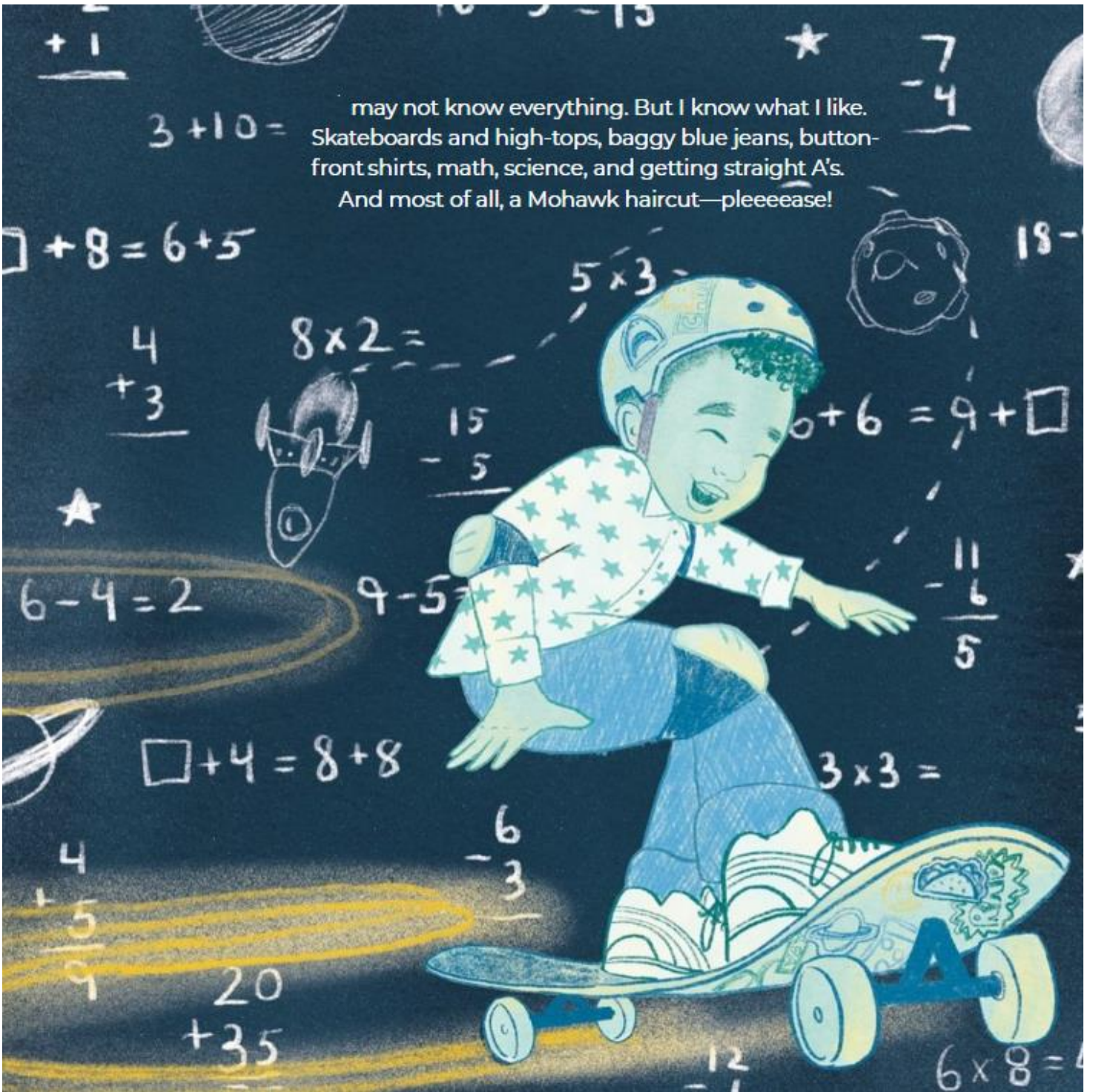
I'm no ordinary kid. I'm a ninja.
Ninjas are strong. Ninjas are smart.
Ninjas always win the fight. Usually,
ninjas have ninja names.
But my parents named me after my
grandmother Penelope. And that makes
things hard.
Penelope, you're so cute! Penelope, you
look like your sister! No one understands.



Big Brother acts like he knows everything.
"Penelope, do you know that the air around a lightning bolt
is hotter than the sun?"
"Nope."
"Do you know that everything has a scientific explanation?"
"Nope."



may not know everything. But I know what I like.
Skateboards and high-tops, baggy blue jeans, button-
front shirts, math, science, and getting straight A's.
And most of all, a Mohawk haircut—pleeeeeease!



Mama is the busiest person I know.
Papa is the strongest person I know.
Big Brother is the smartest.
Big Sister is the bossiest.
And Baby, he's the happiest—he can
make anyone smile.



