

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

LIFEWISE, INC., and SARAH SWEENEY,

Plaintiffs,

vs.

EVERETT PUBLIC SCHOOL DISTRICT;
and IAN B. SALTZMAN, in his official
capacity as the Superintendent of Everett
Public Schools,

Defendants.

NO. 2:25-cv-2604

**COMPLAINT FOR INJUNCTIVE AND
DECLARATORY RELIEF**

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

1. Government actors—including public school officials—may not treat religious organizations as second-class citizens subject to different and worse treatment than similarly-situated secular groups. Neutrality and equal treatment, rather than animus and targeting, are what the First Amendment requires. Yet here, the Everett Public School District, including through its Superintendent and Board of Directors, has evinced vocal hostility to a religious organization and has coupled that hostility with action, subjecting the group to onerous standards simply because it is religious. The Constitution forbids this.

2. Plaintiff LifeWise provides off-campus, parent-run, non-denominational Christian instruction for Emerson Elementary School students during times in the day when they do not otherwise have classes (lunch, recess, and free periods). Plaintiff Sarah Sweeny is a LifeWise staff member and a parent whose children attend the LifeWise programming.

1 3. LifeWise enjoys support from a diverse group of families whose children attend
2 its classes. But the District has taken decisive action to oppose LifeWise and its programs.
3 First, the District evinced open hostility to LifeWise specifically (and religion generally)
4 through District Board Directors' numerous hateful public comments. Then, the District
5 coupled that vocal animus with action, and imposed policies on LifeWise that hinder its
6 operations and violate Plaintiffs' constitutional rights in three ways:

- 7 a. *First*, Defendants have taken steps to prevent members of the school community
8 from learning about the services LifeWise offers. They did this by banning
9 LifeWise from participating in the District's community fair, prohibiting
10 LifeWise from displaying flyers in school lobbies next to flyers for other
11 organizations, and (in one instance) rejecting LifeWise's electronic flyers from
12 the school's distribution system because of their religious content. Each of these
13 constitutes viewpoint discrimination in violation of the First Amendment.
- 14 b. *Second*, Defendants uniquely burden LifeWise, students who participate in
15 LifeWise, and those students' parents by requiring an onerous permission-slip
16 policy to excuse them for off-campus religious instruction. This violates the
17 Free Exercise rights of LifeWise and the parents whose children attend.
- 18 c. *Third*, when a student returns from off-campus religious instruction hosted by
19 LifeWise, the District requires her to keep LifeWise educational religious
20 materials sealed "in an envelope" in her "backpack," so she cannot access them
21 the rest of the school day. Students may not quietly study their LifeWise Bibles
22 or materials during times when the school otherwise allows students to quietly
23 read a book of their choosing. While students are free to read Spider Man comics
24 about Peter Parker, the District prohibits them from reading about Peter the
25 Apostle. This violates the rights of LifeWise parents to direct the religious
26 education of their children.
- 27

1 4. Those actions contravene our most precious liberties. “The right to free exercise,
2 like other First Amendment rights, is not shed at the schoolhouse gate. Government schools,
3 like all government institutions, may not place unconstitutional burdens on religious exercise.”
4 *Mahmoud v. Taylor*, 606 U.S. 552, 545 (2025) (citation modified).

5 5. Free exercise starts with equal treatment. LifeWise seeks just that—not favored
6 or special treatment, but only equal treatment that aligns with the way the District treats other
7 community organizations that offer services to the school community. LifeWise seeks equal
8 access to public facilities and equivalent excusal policies for its students, whose parents want
9 them to participate in off-campus religious instruction, as for students in the District who
10 participate in other activities operated by secular third-party organizations. It would like
11 students to be free to read LifeWise materials just as they would other materials at the
12 appropriate time and place in school.

13 6. The District—through its Board of Directors (the “Directors”) and the
14 administration of its Superintendent, Defendant Dr. Ian Saltzman—has instead opted for
15 intentionally discriminatory treatment. Directors have accused LifeWise of advancing “white
16 supremacy” and expressly disapproved of parents who choose to offer their students off-campus
17 religious instruction. The Directors and Dr. Saltzman’s administration have constructed and
18 enforced arbitrary and unequal procedures that disfavor religious exercise and penalize
19 religious status, even going so far as to call out LifeWise by name in those policies. The animus
20 is not subtle. It is intentional.

21 7. Defendants have wrongfully excluded LifeWise from access to public events
22 and facilities, solely on the basis that LifeWise is a religious organization. They have imposed
23 barriers that target Ms. Sweeny’s ability to provide adequate religious instruction to her child,
24 including requiring that children who receive off-campus religious instruction from LifeWise
25 keep their educational materials in a sealed envelope and tucked away in a backpack,
26 inaccessible for the remainder of the school day.

1 8. To right this wrong, Plaintiffs seek declaratory and injunctive relief to protect
2 them from irreparable harm in the form of the denial of their First Amendment rights, as well
3 as nominal damages to redress their constitutional injury.

4 **PARTIES, JURISDICTION, AND VENUE**

5 9. Plaintiff LifeWise, Inc. is an Ohio non-profit organization, registered to do
6 business in Washington.

7 10. LifeWise is a non-denominational Christian ministry that, among other things,
8 provides opportunities for students in public schools to participate, with parents' permission, in
9 off-campus release-time religious instruction ("RTRI"). LifeWise operates through local
10 chapters, guided by volunteer advisory boards, in over 400 school districts nationwide that serve
11 thousands of children annually.

12 11. LifeWise maintains a local chapter in Everett, Washington that is overseen by a
13 volunteer board of advisors and currently provides RTRI opportunities for students at Emerson
14 Elementary School.

15 12. Plaintiff Sarah Sweeny is a resident and citizen of the State of Washington. Ms.
16 Sweeny is a LifeWise staff member who organizes and leads LifeWise programming at
17 Emerson Elementary, a school in the District. Ms. Sweeny's three children are students at
18 Emerson Elementary School and attend LifeWise programming. Ms. Sweeny is a Christian,
19 and she believes that part of her responsibility as a parent is to provide opportunities for her
20 children to study the Bible and receive instruction in Biblical values. She considers it a duty
21 and privilege to help her children grow spiritually through religious instruction unavailable in
22 public school.

23 13. Defendant Everett Public School District is a public school district that, through
24 its Board of Directors, issues policies and procedures that govern the operation of public schools
25 in Everett, Washington, including Emerson Elementary School.

1 14. Defendant Dr. Ian Saltzman is the Superintendent and chief executive officer of
2 the District who, in his official capacity, enforces and applies the District' policies and
3 procedures.

4 15. Venue is proper in this Court under 28 U.S.C. § 1391(b)(2) because a substantial
5 part of the acts and omissions giving rise to Plaintiffs' claims occurred in the Western District
6 of Washington. The Seattle Division of this Court is the proper division because the acts and
7 omissions giving rise to this action occurred in Everett, Washington, a city within the Seattle
8 Division of this Court.

9 16. Subject-matter jurisdiction is proper in this Court under 28 U.S.C. § 1331, as
10 Plaintiffs allege violations of their rights under the First Amendment of the United States
11 Constitution, remediable under 42 U.S.C. § 1983, such that this case arises under the
12 Constitution of the United States.

