

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

REV. DR. LORI WALKE; JENNY BOBO and PRESTON BOBO, on behalf of themselves and on behalf of their minor child, P.B.; ROBIN CLYMER; CORTNEY CUNNINGHAM; MATTHEW DIXON; RACHEL HILL, on behalf of herself and on behalf of her minor children, F.H. and N.H.; AMBER HOOD, on behalf of herself and on behalf of her minor child, W.H.; MIKE HOWE; BRENDA LENÉ; MICHELE MEDLEY, on behalf of herself and on behalf of her children, R.M.1, R.M.2, and S.M.; MELISA MONS; REV. DR. MITCH RANDALL; TAMARA SANCHEZ, on behalf of herself and on behalf of her minor children, M.S. and J.S.; JAY WHITNEY; YULIA WHITNEY, on behalf of herself and on behalf of her minor child, D.S.; REV. DR. LISA WOLFE, on behalf of herself and on behalf of her minor children, A.M. and P.M.; and ERIKA WRIGHT, on behalf of herself and on behalf of her minor children, C.W. and V.W.,

Petitioners,

v.

RYAN WALTERS, in his official capacity as STATE SUPERINTENDENT OF PUBLIC INSTRUCTION; OKLAHOMA STATE DEPARTMENT OF EDUCATION; OKLAHOMA STATE BOARD OF EDUCATION; DONALD BURDICK, SARAH LEPAK, KATIE QUEBEDEAUX, ZACHARY ARCHER, and KENDRA WESSON, in their official capacities as MEMBERS OF THE OKLAHOMA STATE BOARD OF EDUCATION; OKLAHOMA OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES; RICK ROSE, in his official capacity as EXECUTIVE DIRECTOR OF THE OKLAHOMA OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES; AMANDA OTIS, in her official capacity as STATE PURCHASING DIRECTOR OF THE OKLAHOMA OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES; and BRENDA HANSEL, in her official capacity as a CONTRACTING OFFICER IN THE OKLAHOMA OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES,

Respondents.

Case No. _____

APPLICATION FOR ASSUMPTION OF ORIGINAL JURISDICTION AND PETITION FOR DECLARATORY AND INJUNCTIVE RELIEF AND/OR A WRIT OF MANDAMUS AND/OR PROHIBITION

INTRODUCTION

1. On June 27, 2024, Oklahoma State Superintendent of Public Instruction Ryan Walters issued to all Oklahoma public-school superintendents a memorandum entitled “Immediate Implementation of Foundational Texts in Curriculum.” This directive orders all Oklahoma public schools to “incorporate the Bible, which includes the Ten Commandments, as an instructional support into the curriculum across specified grade levels, e.g., grades 5 through 12.” It further states, “Adherence to this mandate is compulsory. . . . Immediate and strict compliance is expected.”

2. On July 24, 2024, Superintendent Walters issued to all Oklahoma public school districts an additional memorandum, which is entitled “OSDE Instructional Support Guidelines for Teachers.” The July 24 memorandum states that school districts must provide physical copies of the Bible and the Ten Commandments to every teacher to be used as resources in every classroom. It also provides details on how teachers should use the Bible as part of classroom instruction. For example, teachers “must” (1) “focus on how biblical principles have shaped the foundational aspects of Western societies, such as the concepts of justice, human rights, and the rule of law”; (2) “highlight key historical moments where the Bible played a role”; (3) “explore its influence on classic and contemporary works”; and (4) “introduce students to famous artworks that depict biblical scenes or themes.” The July 24 memorandum reemphasizes: “immediate and complete implementation of these guidelines for the 2024–25 school year is required.” Below, Petitioners refer to the June 27 and July 24 memoranda collectively as “the Bible Education Mandate.”

3. During June and July 2024, Superintendent Walters issued a series of public promises to enforce the Bible Education Mandate. He repeatedly threatened teachers and school administrators with serious adverse consequences—including loss of their jobs—if they fail to comply.

4. On September 26, 2024, Superintendent Walters announced that—in furtherance of the Bible Education Mandate—he would spend \$3 million in state funds during the current fiscal year to purchase and supply Bibles to school districts. Then, on September 30, 2024, the State Department of Education posted on its website a Request for Proposal (“the Bible RFP”) seeking bids for a contract to provide and ship 55,000 King James Version Bibles—a Protestant version—with leather or similar binding to all the school districts in the state within two weeks of the contract-award date.

5. Petitioners include public-school parents, their minor children, teachers, and clergy who face a variety of harms from the Bible Education Mandate. The Mandate interferes with the parents’ ability to direct the religious and moral upbringing of their children. The children themselves face coercive instruction on religion in their public schools that is contrary to their own beliefs. The teachers must present to their students religious doctrines to which the teachers and many students do not subscribe, or face losing their teaching licenses. And the spending of state funds to purchase Bibles diverts the tax payments of all the adult petitioners from proper uses to the support of a single religious tradition.

6. The Bible Education Mandate violates the Oklahoma Administrative Procedures Act (“OAPA”). It constitutes a rule under the OAPA. The OAPA requires detailed procedures to be followed to issue a rule, including provision of notice and a comment period. Superintendent Walters made no effort to follow these procedures. The Mandate also

violates the OAPA because it is substantively unlawful. Under 70 O.S. § 11-103.6a(F), individual school districts have the authority to select the instructional materials that they will use. Respondents Superintendent Walters, the State Department of Education, and the State Board of Education have no such authority.