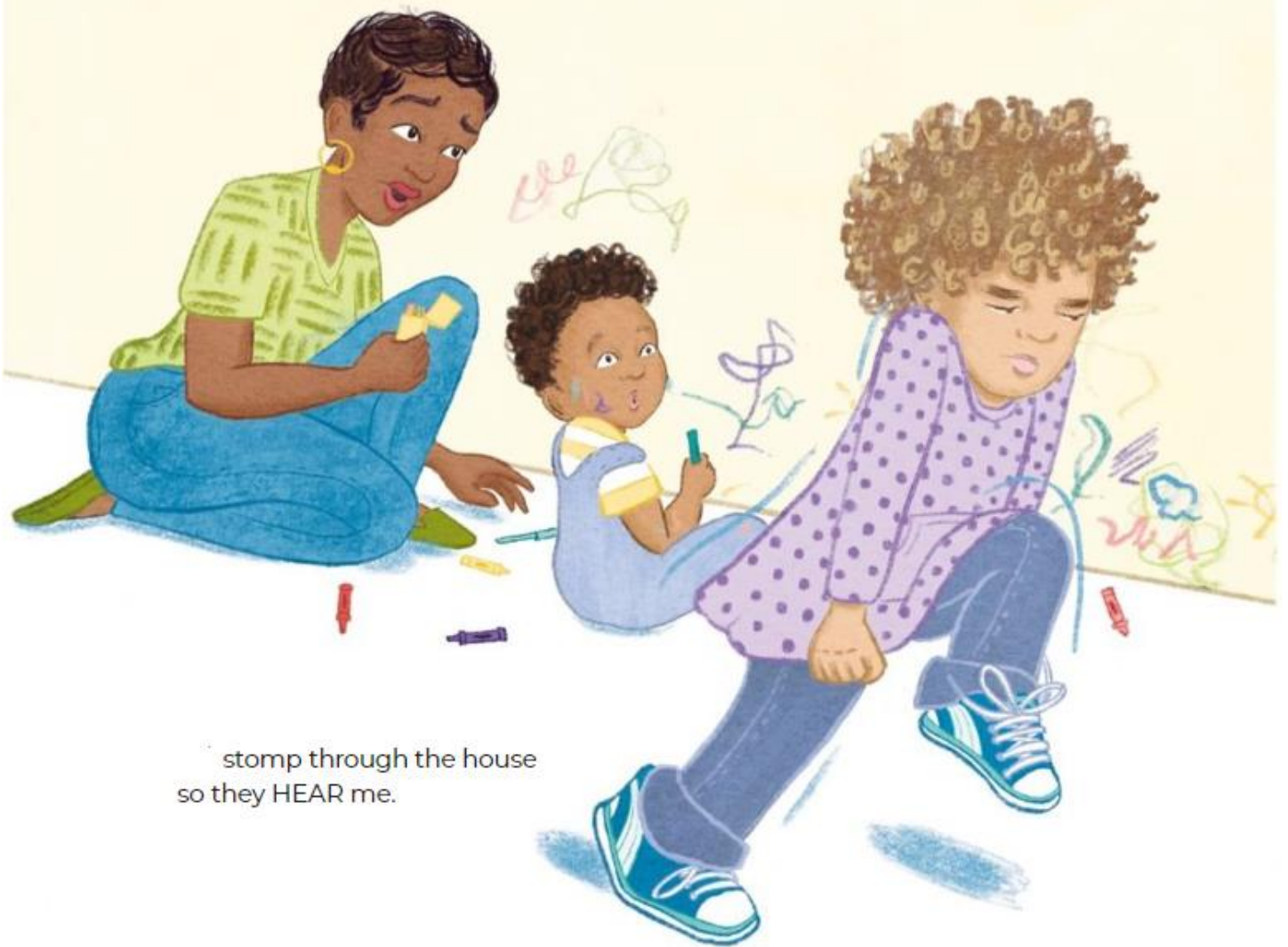
If they'd all stop and listen, I'd tell them
about me. Inside I'm a boy.

When I close my eyes and dream, I'm
a boy.

When I karate-chop the bad guys,
I. Am. A. Boy.



But my family is too busy to notice.



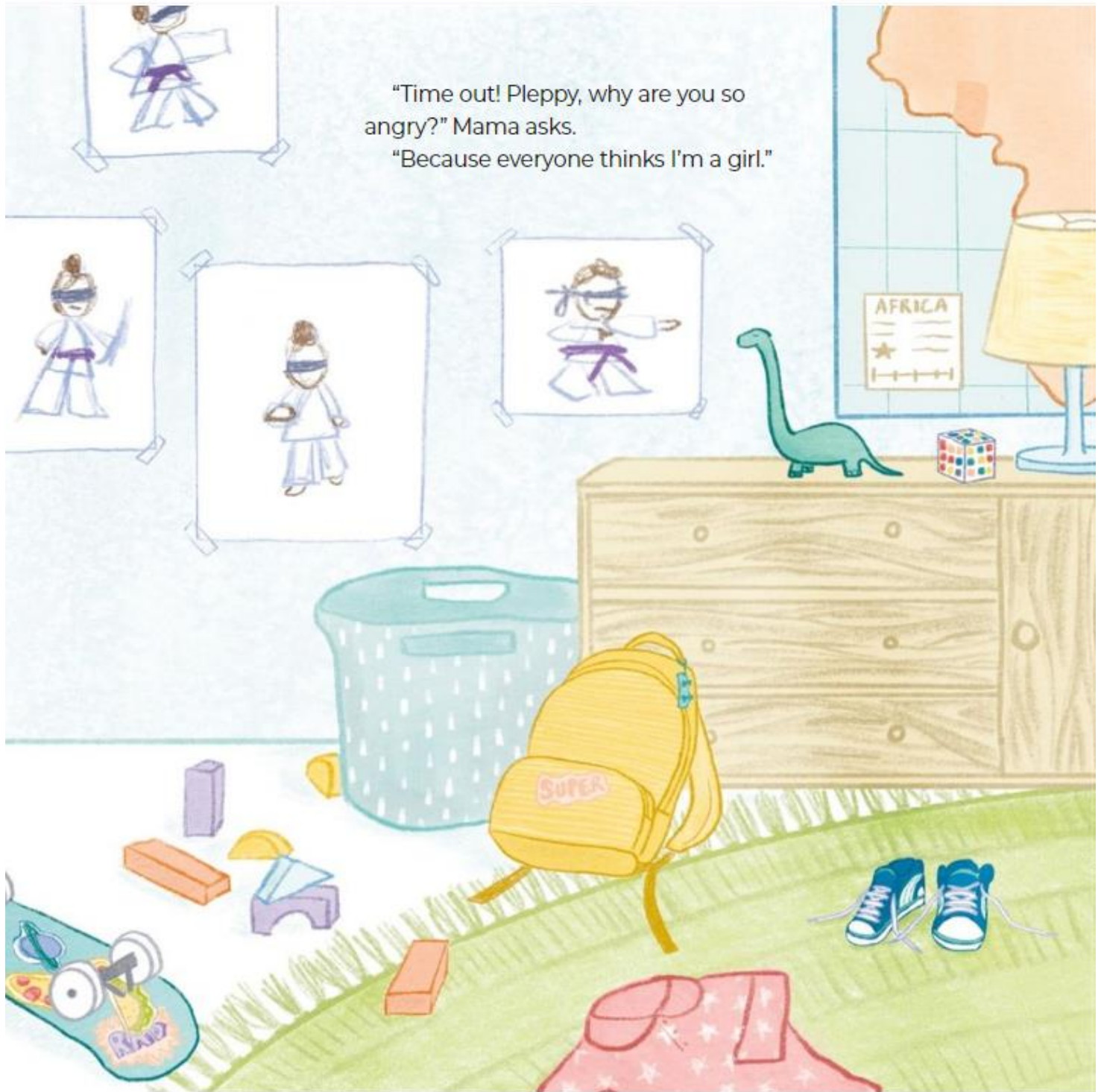
stomp through the house
so they HEAR me.

cut the line at the playground so they SEE me.