13 **FACTS COMMON TO ALL COUNTS**

14 17. The Release Time Religious Instruction—RTRI—that LifeWise offers is a form
15 of voluntary religious programming during school hours. It is performed (1) off school property
16 (2) with parental consent, (3) with solely private funding, and (4) during times of the school
17 day (such as lunch, recess or a free period) that do not interfere with students' public education.
18 The Supreme Court endorsed the constitutionality of RTRI in *Zorach v. Clauson*, 343 U.S. 306
19 (1952).

20 18. The Everett, WA chapter of LifeWise was founded by Emerson Elementary
21 School parents seeking to ensure their children could both receive a rigorous public-school
22 education and also obtain off-campus religious instruction. The Everett, WA chapter functions
23 as the local administrator of LifeWise in its community subject to LifeWise's supervision and
24 uniform policies and procedures. The chapter receives curricular materials from LifeWise's
25 national headquarters. LifeWise buses shuttle children to a local church for classes.

26 19. LifeWise does not seek or receive the endorsement of public school districts for
27 its programming, and it does not coerce students into participating. LifeWise's RTRI instead

1 strikes a balance between parents' right to obtain religious education for their children and a
2 public school program that operates consistently with the First Amendment's Establishment
3 Clause.

4 20. Through its RTRI programming, LifeWise works to develop students' character
5 and enable them to grow in their faith without compromising their ability to obtain a public
6 education.

7 21. In January 2025, LifeWise began offering opportunities for students at Emerson
8 Elementary School, a public school within the District, to attend RTRI programming.

9 22. LifeWise works to develop students' character through Biblical teachings,
10 cultivating virtues such as patience, love, kindness, respect, and gratitude. Its simple Bible-
11 based curriculum aims not only to give children an understanding of the Christian faith in a
12 developmentally appropriate way, but also to teach moral lessons to resolve underlying social
13 and character issues that contribute to youth violence and low self-esteem.

14 23. LifeWise is non-denominational. It focuses on the core truths central to the
15 Christian faith. For example, LifeWise uses "Recap Cards," which are baseball card sized, to
16 underscore core values (like kindness and forgiveness) and tie them to Biblical stories. *See*
17 Exhibit 1. It does not take positions on, or teach about, controversial social issues. If such an
18 issue were to arise in the course of a LifeWise session, LifeWise instructors are told to direct
19 students to ask their parents about the issue.

20 24. Students at Emerson Elementary, with parental permission, attend LifeWise's
21 programming by taking a short trip off-campus to private property where they are given lunch
22 and provided lessons about the Bible and growth in moral character, then provided with an
23 activity before being returned to campus. LifeWise's programming occurs during what would
24 otherwise be the students' lunch and recess times, so there is no interference with the students'
25 school curriculum or the operation of the school.

1 25. When LifeWise classes were first offered to Emerson Elementary students in the
2 Spring 2025 semester, more than forty families opted for students to participate in LifeWise's
3 weekly, biblically based character lessons. The program was highly successful.

4 26. Indeed, parents in the Emerson Elementary community have praised the effects
5 of its programming for their children, noting improved behavior at home and increased
6 achievement at school. One parent described LifeWise as "incredibly valuable" and "crucial"
7 to his son's growth.¹

8 27. Plaintiff Sarah Sweeny enrolls her three children, all students at Emerson
9 Elementary School, in LifeWise's programming. Ms. Sweeny believes that there is nothing
10 more important than that she and her children grow in their Christian faith, including through
11 studying the Bible.

12 28. Despite LifeWise's positive benefits for students' growth, residents of Everett
13 and nearby townships—plus out-of-state organizations—have lodged false and inflammatory
14 allegations publicly against LifeWise, intended to goad the District into sidelining LifeWise
15 and inhibiting its operations.

16 29. For example, despite the fact that LifeWise is not affiliated with any particular
17 denomination and does not teach students about political issues, Everett residents have vilified
18 LifeWise to the local press as an example of "right-wing encroachment on public education"
19 and have claimed it imposes "an emotional toll" on children who choose not to participate in
20 the program.² Another parent of an Everett Elementary student accused LifeWise of "predation
21 on our young students."³

22
23 ¹ See Will Geschke & Jenna Peterson, *Everett off-campus Bible program*
24 *draws mixed reaction from parents*, HeraldNet (Apr. 19, 2025),
25 [https://www.heraldnet.com/news/everett-off-campus-bible-program-draws-](https://www.heraldnet.com/news/everett-off-campus-bible-program-draws-mixed-reaction-from-parents/)
[mixed-reaction-from-parents/](https://www.heraldnet.com/news/everett-off-campus-bible-program-draws-mixed-reaction-from-parents/).

26 ² *Id.*

27 ³ Everett Public Schools in Washington State, *Everett Public Schools Regular*
Board Meeting 2025.05.27, YouTube, at 28:56 (May 28, 2025),
<https://www.youtube.com/watch?v=aEoBfQhHT1w>.

30. Members of the public frequently appear at the District’s Board meetings to express opposition to LifeWise; their comments are often factually incorrect and express intolerance toward LifeWise’s Christian beliefs and hostility toward religious education. Examples of such incendiary comments include:

- a. One person bemoaned, “If children require religious instruction, then their parents can see to that private matter on their own time. . . . There is nothing so important about religious instruction that the school day should be interrupted.”⁴
- b. Another falsely stated, “This program isn’t about supporting children, it’s about spreading a religious agenda through public institutions. . . . So please get rid of LifeWise.”⁵
- c. According to one protestor, LifeWise’s lessons are “40-minute indoctrination session[s]” that promote a “creeping theocracy.”⁶
- d. Another alleged LifeWise is “forc[ing] our children to learn . . . [t]hat we are slaves,” and that Christianity is “an abomination to the education of our youth.”⁷
- e. Yet another commenter somehow believes the fact that LifeWise provides matching tee-shirts to its students “echoes” the Nazi era when “Jews . . . would wear shirts of a certain color.”⁸
- f. One speaker objected not only to LifeWise, but the Bible itself, in that the Bible allegedly contains “many homophobic passages that scare [the commenter],”

⁴ *Id.* at 30:07–22.

⁵ Everett Public Schools in Washington State, *Everett Public Schools Regular Board Meeting 2025.06.10*, at 45:53–46:41 (Youtube, June 11, 2025), https://www.youtube.com/watch?v=ATDO5R_Xfog.

⁶ *Id.* at 48:42–49:15.

⁷ *Id.* at 49:52–50:00.

⁸ *Id.* at 52:13–22.

1 and said that LifeWise should not be allowed to “spread[] . . . stuff that [she]
2 consider[s] poisonous and scary.”⁹

3 g. Another commenter accused LifeWise of spreading “particular religious
4 ideologies” that “jeopardize equal rights for all people and threaten[] the
5 preservation of democracy.”¹⁰

6 31. These comments were made publicly to the Directors. In response, no Director
7 challenged or disavowed them. Instead, Directors have endorsed this public commentary. At
8 an August School Board meeting, one commenter compared LifeWise to the Nazi Party, taking
9 “trains . . . through [German] towns . . . [that] were filled with broken down souls on their way
10 to the gas chambers.” The next commenter claimed LifeWise is “a very dangerous program
11 because our children are then going to go back into our diverse schools and spread hate against
12 the LGBT community, spread hate against diversity, and spread hate against the neighbors that
13 I love” and “ask[ed] the district to consider the impact on our children and our community at
14 large and to get rid of this dangerous program. Board President Traci Mitchell closed the public
15 comment session by replying, “We do appreciate you coming back and you are being heard.
16 So thank you. It might not look like it, but you are.”¹¹ President Mitchell had previously stated
17 that the Board would not respond to public comments.