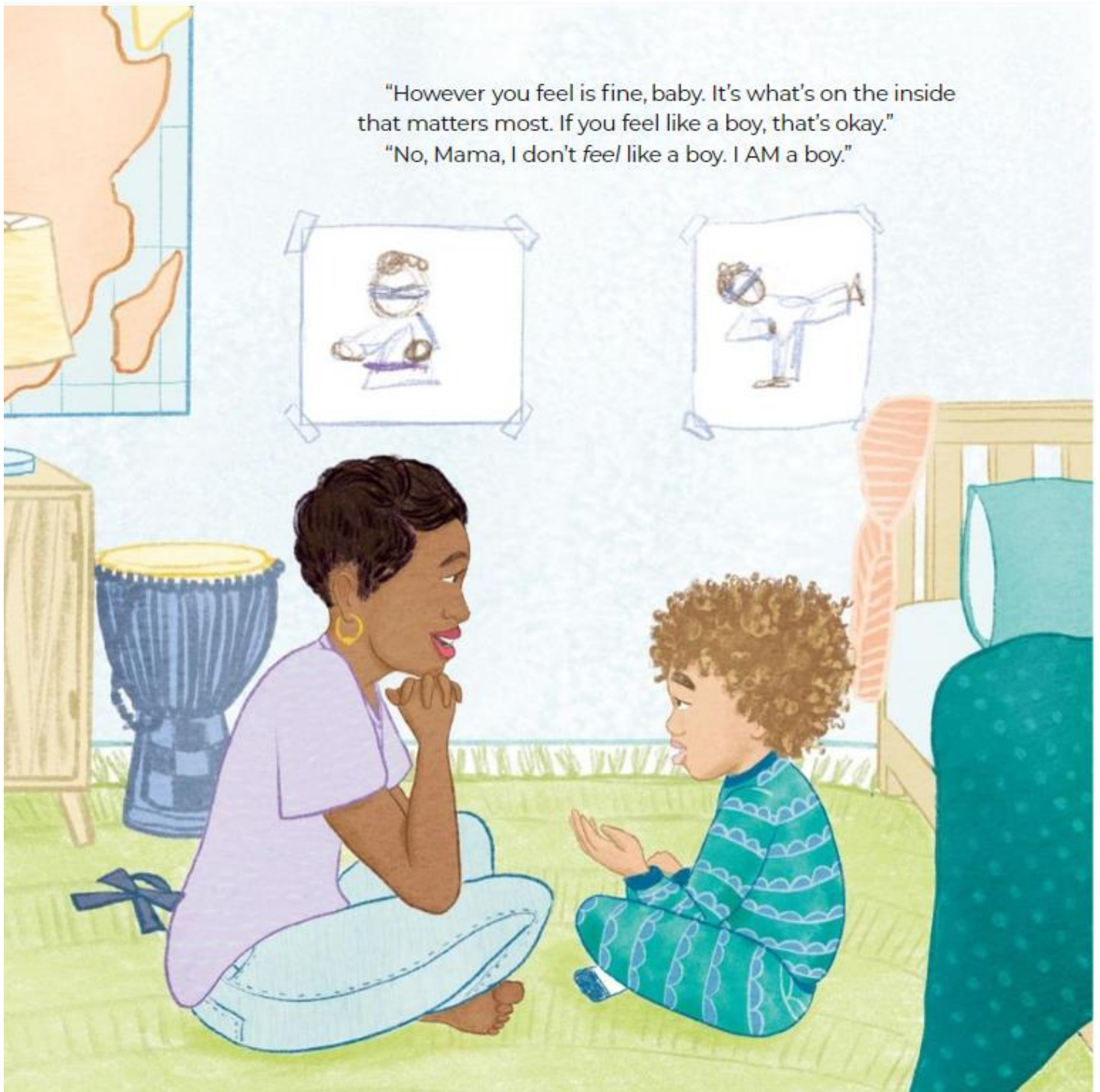
pound my fists hard so they FEEL me.





"However you feel is fine, baby. It's what's on the inside that matters most. If you feel like a boy, that's okay."

"No, Mama, I don't *feel* like a boy. I **AM** a boy."



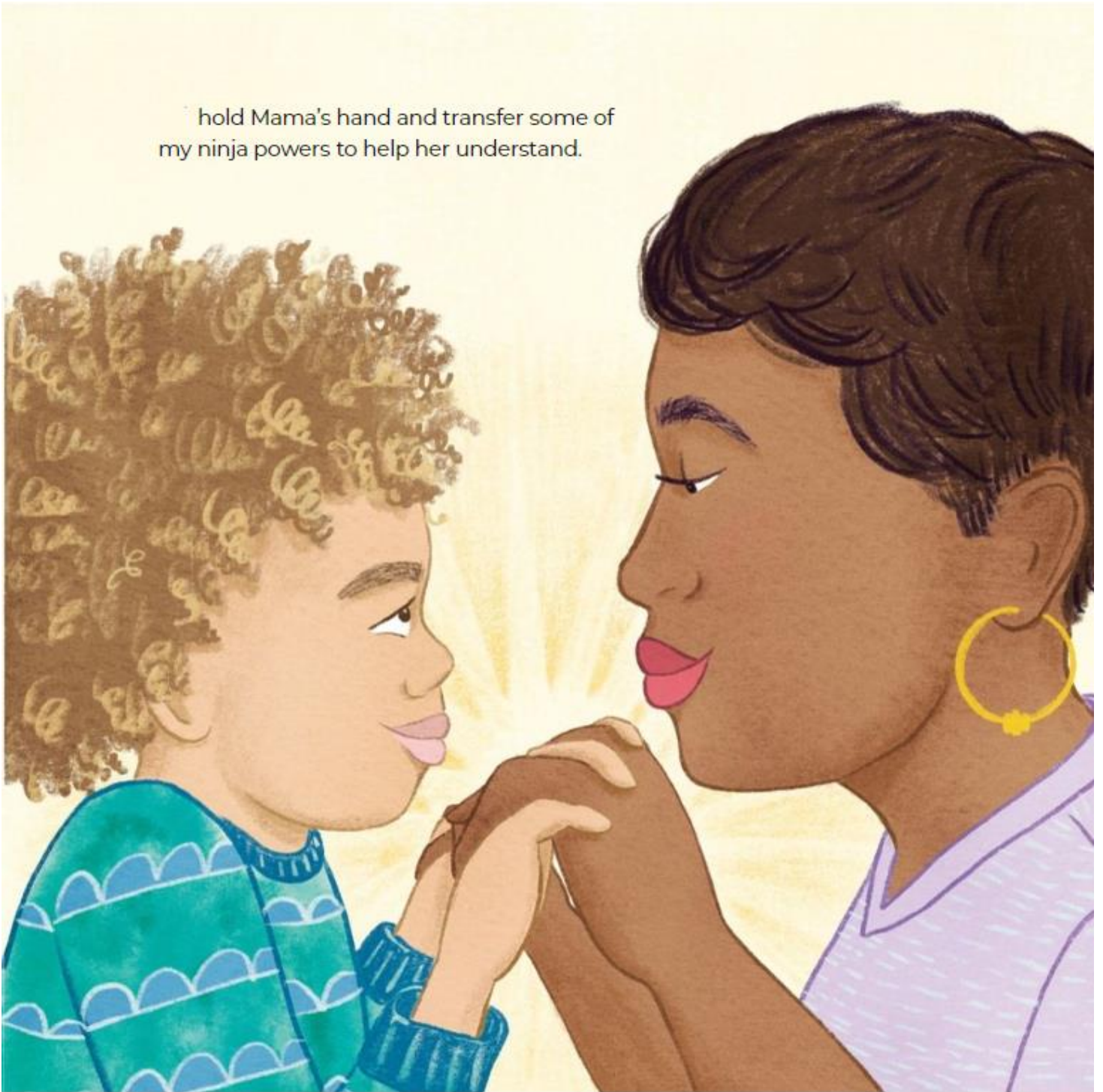
"Oh?"

Mama gets quiet.

"I love you, Mama, but I don't want to be you.
I want to be Papa. I don't want tomorrow to come
because tomorrow I'll look like you. Please help me,
Mama. Help me be a boy."



hold Mama's hand and transfer some of my ninja powers to help her understand.



Then Mama says the best word I've ever heard.

"Yes."

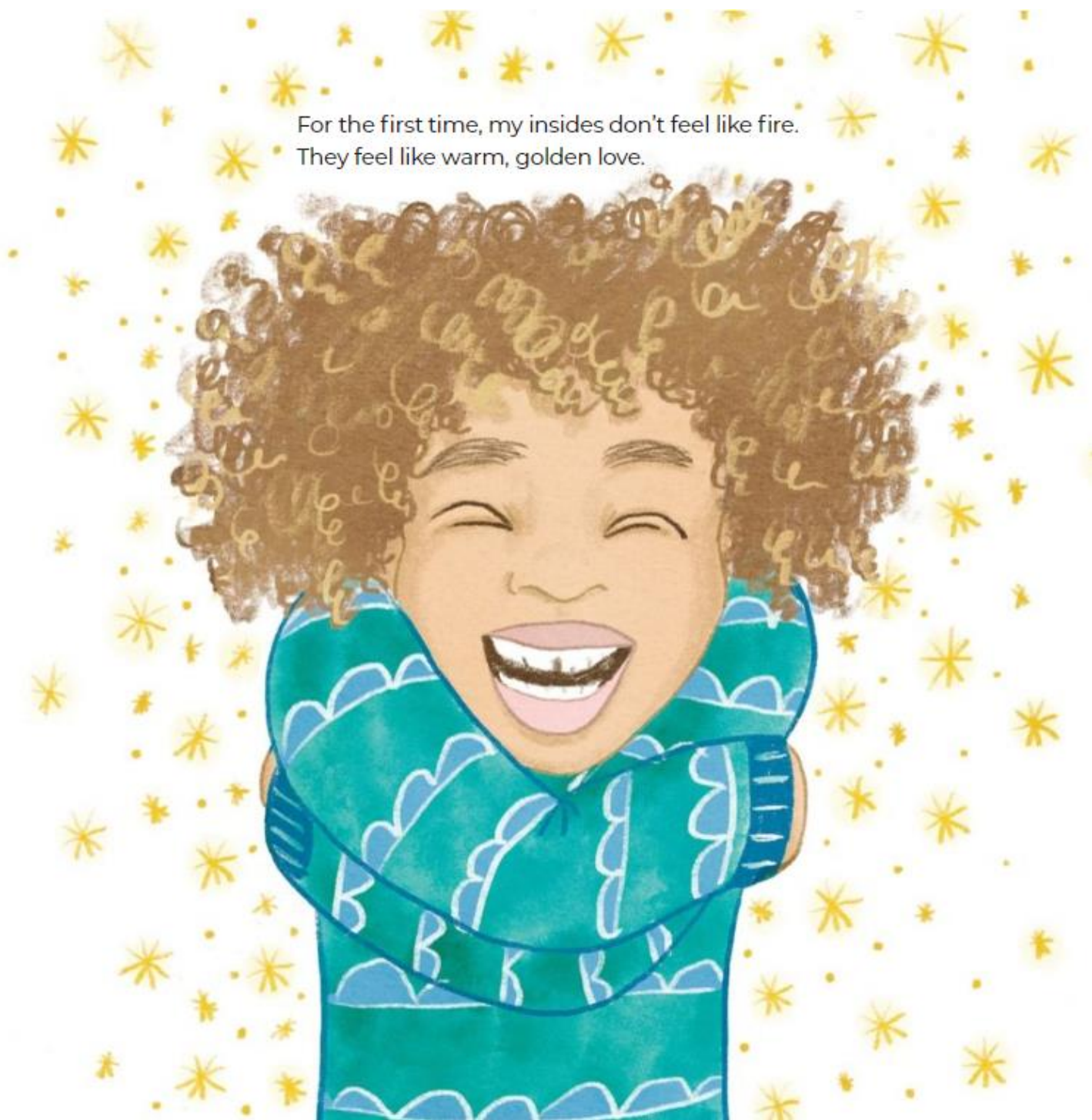
She says, "We will make a plan to tell everyone we love
what we know."

"What's that?"

"You are a boy."



For the first time, my insides don't feel like fire.
They feel like warm, golden love.



Our family is from all over the world, and Mama says that makes us wise.

Grandpa G flies from Ghana for my birthday.

Mama bakes a cake.

We gather around the table.

"Akwaaba!" says Mama. "Penelope is not a pretend boy or a tomboy. He is our five-year-old big boy."

All eyes are stuck on me.



Grandpa G slams his hand down on the table. "Ah! Chale! In my language of Twi, gender isn't such a big deal. We don't use gender pronouns."

I don't understand everything, but I do know Grandpa G is smiling.

Good! Let's eat cake.



But Big Brother isn't smiling. He looks mad.

"This doesn't make sense. You can't *become* a boy. You have to be born one."

Mama puts her arms around both of us and pulls us in tight. "Not everything *needs* to make sense. *This is about love,*" she whispers.



Papa stands up tall.
"Well, P, if you want *me* to call you a
boy, you'll have to tell me yourself."
stand up tall, too. "I *am* a boy."



It's Monday, and Mama says school is my responsibility.
I'm going to show my friends all of me.



put on my blue pants.



button my favorite shirt.



tighten my long tie.



feel good.

walk into school like I "own the joint"—just like Grandpa JohnnyBoy, from Harlem, taught me.



"Hey, Pen, why are you wearing a boy's uniform?" my friend Big D asks.

"Because I *am* a boy. And I like my full name, please—Penelope."