18 32. Unfortunately, these ignorant and intolerant sentiments have found purchase on
19 the Everett School Board itself. Director Charles Adkins, speaking in his capacity as a Director,
20 maligned LifeWise’s mission as “bring[ing] white supremacy and Christian nationalism to our
21 schools” and declared that LifeWise “cannot be allowed to have access to our kids.” Mr. Adkins
22 urged that Everett Public Schools “cannot allow” LifeWise’s programming—which he derided
23

24 ⁹ Everett Public Schools in Washington State, *Everett Public Schools*
25 *Regular Board Meeting 2025.06.24*, at 29:23–31, 30:12–25 (YouTube, June 25,
26 2025).

27 ¹⁰ *Id.* at 12:24–13:04, 14:18–38.

¹¹ Everett Public Schools in Washington State, *Everett Public Schools*
Regular Board Meeting 2025.08.19, at 37:25–34, 41:32–42:19 (YouTube, Aug. 20,
2025), <https://www.youtube.com/watch?v=2tVhBErtb0I>.

1 as “religious brainwashing and bullying”—to “take place when we can do something to stop
2 it.”¹²

3 33. After LifeWise sent a letter to the Board expressing concern about Mr. Adkins’s
4 comments, he publicly responded at the December 9, 2025 Board meeting by saying:

5 First off, I would like to address the claim about whether my comments are motivated
6 by animus toward LifeWise Academy. I want to make it *very, extremely, abundantly*
7 clear, that *yes*, I *do* in fact hold animus toward LifeWise Academy. . . . It is an
8 organization of homophobic bullies who are active and willing participants in the efforts
9 to bring about an authoritarian theocracy. . . . [W]hat I find offensive and ridiculous is
10 their anti-gay agenda. Their curriculum teaches that any relationship outside a man and
11 a woman is a sin.¹³

12 34. Despite these repeated rants against LifeWise at public board meetings, neither
13 Superintendent Saltzman nor any Director has disavowed Mr. Adkins’ comments. After the
14 December 9, 2025 Board meeting, at which all public comments expressed opposition to
15 LifeWise and at which Mr. Adkins admitted his animus toward LifeWise for its religious
16 beliefs, President Mitchell stated to Board Director Jen Hirman, “It was a great crowd.”¹⁴

17 35. These comments evince a clear animus toward LifeWise’s religious beliefs and
18 identity.

19 36. This animus has infected the policies that the District has adopted to target
20 LifeWise and impede its operation (and the religious liberties of LifeWise students and their
21 parents). Defendant Saltzman sits at the table during Board meetings with the Board of
22 Directors, has never spoken publicly against comments of animus, and as Superintendent is
23

24 ¹² Everett Public Schools in Washington State, *Everett Public Schools Regular*
25 *Board Meeting 2025.07.01*, YouTube (July 2, 2025),
<https://www.youtube.com/watch?v=uWSwMI5pAro> [at 7:30].

26 ¹³ Everett Public Schools in Washington State, *Everett Public Schools*
27 *Regular Board Meeting 2025.12.09*, at 38:45–41:15 (YouTube, Jul. 2, 2025),
<https://www.youtube.com/watch?v=sZcCyzGxTs0> (emphasis in original).

¹⁴ *Id.* at 51:30.

1 responsible for administering the District’s policies. The District and its agents—who report to
 2 Defendant Saltzman—have violated the First Amendment rights of LifeWise and the parents
 3 of its enrolled students and burdened both LifeWise and the parents from exercising their
 4 religion.

5 **LifeWise is Denied Equal Access**

6 37. The District has published policies that govern its relationship with religious
 7 entities and the exercise of religion on school district property, including “Policy and Procedure
 8 2340P – Religious-Related Activities and Practices” (“Policy 2340P”).¹⁵

9 38. Policy 2340P provides that “Everett School District shall remain neutral in
 10 matters involving religion.” Not having been updated since 2011, Policy 2340P articulates such
 11 neutrality under “the three-part test established and used by the U.S. Supreme Court” in an
 12 apparent reference to *Lemon v. Kurtzman*, 403 U.S. 602 (1971), a case that is “now abrogated,”
 13 *Groff v. DeJoy*, 600 U.S. 447, 460 (2023).

14 39. Policy 2340P contains several subsections related to religious organizations’ use
 15 of or presence on District property:

- 16 a. Section C of Policy 2340P states that “[s]chool resources, including facilities,
 17 real property, bulletin boards and communication systems may be used by
 18 religious groups or for religious purposes only in accordance with procedures
 19 developed by the superintendent or designee. Such use must be outside of school
 20 hours or when allowable use will not interfere with the school program in
 21 compliance with Board Policy 4333 – Non-School Use of Buildings, Grounds
 22 and Equipment.”

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 24
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 26 ¹⁵ *Policy 2340P: Religious-Based Activities and Practices*, Everett Public
 27 School District (2011), <https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-438/2340P.pdf>.

b. Section G of Policy 2340P states in part that “[m]aterial and/or announcements promoting religion may not be distributed by non-students or on behalf of student groups or individuals who are not students.”

c. Section I of Policy 2340P states in part that “Religious services, programs or assemblies shall not be conducted in school facilities during school hours or in connection with any school sponsored or school related activity.”

40. The District’s policies also state that use of a school facility by an outside group or organization—whether religious or not—“will not be considered as endorsement or approval of the activity, group or organization.”¹⁶

41. Despite its professed neutrality toward religion, the District and its agents have invoked LifeWise’s status as a religious organization to deny it equal treatment to other community organizations.

42. Each year, the District hosts a community resource fair, at which community organizations can share information about their missions and services with members of the District Community, including parents and students.

¹⁶ *Policy 4333: Non School Use of Buildings, Grounds and Equipment*, Everett Public Schools (2025), <https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1103/4333.pdf>.



43. The District advertises the community resource fair as a place where “families will learn about providers in the community and in our schools.” A District Facebook post¹⁷ advertising the 2025 event is visible below:




44. The same Facebook post further described the event as a “chance to connect with incredible local and school-based service providers.” The District invites third-party organizations that provide such resources as “health and mental health support, special education services, and legal assistance,” along with other “[c]ommunity and school resource providers.” Its stated intent is to be “a celebration of connection, support, and community” where “[e]veryone is welcome.” A description of the event from the Facebook post is visible below:

¹⁷ Everett Public Schools, WA, *Community Resource Fair!* (last accessed Dec. 16, 2025), <https://www.facebook.com/events/3900-broadway-everett-wa-98201-5033-united-states/community-resource-fair/1204826587764122/>


Details
 24 people responded

 Event by **Everett Public Schools.WA**
 **3900 Broadway, Everett, WA 98201-5033, United States**
 Duration: 2 hr 30 min


 Public · Anyone on or off Facebook

 Join Us at the Everett Public Schools Community Resource Fair! 