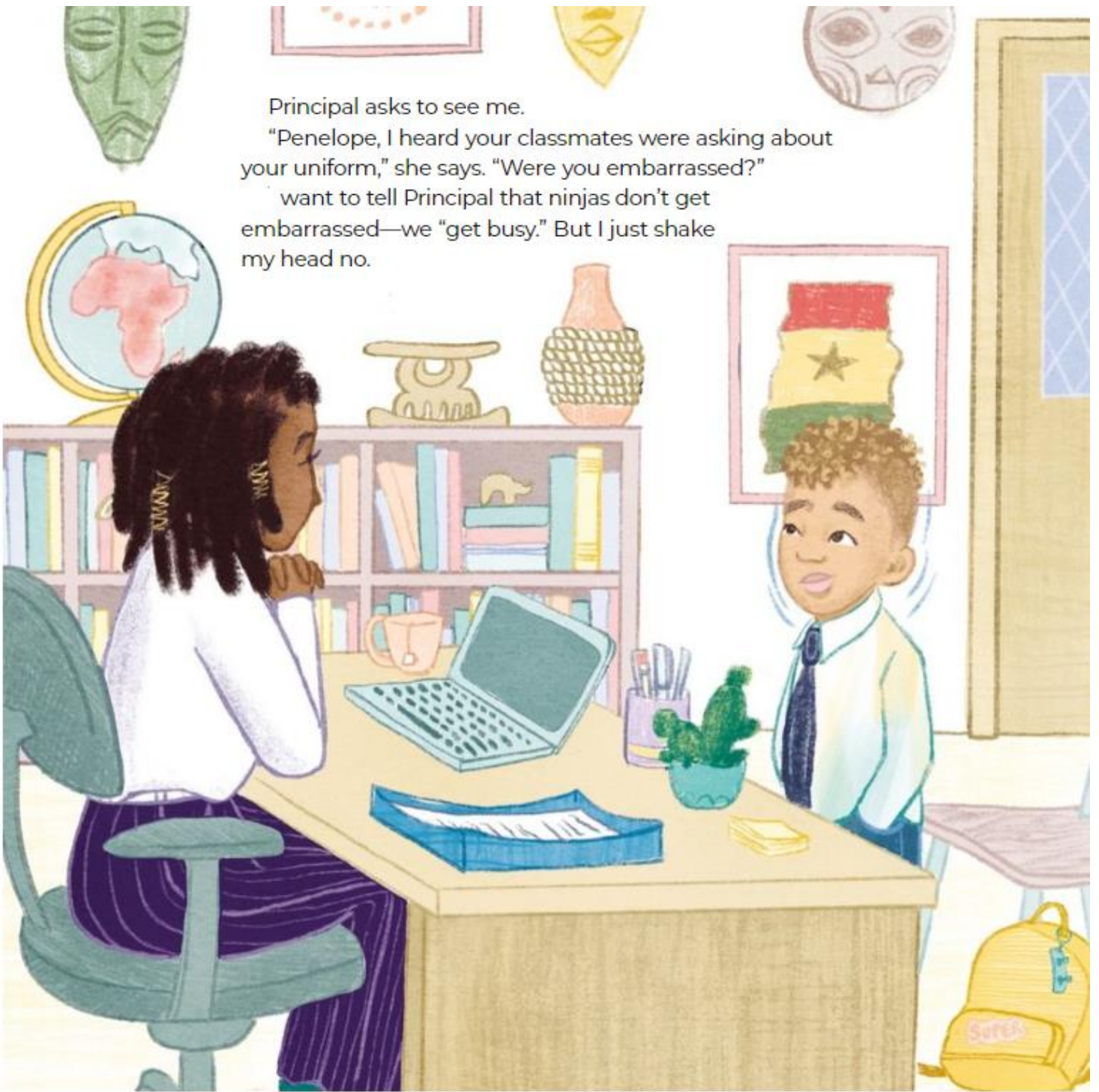
"Yeah, makes sense. And you look great," he says.

We high-five.

Principal asks to see me.

"Penelope, I heard your classmates were asking about your uniform," she says. "Were you embarrassed?"

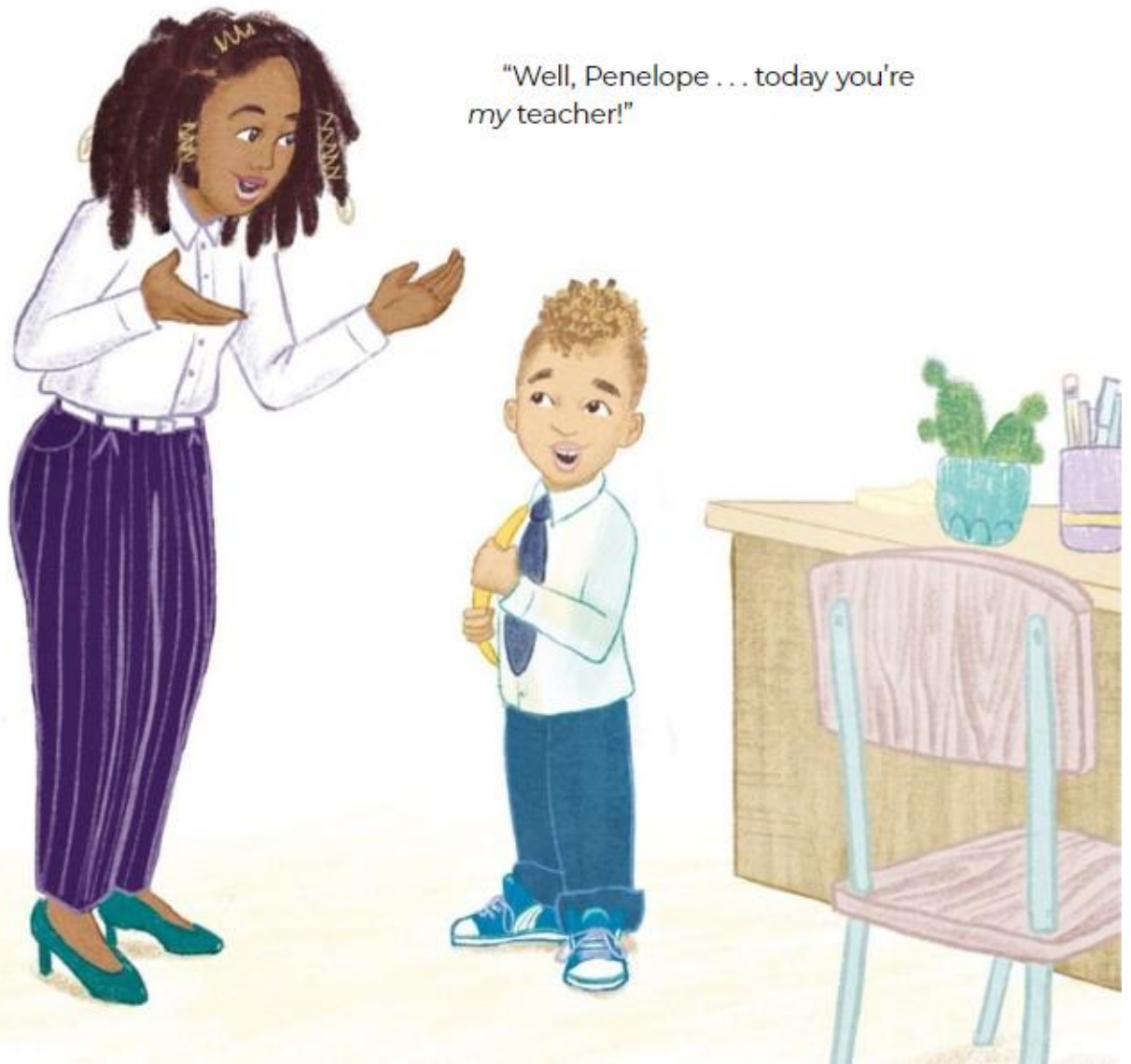
I want to tell Principal that ninjas don't get embarrassed—we "get busy." But I just shake my head no.