This is your chance to connect with incredible local and school-based service providers — all in one convenient spot! Whether you're looking for health and mental health support, special education services, or legal assistance, there's something here for every family.


 What to expect:


- ✓ Community and school resource providers
- ✓ Health, mental health, legal, and special education services
- ✓ Tons of helpful information — and a warm welcome!


 Come hungry! Enjoy free food trucks serving tacos and ice cream.

 Stop by the DSHS mobile unit to sign up for benefits.

 Get up to date at our immunization clinic.

 Grab some free snacks, vendor swag, and family-friendly resources.

 And don't miss a visit from the one and only Hatter Mike Balloon Artist!

This is more than an event — it's a celebration of connection, support, and community. Everyone is welcome!  [See less](#)

Everett, Washington

45. Participants in the May 2025 community resource fair included Goodwill Industries, Childcare Aware, the Boys and Girls Club of Snohomish County, Bikers Against Child Abuse, Domestic Violence Services Snohomish County, the Care-a-Van mobile health clinic, Black Seed Farms, and other organizations that provide about legal services, health, education, and other community services.

46. Non-governmental participants in the community resource fair are not required to provide services on behalf of the District, are not controlled by the District, and do not speak on behalf the District when offering services.

1 47. On April 24, 2025, LifeWise asked the District’s communications department
2 how it could participate in the community resource fair, including by having a booth, in the
3 same way other community organizations not affiliated with the school have a booth.

4 48. In response to that request, the Director of the District’s Communications
5 Department—a district employee under the chain of authority of Defendant Saltzman—told
6 LifeWise that LifeWise was not allowed to have a booth at the districts’ community resource
7 fairs because the District “do[es] not allow religious-based organizations of any type to
8 participate in school-sponsored events.” See Exhibit 2.

9 49. As purported justification for denying LifeWise the opportunity to participate in
10 the community resource fair, the Director of the Communications Department cited Sections C,
11 G, and I of Policy 2340P. However, as explained above, Policy 2340P *does* permit religious
12 organizations to use Everett Public School facilities in accordance with procedures developed
13 by the Superintendent or his designee, so long as such use does not interfere with educational
14 activities.

15 50. Allowing LifeWise to have a booth at the community resource fair would not
16 interfere with educational activities.

17 51. LifeWise intends to seek the ability to participate in the 2026 community
18 resource fair, but expects it will be denied access on the basis of its status as a religious
19 organization unless Defendants are enjoined from applying Policy 2340P as they currently
20 interpret it.

21 52. In addition to excluding LifeWise from the community resource fair, the District
22 has also denied LifeWise equal access to information-distribution channels that it opens to other
23 external organizations that provide services to students of the District.

24 53. The District uses a platform called Peachjar to allow community organizations
25 to share electronically informational flyers about services offered by community organizations
26 to the District community. In its Peachjar guidelines, the District states, “**Important!** Not all
27 families have Internet access. Therefore, each school served by your organization should

1 receive from you a limited number of paper copies as listed below.”¹⁸ Accordingly, at Emerson
2 Elementary, organizations leave copies of these flyers in the school lobby.

3 54. Some examples of the types of flyers distributed via Peachjar and placed in hard
4 copy at Emerson Elementary School have included flyers for a pediatrician’s office, an eye
5 center, a robotics competition, and a Christian organization called “Millennia Ministries” that
6 provides community services to prevent homelessness. See Exhibit 3.

7 55. Through the spring 2025 Semester, LifeWise circulated a flyer about its
8 programming via Peachjar and also provided paper copies of its flyer to be displayed alongside
9 those of other community organizations in Emerson Elementary’s lobby. These flyers allowed
10 parents to learn about LifeWise and decide whether to enroll their students in its programs.
11 These hard copy flyers reached parents who had not been aware of LifeWise from the online
12 Peachjar platform alone.

13 56. All physical flyers displayed in the school must contain a printed statement
14 saying, “Everett Public Schools has neither reviewed nor approved the program, personnel,
15 activities or organizations announced in this flier. . . . Permission to distribute this flier should
16 not be considered a recommendation of the program by the school district. This is not a school
17 district sponsored activity.” Thus, no reasonable person who observes an organization’s flyers
18 in the lobby would conclude that the District had endorsed or partnered with the organization.

19 57. However, LifeWise’s flyers (and, on one occasion, the flyer stand as well) were
20 repeatedly removed from the office. On information and belief, the flyers were stolen by
21 parents in the community who dislike LifeWise and oppose its mission and presence in public
22 schools.

23 58. Instead of working to prevent grown adults from stealing informational flyers
24 from a school lobby, Emerson Elementary staff instead functionally endorsed the sabotage and
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27 ¹⁸ Everett Public Schools, *Guidelines for eflyer distribution* (last accessed
December 14, 2025), <https://www.everettsd.org/domain/1450>.

1 told LifeWise that it could no longer display hard-copy flyers on District Property during the
2 school day.

3 59. In an email on June 13, 2025, the principal of Emerson Elementary—who is in
4 the chain of authority of Defendant Saltzman with respect to interpreting and applying District
5 policies and procedures—told LifeWise that its hard copy flyers (and only its flyers) would no
6 longer be allowed at all in the lobby of Emerson Elementary. Exhibit 4.

7 60. As the basis for denying LifeWise access to the flyer board, Emerson’s principal
8 stated that the District “do[es] not allow religious organizations of any type to participate in
9 school-sponsored events,”—even though other religious organizations displayed their flyers in
10 the lobby—and cited Sections C, G, and I of Policy 2340P.

11 61. Allowing LifeWise to place its flyers on a flyer stand next to flyers from other
12 community organizations would not interfere with any educational activity and would not
13 constitute the “distribution” of materials expressing a religious message.

14 **LifeWise Parents, Including Ms. Sweeny, Face**
15 **Unreasonable Barriers to Participation**

16 62. In the first semester that LifeWise provided learning opportunities to Emerson
17 Elementary students, LifeWise asked the District to approve a permission slip that would allow
18 Parents to approve their children’s check-out for LifeWise programming for the whole
19 semester. That slip would have indicated that the parent gave permission for the student to be
20 released “to LifeWise” and a single permission slip would have allowed a student to be released
21 to LifeWise for the duration of the semester (not requiring separate slips weekly for each
22 LifeWise class). The District rejected this policy, instead requiring separate permission slips
23 for each release and requiring that the slips list the name of an individual, rather than the
24 organization.

25 63. However, LifeWise negotiated a workable solution: it was permitted to collect
26 signatures from Parents on all permission slips for the semester in advance, as a single packet,
27 and then simply turn in the appropriate day’s permission slip the morning of LifeWise

1 instruction. These permission slips provided that the child would be released to the custody of
2 any of the four named LifeWise chaperones who might be leading classes during the semester.

3 64. During the Spring 2025 semester, no child attended LifeWise without a
4 permission slip signed by his or her parent. No child was ever unaccounted for upon LifeWise's
5 return of the checked-out children to campus. And no child whose parent had decided not to
6 continue to allow the child to participate in LifeWise was ever checked out on the basis of a
7 pre-signed permission slip. In other words, allowing LifeWise to collect permission slips from
8 parents in advance and then turn them into the Emerson Elementary office did not pose any
9 issues of student safety or voluntary participation.

10 65. Under District Policy 3441P, a parent or guardian may provide "prior written
11 authorization" to release a student "into someone else's custody."¹⁹ This policy does not
12 prohibit a parent from releasing a student into the custody of an organization.

13 66. Under District Policy 3122P, an absence for "participation in religious . . .
14 instruction" constitutes an excused absence, and a parent or guardian may provide notice for an
15 excused absence with a note including the "Date(s) of the absence"—that is, a single note may
16 provide an explanation for multiple dates on which the student's absence would be excused.²⁰

17 67. For participation in after-school activities supervised by outside organizations
18 such as the LEGO club and the Boys and Girls Club, the District allows parents to sign up with
19 the organization's own paperwork, with a single permission slip authorizing the release of a
20 student into the custody of the organization for every date in the semester on which the after-
21 school program is conducted. Parents are not required individually to submit any paperwork to
22 the school themselves.

24 ¹⁹ *Policy 3441P: Release of Student during the School Day*, The District (2017),
25 [https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Docu](https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1031/3441P%20Release%20of%20Student%20during%20the%20School%20Day.pdf)
26 [ment-1031/3441P%20Release%20of%20Student%20during%20the%20School%20](https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1031/3441P%20Release%20of%20Student%20during%20the%20School%20Day.pdf)
27 [Day.pdf](https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-1031/3441P%20Release%20of%20Student%20during%20the%20School%20Day.pdf).

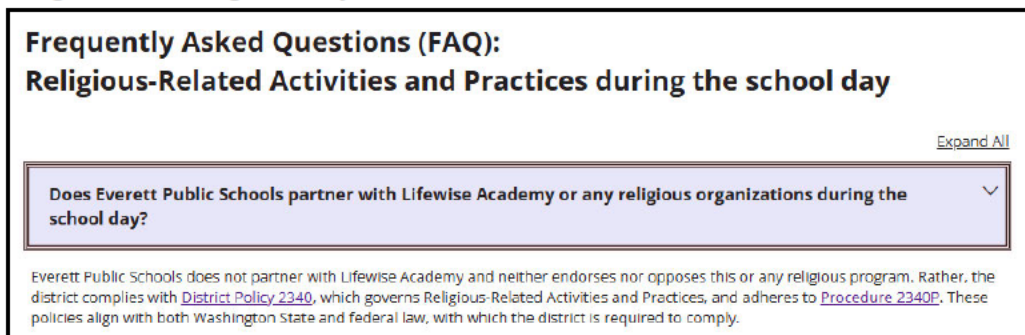
²⁰ *Policy 3122P: Attendance*, The District (2025), [https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-39668/3122P%20Atten](https://docushare.everett.k12.wa.us/docushare/dsweb/Get/Document-39668/3122P%20Attendance.pdf)
dance.pdf.

68. The District likewise allows high school students to be given permission for off-campus lunch by presenting a single permission slip for the entire school year.

69. The District would allow an adult who is known to an administrator to present an excusal letter on behalf of a parent giving permission for the adult to take custody of a student.

70. After months of public pressure and negative comments about LifeWise at Board meetings, the District announced at its September 9, 2025 Board meeting that it would mandate parents seeking to excuse their children for participation in LifeWise to follow a different, and more onerous, permission slip policy, namely they must submit separate written consent for each individual release to a specific named person and cannot provide permission slips for LifeWise to hand in by proxy.²¹

71. On September 9, 2025, the District updated its website with new, restrictive guidance that applies to parents who wish to release their students for RTRI with LifeWise, which the guidelines single out by name.²²



72. On information and belief, the new guidelines were proposed by Directors, and Defendant Saltzman did not develop the guidelines independently of the view or input from the Board.

²¹ The District in Washington, *The District Regular Board Meeting 2025.09.09*, YouTube (Sep. 10, 2025), <https://www.youtube.com/watch?v=8OSPTrg5zlc>.

²² *Attendance*, Everett Pub. Schs., <https://www.everettsd.org/Page/30533> (last visited Oct. 6, 2025).

1 73. Now, parents who wish to excuse their children for religious instruction through
2 LifeWise must submit a separate written consent form for each individual release—one form
3 per week, rather than a single form for the entire semester. Each written consent form must state
4 the “specific time and date of release” and the “name of the adult who will pick up the student,”
5 who must be the same person who signs the student back in. The form may be submitted no
6 more than one week in advance.

7 74. These requirements differ from the way the District would treat other, non-
8 religious release requests. For example, schools in the District would honor a request by a parent
9 who gave permission to both her child’s grandmother and grandfather to check her out one day,
10 even if the parent did not know which grandparent would walk into the office. But a regional
11 Superintendent rejected LifeWise’s proposal for a permission slip that authorized release to all
12 five of the possible LifeWise staff or volunteers who might pick students up for programming
13 one day. Likewise, the District does not impose a one-week limit on the timing of permission
14 slips for other release approvals.

15 75. Schools in the District would also allow an adult known to them, such as a
16 child’s aunt, to present a signed release note and pick up a student as a proxy for the child’s
17 parent physically presenting the release. However, the District has refused to allow LifeWise
18 staff and volunteers—even those who are also parents of children at Emerson and therefore
19 known to the school—to turn in a note on behalf of parents like Ms. Sweeny. This rejection of
20 proxy permission slips is an about-face from the District’s practice in the Spring 2025 semester.

21 76. In a September 18, 2025 meeting with LifeWise, a regional Superintendent for
22 the District—within Defendant Saltzman’s chain of command—informed LifeWise staff that
23 the reason the District no longer allowed LifeWise to turn in permission slips on behalf of
24 parents was that the District wanted to avoid a “perception of partnership with LifeWise.” The
25 District did not identify any specific concern for student safety or administrability, and no such
26 issues had been caused in Spring 2025 when LifeWise was able to turn in permission slips that
27 were pre-signed.

1 77. These new permission slip guidelines create a practical barrier for parents who
2 want their children to access LifeWise’s religious programming. On some days, parents may
3 not know in advance which of LifeWise’s volunteers or teachers (all of whom have passed
4 background checks) will be the “name[d] . . . adult” that picks up their children. On other days,
5 a parent may forget or misplace a weekly permission slip in the rush of getting young children
6 ready for school, or might wrongly assume a spouse turned in a permission slip for that week,
7 only for the child not to be able to go to LifeWise.

8 78. Requiring permission slips to be turned in within a week of a LifeWise program,
9 instead of allowing them to be submitted in advance, has also led to administrative
10 inefficiencies by the District that make it more difficult for parents to send their children to
11 LifeWise. On three separate occasions in Fall 2025, Plaintiff Sarah Sweeny emailed a
12 permission slip to the attendance email only to be notified the morning of LifeWise that the
13 permission slip had not been received. While Ms. Sweeny was able to forward her permission
14 slip emails to the school again, the process was a distressing distraction that could have been
15 avoided if the District adhered to its Spring 2025 policy of allowing multiple permission slips
16 in advance.