"Your parents told me you are a boy. Is that true?"

"I think like a boy. I feel like a boy. I might look different from other boys, but yes, I'm sure I'm a boy."

"Well, Penelope . . . today you're my teacher!"



Mama says ninjas need to be powerful, so I study karate.
"Lil P, you ready for this?" Master Bill asks.
He's the loudest man I know. And I like it! He teaches me how to
fight and train hard with my team.
"Lil P, give me a left foot roundhouse kick!" Master Bill says.



try my best, but it's confusing.
"Nooooo. Your LEFT foot! Left!"
Master Bill says: If you don't *do*, you can't *become*.
Mama says: Winners are losers who get back up.
say: Ninjas don't quit.



practice every day.
Breathing and stretching.
Blocking and punching.



Most important, I learn to get back up.
Master Bill says I'm ready.



Papa drives us to my first tournament.
I bring my cheering squad!
"Baby, are you sure you want to fight?" Mama asks.
"Remember to protect yourself," Papa says.
"Don't worry," I tell them. "I'm not afraid."
Then Big Brother jumps in. "Ninjas never back down
from a challenge, P. You got this," he says.

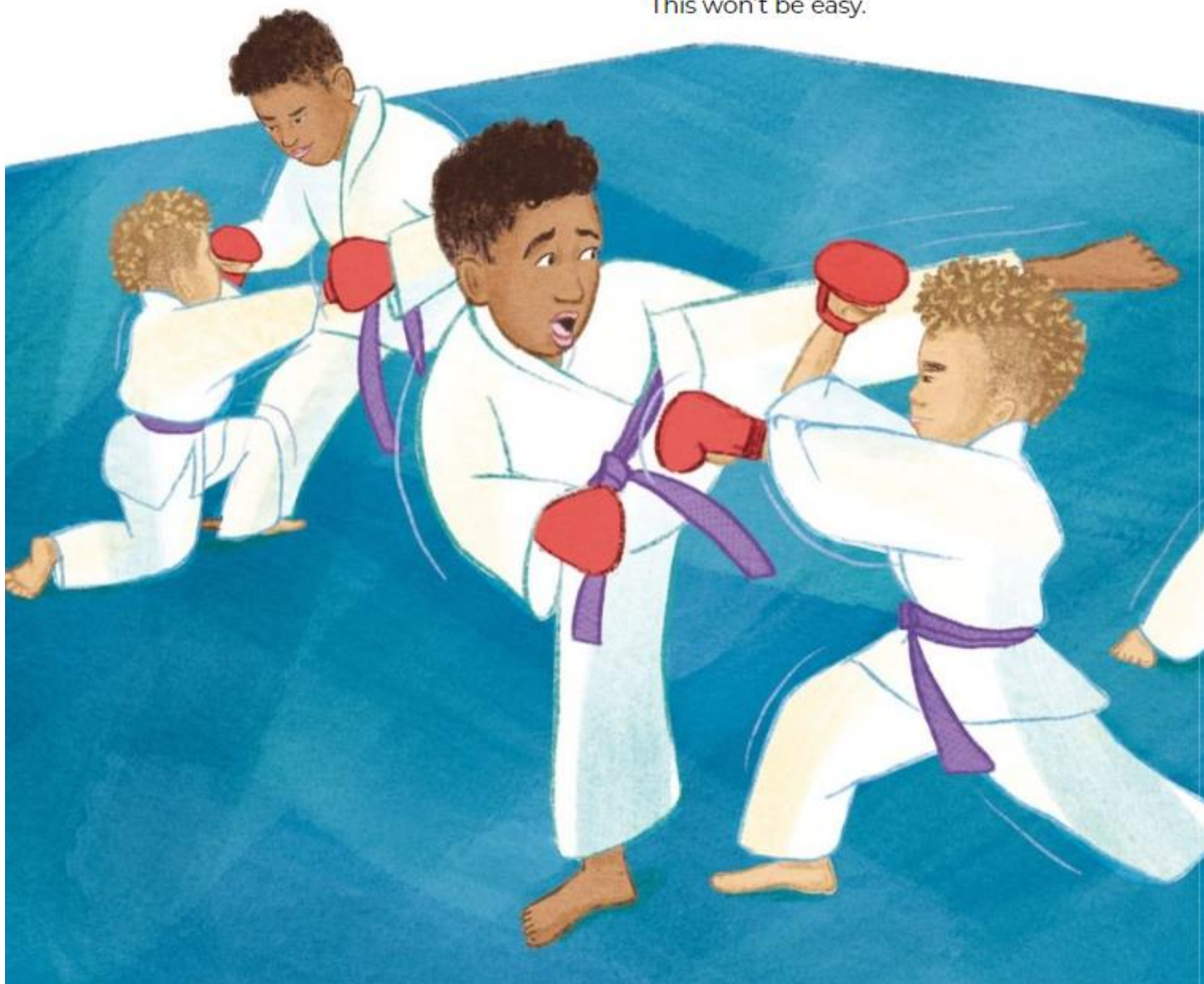


When we check in at the front desk,
my teammates are already there!
"Yo! You ready, P?"
"Born ready!"



My opponent is tall.
My opponent is fast.
We've both come to win.

This won't be easy.



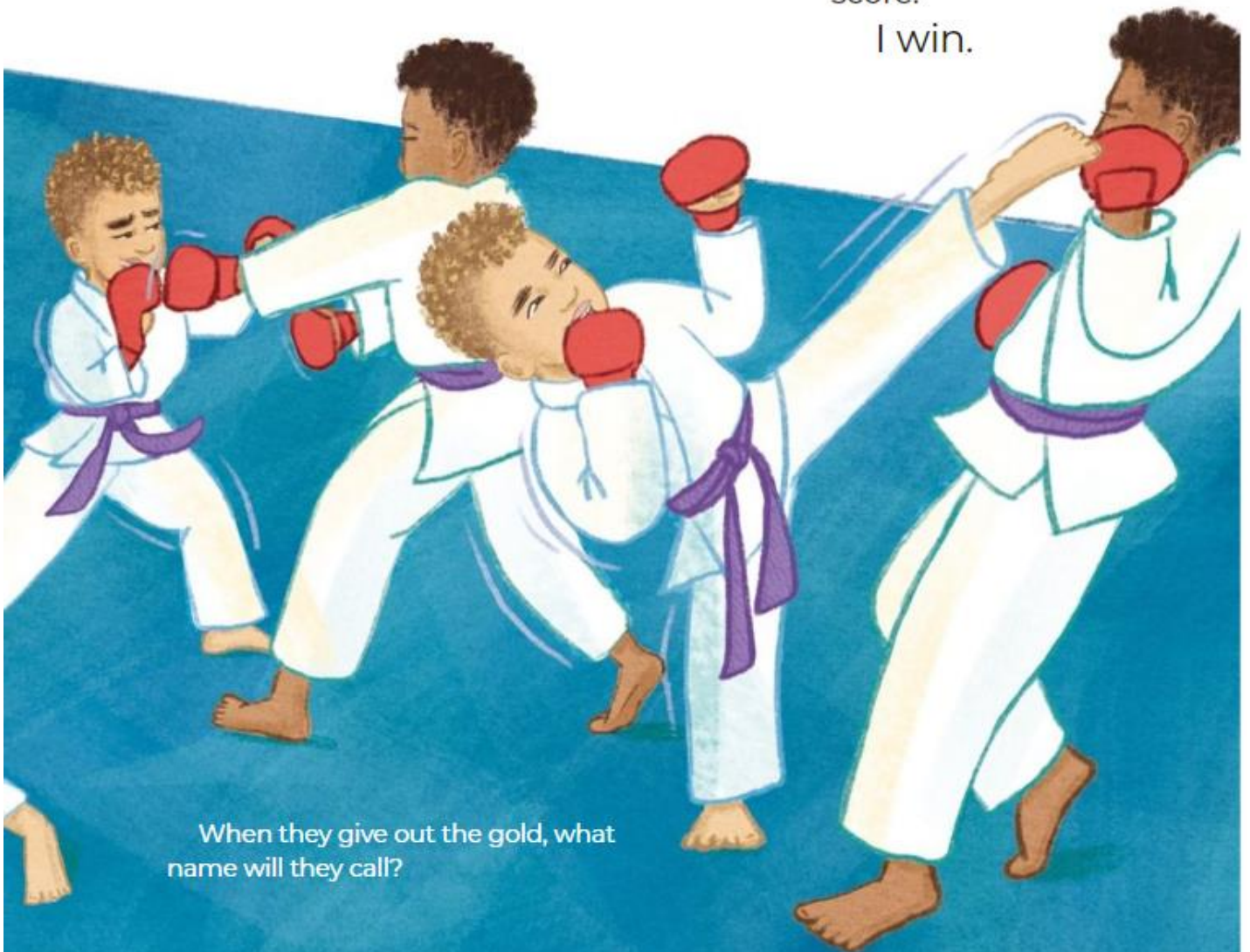
shuffle my feet.

I bob from side to side.

Boom! Roundhouse kick to the head.

score.

I win.



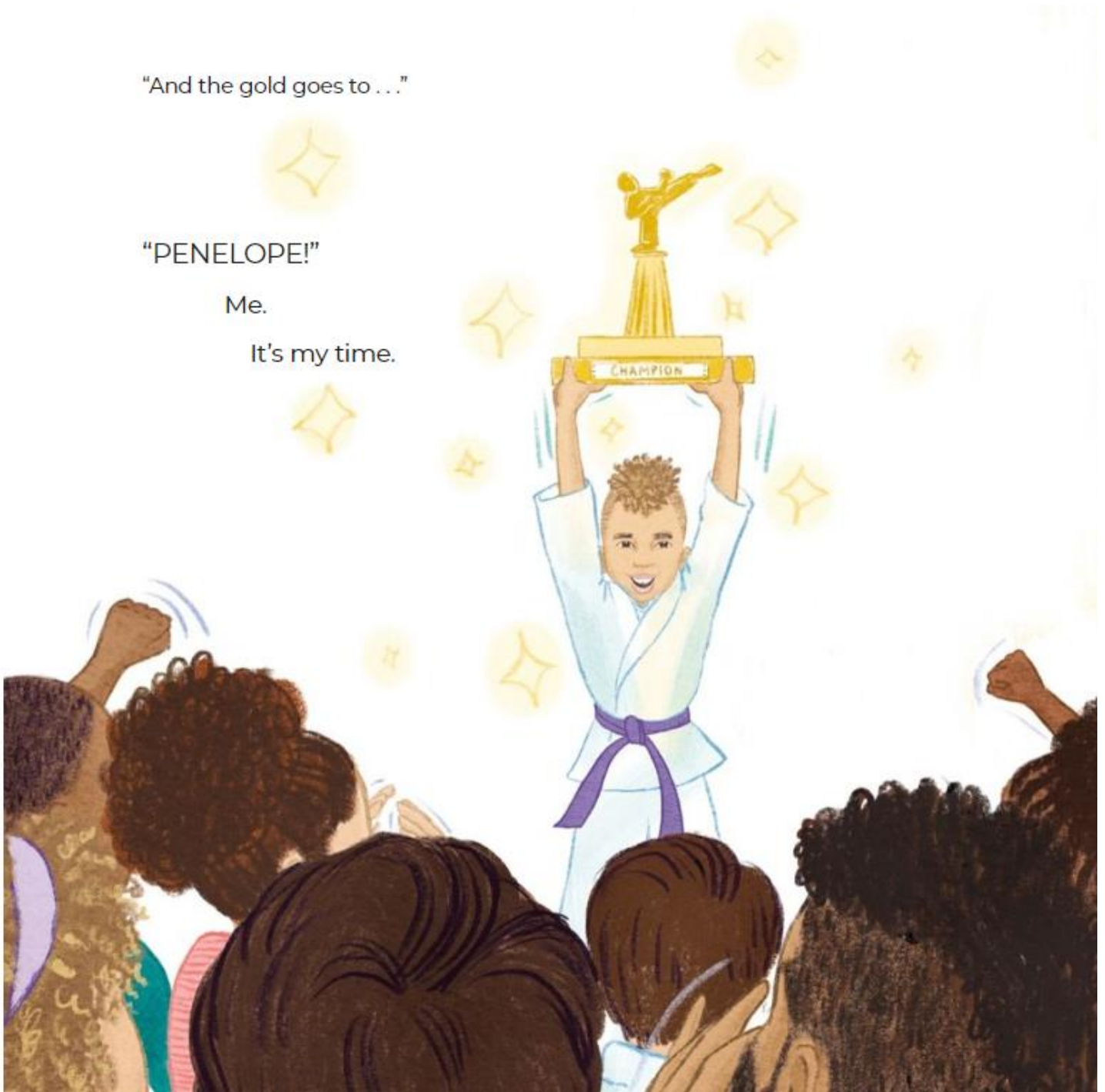
When they give out the gold, what name will they call?