17 79. These administrative burdens are felt acutely at Emerson Elementary, which is
18 a dual-language school at which many parents speak little to no English (or speak English as a
19 second language). LifeWise staff, including Ms. Sweeny, have had to spend hours attempting
20 to communicate the new policies to parents with time that could have otherwise been spent
21 preparing for LifeWise lessons and programming.

22 80. The new “named adult” policy also removes the ability of parents to give their
23 children religious education through LifeWise if the pre-assigned LifeWise volunteer or staff
24 becomes unavailable on a given day, such as through illness. Because at least one illness or
25 similar issue is essentially inevitable, and as LifeWise will be unable to contact parents during
26 their workday to submit a new permission slip naming a substitute check-out volunteer or staff,
27 the permission slip policy will inevitably prevent children from attending LifeWise. If

LifeWise cannot guarantee that the same person both checks out and checks in the students when they are picked up and dropped off, respectively, then parents cannot comply with the district's new permission slip policy.

81. These new guidelines have made it more difficult for LifeWise to engage in its religious mission of sharing biblical, faith-based character lessons to children in RTRI. The new guidelines dramatically increase the administrative burden for LifeWise's volunteer leaders and organizers, who must coordinate permission slips on a weekly (rather than semesterly or annual) basis with all the parents involved. Moreover, they cannot plan lessons, lunches, or class materials in advance because they do not know until the morning of (or even the hour of) a program how many children have permission slips on file for that week. This means that LifeWise's staff and volunteers must spend less time preparing for a weekly lesson and instead spend time contacting parents about permission slips.

82. These guidelines also burden LifeWise by inhibiting the participation of students. LifeWise's religious mission is to educate children in their faith, at their parents' direction. But fewer children will participate due to the onerous requirements of the permission slip policy.

83. Additionally, these ad hoc administrative barriers make it uniquely difficult and confusing for parents, such as Ms. Sweeny, to ensure that their children are able to participate in LifeWise programming.

84. The District adopted the new guidelines to exhaust parents like Ms. Sweeny into acquiescing to the Board's disfavor of RTRI programs as a whole. As the President of the Board stated when announcing the new guidelines, the Board "do[es] not support or endorse programs that provide off-campus religious instruction during the school day and prefer[s] that children stay at school."²³ The District both expressed its preference *against* religious

²³ Everett Public Schools in Washington State, *Everett Public Schools Regular Board Meeting 2025.09.09*, YouTube (Sep. 10, 2025), <https://www.youtube.com/watch?v=8OSPTrg5zlc> [at 12:54].

1 instruction and codified that preference into a new and overly burdensome policy making
2 participation in LifeWise more difficult.

3 85. Board Members are free to withhold permission for their own children from
4 attendance at LifeWise, but they may not impose arbitrary administrative barriers designed to
5 prevent parents from exercising a different choice. The Board may not single out LifeWise for
6 disfavored treatment.

7 86. Not content merely to impede parents from sending their children to LifeWise,
8 the District also enacted additional policies targeted to controlling student behavior on their
9 return from participation in LifeWise. The new guidelines state that “[s]tudents may not return
10 to their classrooms with handouts or other items from the religious organization” unless such
11 materials are “sealed in an envelope and placed directly into the student’s backpack
12 immediately upon their return to school.”

13 87. The District otherwise permits students to bring personal reading material to
14 school, which students may read during free time. In other words, comic books about Peter
15 Parker are allowed. LifeWise materials about Peter the Apostle are not.

16 88. Plaintiff Sweeny would like her children to be able to read materials from
17 LifeWise in afternoon free time upon returning to school in order to help her children use her
18 free time for activities that develop their faith. Her children would like to be able to do so as
19 well. But the District’s Guidelines prohibit that. LifeWise materials cannot even be read
20 privately by students returning from RTRI, as they are required to be kept in a sealed envelope
21 in the students’ backpacks.

22 89. The new Guidelines further burden Ms. Sweeny’s ability to raise her children
23 according to her faith because it reinforces a message that religion is shameful and that faith
24 should be hidden. Such ideas are antithetical to Ms. Sweeny’s belief that Christians should “let
25 [their] light shine before others.” (Matt. 5:16, NIV). The coercive psychological effects that the
26 District’s Guidelines have on elementary school students—who do not want to get in trouble—
27 thus frustrate the religious development Ms. Sweeny desires for her children.

1 90. Requiring students to keep LifeWise materials in a sealed envelope in their
2 backpacks is unnecessary to further any interest the District has against disruption or other
3 student misconduct, which can be dealt with on a case-by-case basis that does not discriminate
4 on the basis of religion.

5 91. While the District has cited its policies against religious organizations
6 “proselytizing” on school grounds and against the distribution of religious materials on behalf
7 of religious organizations to justify its sealed-envelope policy, the policy is not a reasonable
8 method to advance those goals. LifeWise does not instruct its students to share materials with
9 other students, and District policy permits students voluntarily to share religious materials with
10 other students. Thus, the sealed-envelope policy is not rationally related to the application of
11 any District policy.

12 92. The policies of the District are the moving force for the discriminatory acts of
13 its employees.

14 **Count I – Facial and As-Applied Violations of Free Speech Clause Under 42 U.S.C.**
15 **§ 1983; 28 U.S.C. § 2201 (Against The District) (Exclusion from Limited Public Forums)**

16 93. Plaintiffs incorporate and reallege paragraphs 1 to 91 as if set forth fully herein.

17 94. Policy 2340P is an official policy or practice of the District, which enacted it
18 under color of state law.

19 95. The District has adopted a policy and practice of excluding religious
20 organizations from its annual community resource fair.

21 96. The community resource fair operates as a limited public forum in which
22 community organizations that provide educational, social, health, legal, financial, recreational,
23 and other services to members of the District community can participate for the expressive
24 purpose of provide information about themselves and their services.

25 97. Aside from its status as a religious organization, LifeWise otherwise provides
26 philanthropic services to the District community that would qualify it to participate in the
27 community resource fair.

1 98. The District's annual community resource fair operates as a limited public forum
2 in which some organizations that do not speak for the District are permitted to provide
3 information about their services, subject to the condition that those organizations' services are
4 provided to District students and Parents.

5 99. Whether an organization is religious is not a relevant basis on the content of that
6 organization's expression through participation in the community resource fair.

7 100. The District has excluded LifeWise from the community resource fair because
8 of its religious viewpoint.

9 101. Because the District does not promote or endorse an organization, its message,
10 or its services by allowing it to participate in the community resource fair, excluding LifeWise
11 from the community resource fair on the basis of its status as a religious organization serves no
12 purpose reasonably related to the limitation on the community resource fair as a public forum.

13 102. The exclusion of religious organizations from the community resource fair is not
14 necessary for the District to advance any compelling public interest.

15 103. The District has adopted a policy and practice of excluding religious
16 organizations from placing hard-copy flyers in the lobbies of schools in the district that display
17 flyers for secular community organizations who send electronic flyers out through the online
18 Peachjar platform.

19 104. The stand for hard copy flyers in the lobbies of schools in the district operates
20 as a limited public forum for community organizations who send electronic flyers through the
21 online Peachjar platform for the expressive purpose of sharing information about the
22 organizations to members of the District community.

23 105. LifeWise is a community organization that shares its flyers electronically
24 through the online Peachjar platform and, aside from its status as a religious organization, would
25 otherwise qualify to display its flyers in the lobbies of schools in the district.
26
27

106. The exclusion of flyers informing community members about religious organizations is a restriction that bears no reasonable relation to the nature or purpose of the forum.

107. The exclusion of flyers informing community members of the existence of religious organizations is not necessary for the District to advance any compelling public interest.

108. District employees have also rejected an electronic flyer submitted by LifeWise for distribution through the District's electronic Peachjar platform on the basis that it pictured a boy praying, on the grounds that an observer might view the picture as "proselytizing." A picture of the proposed flyer is shown below:



109. The picture of a boy praying is not coercive toward any student, does not express any viewpoint on behalf of the District, and could not reasonably be interpreted as an attempt

1 to by the District to advance or prefer religion, since all flyers distributed through Peachjar have
2 a disclaimer stating that the flyers do not speak for the District.

3 110. The District has adopted a policy and practice of refusing to accept Peachjar
4 electronic flyers due to the presence of religious speech that the District deems to be
5 “proselytizing,” thereby discriminating against LifeWise’s speech because of its religious
6 viewpoint.

7 WHEREFORE Plaintiff LifeWise, Inc. requests that this Court (1) enter a declaratory
8 judgment that Sections C and I of Policy 2340P are facially unconstitutional to the extent they
9 facially prohibit the participation of religious organizations in school district programs that are
10 open to participation by secular organizations; (2) Enjoin defendant Everett Public School
11 District, including its officers and agents, to:

- 12 a. Permit LifeWise to participate in the District’s community resource fairs;
13 b. Permit LifeWise to display printed flyers in the front office lobbies of the District in
14 which secular organizations are allowed to do so;
15 c. Permit LifeWise to distribute Peachjar flyers (both electronic and hard copy) that
16 depict persons engaged in religious activities such as prayer;
17 (3) Award LifeWise nominal damages;
18 (4) Award LifeWise its reasonable costs and attorney’s fees; and
19 (5) Enter any such other and further relief as the Court may deem just and proper.

20
21 **Count II – As-Applied Violation of First Amendment Free Speech Clause Under 42**

22 **U.S.C. § 1983 (Against Defendant Saltzman) (Exclusion from Limited Public Forums)**

23 111. Plaintiffs incorporate and reallege paragraphs ____ to ____ as if set forth fully
24 herein.

25 112. Defendant Saltzman, in his official capacity as the Superintendent of the District,
26 oversees the application of the school district’s policies and procedures.
27

1 113. Both the Categorical Programs Division and the Communications Department
2 of the District, which are responsible for organizing the annual Community Resource Fair, are
3 under the chain of authority of Defendant Saltzman in his official capacity as Superintendent
4 of the District.

5 114. When Defendant Saltzman and those under his chain of authority interpret and
6 apply the District's policies and procedures, they act under color of state law.

7 115. Defendant Saltzman, either individually or through those under his chain of
8 authority, has interpreted and applied Policy 2340P to prohibit LifeWise from participating in
9 the community resource fair—even though he permits secular non-governmental community
10 organizations to participate in the community resource fair—solely because of LifeWise's
11 status as a religious organization.

12 116. The community resource fair operates as a limited public forum in which
13 community organizations that provide educational, social, health, legal, financial, recreational,
14 and other services to members of the District community can participate for the expressive
15 purpose of providing information about themselves and their services.

16 117. Aside from its status as a religious organization, LifeWise otherwise provides
17 philanthropic services to the District community that would qualify it to participate in the
18 community resource fair.

19 118. The District's annual community resource fair operates as a limited public forum
20 in which some organizations that do not speak for the District are permitted to provide
21 information about their services, subject to the condition that those organizations' services are
22 provided District students and Parents.

23 119. Whether an organization is religious is not a relevant basis on the content of that
24 organization's expression through participation in the community resource fair.

25 120. Defendant Saltzman, in his official capacity and through those acting under his
26 chain of command, has excluded LifeWise from the community resource fair because of its
27 religious viewpoint.

1 121. Because the District does not promote or endorse an organization, its message,
2 or its services by allowing it to participate in the community resource fair, excluding LifeWise
3 from the community resource fair on the basis of its status as a religious organization serves no
4 purpose reasonably related to the limitation on the community resource fair as a public forum.

5 122. The exclusion of religious organizations from the community resource fair is not
6 necessary for the District to advance any compelling public interest.

7 123. Defendant Saltzman, in his official capacity and through those acting under his
8 chain of command, has prevented LifeWise from placing hard-copy flyers in the lobbies of
9 schools in the district that display flyers for secular community organizations who send
10 electronic flyers out through the online Peachjar platform.

11 124. The stand for hard copy flyers in the lobbies of schools in the district operates
12 as a limited public forum for community organizations who send electronic flyers through the
13 online Peachjar platform for the expressive purpose of sharing information about the
14 organizations to members of the District community.

15 125. LifeWise is a community organization that shares its flyers electronically
16 through the online Peachjar platform and, aside from its status as a religious organization, would
17 otherwise qualify to display its flyers in the lobbies of schools in the district.

18 126. The exclusion of flyers informing community members about religious
19 organizations is a restriction that bears no reasonable relation to the nature or purpose of the
20 forum.

21 127. The exclusion of flyers informing community members of the existence of
22 religious organizations is not necessary for the District to advance any compelling public
23 interest.

128. District employees in Defendant Saltzman's chain of authority have also rejected an electronic flyer submitted by LifeWise for distribution through the District's electronic Peachjar platform on the basis that it pictured a boy praying, on the grounds that an observer might view the picture as "proselytizing." A picture of the proposed flyer is shown below:



129. The picture of a boy praying is not coercive toward any student, does not express any viewpoint on behalf of the District, and could not reasonably be interpreted as an attempt to by the District to advance or prefer religion, since all flyers distributed through Peachjar have a disclaimer stating that the flyers do not speak for the District.

130. By rejecting the proposed flyer, Defendant Saltzman and those in his chain of authority have discriminated against LifeWise's speech because of its religious viewpoint.

131. On information and belief, despite a pretextual viewpoint-neutral justification for excluding LifeWise from the community resource fair and from displaying its hard copy flyers, Defendant Saltzman and those under his chain of authority have, in their official capacities, denied LifeWise access to these forums on the basis of its viewpoints or perceived viewpoints as a Christian organization.

WHEREFORE Plaintiff LifeWise, Inc. requests that this Court (1) Enjoin Defendant Saltzman, in his official capacity and including those under his chain of authority, from:

- a. Preventing LifeWise allow LifeWise to participate in the District' community resource fairs;
 - b. Enjoin defendant Saltzman, in his official capacity and including those under his chain of authority, to allow LifeWise to display printed flyers in the lobby of the District, where other secular organizations are allowed to do so;
 - c. Permit LifeWise to distribute Peachjar flyers (both electronic and hard copy) that depict persons engaged in religious activities such as prayer;
- (2) Award LifeWise nominal damages;
- (3) Award LifeWise its reasonable costs and attorney's fees; and
- (4) Enter any such other and further relief as the Court may deem just and proper.