"And the gold goes to . . ."

"PENELOPE!"

Me.

It's my time.



'M A BOY NAMED
PENELOPE!

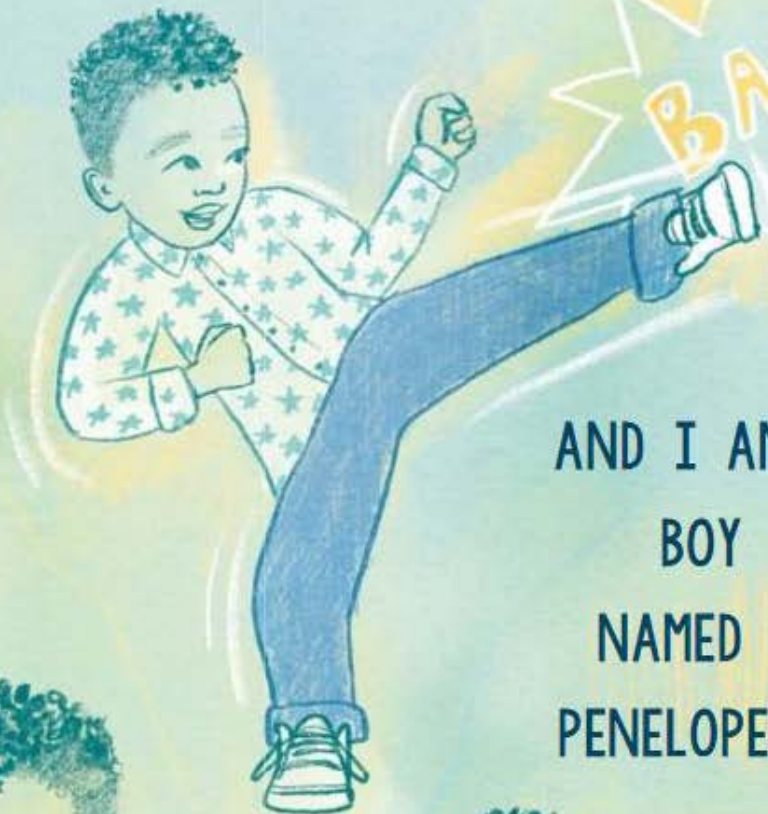




JODIE PATTERSON
is the author of *The Bold World: A Memoir of Family and Transformation* and was *Family Circle* magazine's Most Influential Mom in 2018. Jodie is also the chair of the Human Rights Campaign Foundation Board. She is the mother of five children, two of whom are self-proclaimed gender nonconformists—one transgender and another genderqueer. Jodie raises her family in Brooklyn, New York.
georgiany.com

Charnelle Pinkney Barlow
is an illustrator, an expert tea drinker, and a lover of all things doughnuts. She discovered a love for drawing and painting during her childhood in Poughkeepsie, New York, which led her to the world of children's book illustration. She now lives in Indianapolis, Indiana, with her husband, Jukabiea.
callmechartreuse.com

'M NO
ORDINARY KID.
'M A
NINJA.



AND I AM
BOY
NAMED
PENELOPE!



Exhibit G



Opt out response

3 messages

Paul Slayton <[REDACTED]> Tue, Feb 3, 2026 at 4:52 PM

To: Evan Justin Taylor <[REDACTED]>, Rose Taylor <[REDACTED]>

Cc: Shana Riehl <[REDACTED]>

Greetings Taylor family,

Thank you for your patience as we conducted a final administrative review of your request to opt out of certain instructional materials. We also want to sincerely thank you for the time and effort you invested in working with our team to explore potential accommodations.

Following a comprehensive review at the District leadership level, we are writing to provide a formal determination regarding your request. While our initial discussions focused on designing an individual implementation plan, the District has determined that granting a formal opt-out from these specific materials does not align with Sunnyvale School District's core instructional framework and our commitment to a unified curriculum.

Attached you will find a revised document outlining the District's formal response and the conclusion of this process.

We understand that this represents a shift from our previous working sessions, and we acknowledge the impact this may have on your family. Please know that our primary goal remains providing a supportive and inclusive learning environment for all students while maintaining the integrity of the board-approved curriculum.

If you have further questions regarding the specifics of this determination, please do not hesitate to reach out.

Paul Slayton
Director of Student Support Services
[Sunnyvale School District](#)
819 W. Iowa Ave.
Sunnyvale, CA 94086

P: [REDACTED] F: [REDACTED]
[REDACTED] | www.sesd.org

 **2.3.26 Opt Out Request Response.pdf**
245 KB

Evan Justin Taylor <[REDACTED]> Tue, Feb 3, 2026 at 4:59 PM

To: Paul Slayton <[REDACTED]>

Cc: Rose Taylor <[REDACTED]>, Shana Riehl <[REDACTED]>

Thank you Paul for your response. By shift, I think you mean a 180.

Rose and I will discuss. Are you available to discuss any questions we have at some point?

E. Justin Taylor

Tel: [REDACTED]
Email: [REDACTED]
[Quoted text hidden]

Paul Slayton <[REDACTED]> Thu, Feb 5, 2026 at 8:00 AM

To: Evan Justin Taylor <[REDACTED]>

Cc: Rose Taylor <[REDACTED]>, Shana Riehl <[REDACTED]>

Absolutely.

Either Ms. Riehl or myself can remain your contact person for concerns. If I do not have immediate answers, I will connect with the Superintendent to make sure your family has the answers they need.

Paul Slayton
Director of Student Support Services

[Quoted text hidden]