Count III – Facial and As-Applied Violations of the Free Exercise Clause Under 42

U.S.C. § 1983; 28 U.S.C. § 2201 (Against all Defendants) (Permission Slips)

132. Plaintiffs incorporate and reallege paragraphs ____ to ____ as if set forth fully herein.

133. The new guidelines for RTRI adopted in September 2025 are an official policy or practice of the District, which it implemented under color of state and federal law.

134. Defendant Saltzman, acting through the District employees under his chain of command, has implemented the new guidelines and applied them as written.

1 135. The new RTRI guidelines make it significantly more difficult for LifeWise to
2 fulfill its mission of sharing Bible lessons with students on RTRI time due to the additional time
3 needed to coordinate with parents and maintain regular student attendance.

4 136. The new guidelines' permission slip requirements are a near guarantee either
5 that LifeWise will be able to share its message with fewer students or that, because it will have
6 to cancel a session, it will be unable to share the same number of programs with those students
7 as it would if the new guidelines were reverted.

8 137. On information and belief, the new guidelines were adopted specifically to
9 impose new restrictions and administrative requirements on parents who wish to send their
10 children to LifeWise's programs. The guidelines were adopted to target—and punish—
11 religious instruction.

12 138. In light of the derogatory statements that Director Adkins made against
13 LifeWise, to which no other Director objected, and in light of the Board President's statement
14 that the school board "do[es] not support or endorse programs that provide off-campus religious
15 instruction during the school day and prefer[s] that children stay at school," the new guidelines
16 appear designed specifically to dissuade parents from permitting their children to participate in
17 LifeWise's programs, and thus to reduce LifeWise's ability to exercise its religious mission of
18 providing Bible lessons to students.

19 139. The new permission slip guidelines are unnecessary to keep students safe and
20 do not save the District time in coordinating student leave for RTRI.

21 140. The new permission slip guidelines do not decrease any administrative burden
22 that the District would face associated with RTRI and, in fact, increases the administrative
23 burden upon the District.

24 141. The District could achieve its goals of student safety and administrability
25 through less burdensome means.
26
27

WHEREFORE Plaintiffs request that this Court: (1) enter a declaratory judgment that the new permission slip guidelines violate the First Amendment, facially and as applied; (2) enjoin Defendants, including their officers and agents, from:

- a. Enforcing the new guidelines against LifeWise, including policies regarding weekly permission slips with a single “named adult” who cannot be changed after the slip is signed and that cannot be turned in more than one week in advance; and
- b. Enforcing any other requirements on LifeWise that do not apply to every other organization, viz., allowing LifeWise semester-long permission slips, signed by the parents of students in the District, to authorize the release of those students to LifeWise for its RTRI programming, and to permit LifeWise to pick up and drop off students via a LifeWise staff or volunteer who has passed a background check but who is not specifically named in the permission slip;

(3) Award Plaintiffs nominal damages;

(4) Award Plaintiffs their reasonable costs and attorney’s fees; and

(5) Enter such any other and further relief as the Court may deem just and proper.

Count IV – Violation of First Amendment Parental Free Exercise Under 42 U.S.C.

§ 1983; 28 U.S.C. § 2201 (Against All Defendants) (RTRI Guidelines)

142. Plaintiffs incorporate and reallege paragraphs ____ to ____ as if set forth fully herein.

143. The September 2025 guidelines for RTRI promulgated on the District website are an official policy or practice of the District, adopted under color of state law.

144. Defendant Saltzman, including through District employees under his chain of command, enforces and applies the districts’ September 2025 RTRI Guidelines as written.

145. The September 2025 Guidelines for RTRI facially require students who attend off-campus religious instruction to keep any materials received during RTRI in a sealed envelope in their backpacks when they return to campus.

1 146. The District has no policy or procedure requiring that students keep secular
2 instructional materials provided to them during other off-campus activities sealed in their
3 backpacks upon returning to their classrooms.

4 147. Plaintiff Sarah Sweeny, based on her sincere religious beliefs, desires that her
5 child have access to religious instructional materials during the school day, including materials
6 provided by LifeWise when her child returns from a LifeWise RTRI program.

7 148. The District's policy and procedure that students returning from RTRI keep any
8 materials received during RTRI sealed in their backpacks, simply on the basis that those
9 materials were provided by a religious organization, substantially interferes with Plaintiff
10 Sweeny's ability to direct her child's religious formation.

11 149. Any compelling interest the District has in non-establishment of religion could
12 be achieved by disclaiming any endorsement of materials that children bring back to campus
13 from RTRI.

14 150. Any compelling interest the District has in preventing distraction or bullying
15 could be achieved through neutral and generally applicable restrictions on student behavior that
16 do not single out materials brought back to campus from RTRI.

17 151. Any other compelling interest the District has in education or classroom
18 management could be achieved through means less restrictive to Ms. Sweeny's parental free
19 exercise rights than prohibiting students from accessing material obtained during RTRI after
20 they return to campus.

21 152. The District's September RTRI Guidelines also place unique, heightened
22 restrictions on student check-out and check-in for RTRI as compared to other excused absences.

23 153. Plaintiff Sweeny faces more onerous check-out / check-in procedures, such as
24 weekly permission slips and naming a specific person who will pick up and return children to
25 campus, to send her child to LifeWise's RTRI programming than she would need to perform
26 for other off-campus activities or excused absences.

1 154. Ms. Sweeny has lost time and suffered frustration in releasing her children to
2 religious instruction with LifeWise as a result of The District's RTRI Guidelines.

3 155. Any compelling interest The District has in child safety or administrability could
4 be adequately achieved by allowing parents like Ms. Sweeny to authorize, for the entire
5 semester, that their children be released to the custody of LifeWise during RTRI, which would
6 impose less restriction on Ms. Sweeny's ability to direct her child's religious upbringing.

7 156. Keeping track of which students are authorized for RTRI release to LifeWise on
8 a semester-by-semester basis would not be more administratively onerous on the District than
9 to keep track of such students on a week-by-week basis.

10 157. The weekly permission slip process is not the least restrictive means by which
11 the District may further any other compelling interest.

12 WHEREFORE, Plaintiff Sarah Sweeny respectfully requests that the Court (1) enter a
13 declaratory judgment that the District's RTRI Guidelines facially violate her parental free
14 exercise rights under the First Amendment by imposing unique restrictions on student reading
15 materials and student check-out / check-in procedures on the basis of religion; (2) enjoin
16 Defendants, including their officers and agents, from:

- 17 a. Requiring that Ms. Sweeny's children keep religious instructional materials sealed
18 or in a backpack upon returning from RTRI;
- 19 b. Requiring that Ms. Sweeny weekly authorize a specific named person to pick up her
20 children for attendance at LifeWise's RTRI program and instead allow Ms. Sweeny
21 to authorize LifeWise itself, on a semester-by-semester basis, to take custody of her
22 child during RTRI programming;

23 (3) Award Ms. Sweeny nominal damages;

24 (4) Award Ms. Sweeny her reasonable costs and attorney's fees; and

25 (5) Enter any such other and further relief as the Court may deem just and proper.
26
27

1
2 DATED this December 18, 2025

Respectfully submitted,

3 BRYAN CAVE LEIGHTON PAISNER
4 LLP

5 *s/ Caleb T. Mathena*

s/ Barbara A. Smith

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