7. The planned \$3 million in spending on Bibles would unlawfully support an invalid rule. The spending is also illegal for a number of other reasons. No statutory or other legislative authority exists for Respondents to spend state funds on curricular materials that they select; rather, their authority is limited to providing state funds to individual school districts that the districts can then spend on texts of their own choice. Respondents intend to spend on the Bibles funds that were designated for other purposes and have not been lawfully reallocated. The Request for Proposal to supply Bibles violates state procurement requirements because it is gerrymandered to favor two particular providers. And religious-freedom provisions of Oklahoma's Constitution—specifically Section 5 of Article II and Section 2 of Article I—prohibit spending state funds on the Bibles, because they are religious items and the spending would support one particular religious tradition.

8. In light of the statewide importance and time-sensitive nature of this matter, Petitioners respectfully request that this Court assume original jurisdiction. Petitioners further respectfully request that the Court issue equitable relief, including a declaratory judgment, an injunction, and/or a writ of mandamus and/or prohibition, (1) declaring the Bible Education Mandate unlawful and invalid, (2) requiring Respondents to rescind the Bible Education Mandate, and (3) prohibiting Respondents from taking any action to enforce or in furtherance of the Bible Education Mandate, including spending any state funds on the purchase or provision of Bibles.

PARTIES

Petitioners

Rev. Dr. Lori Walke

9. Petitioner Rev. Dr. Lori Walke is a resident of Oklahoma County, Oklahoma. She is the Senior Minister of Mayflower Congregational United Church of Christ in Oklahoma City. Rev. Walke pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, tobacco taxes, and alcoholic-beverage taxes. She also pays local property taxes to Oklahoma County. For the reasons stated below, Rev. Walke objects to the Bible Education Mandate and Superintendent Walters’s plan to further the Mandate by spending state funds to purchase Bibles for delivery to Oklahoma public schools. (Walke Decl. ¶¶ 1–5, Petitioners’ Appendix (“PA”) 151.)

10. As a pastor, Rev. Walke cares deeply about religious freedom. She believes that by mandating one particular religious text, and not others, the Bible Education Mandate promotes one set of religious beliefs over others. This concerns Rev. Walke because her faith teaches her to value different perspectives. As a pastor, Rev. Walke believes that translating the Bible from the original manuscripts involves theological choices, and that choosing one particular translation as the official public-school version forces those theological choices onto children. Rev. Walke objects to her tax payments being used to support such sectarian choices. (Walke Decl. ¶¶ 6–8, PA151–52.)

11. Rev. Walke believes that the King James Version of the Bible contains misleading gendered language describing God, gender roles, and sexual identity. She objects to her tax payments being used to spread these harmful misconceptions about the Bible. Rev. Walke

further objects to her tax payments being used to purchase Bibles with leather or similar binding for classrooms when no other (or few other) classroom books are leather-bound or similarly bound. She believes that this physical distinction expresses the message that the Bible has always been a particular (and agreed-upon) collection of writings and that it is inerrant and infallible. Such a message stands in contrast to Rev. Walke's understanding of the historical development of the biblical canon, as well as her belief that the Bible is both timeless and timebound. Rev. Walke also believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Walke Decl. ¶¶ 9–11, PA152.)

Jenny and Preston Bobo

12. Petitioners Jenny Bobo and Preston Bobo bring this suit on behalf of themselves and on behalf of their minor child, P.B. Ms. Bobo, Mr. Bobo, and P.B. are residents of Payne County, Oklahoma. P.B. is enrolled at an Oklahoma public junior-high school (which is not a public charter school). Ms. Bobo is a full-time public-school teacher. She does not teach in a charter school. Ms. Bobo oversees the instruction of sixth- through twelfth-grade students in English, math, civics, and science, including by providing direct instruction via supplemental lessons in each of those subjects as required by state and district curricular requirements. For the reasons stated below, Ms. Bobo, Mr. Bobo, and P.B. object to and face harm from the Bible Education Mandate. (J. Bobo Decl. ¶¶ 1–5, PA113; P. Bobo Decl. ¶¶ 1–4, PA116.)

13. While P.B. is an atheist, Ms. Bobo and Mr. Bobo are members of the Presbyterian Church (U.S.A.). Their faith community values inclusivity and respect for others with differing viewpoints. The Bobos strive to give P.B. the freedom to explore P.B.'s religious or nonreligious beliefs without pressure from authority figures. They believe that such

pressure from authority figures will only cause P.B. to resent those authority figures, which will hinder P.B.'s personal growth and self-reflection. The Bible Education Mandate promotes one particular faith and thus undermines the Bobos' efforts to support P.B.'s exploration of religious concepts in an open, evenhanded environment. The Bible Education Mandate thereby interferes with the Bobos' right to direct and control the upbringing of their child, including their child's moral and religious training. (J. Bobo Decl. ¶¶ 6, 9, PA113–14; P. Bobo Decl. ¶ 5, PA116.)

14. Ms. Bobo believes that if she were to teach the Bible to her public-school students, she would be violating her students' rights to a non-discriminatory education. As a teacher, Ms. Bobo knows that her students succeed when they are seen, heard, and respected. Implementing the Bible Education Mandate would disrespect Ms. Bobo's students and ultimately prevent her from being an effective educator. She does not have the training or knowledge to present the Bible to her students in a way that respects their various faith backgrounds. She could not, in good conscience, teach the Bible to her public-school students. As a teacher, Ms. Bobo feels threatened by Superintendent Walters's repeated warnings that teachers and school administrators will face serious negative consequences if they fail to implement the Bible Education Mandate. Ms. Bobo fears that Superintendent Walters will revoke her teaching license if she does not comply with the Mandate. The Bible Education Mandate thus forces Ms. Bobo to choose between preserving her teaching license and following her conscience. (J. Bobo Decl. ¶¶ 7–8, PA113–14.)

15. Inclusion of the Bible as part of public-school instruction communicates to P.B. that P.B.'s teachers favor religion over nonreligion. The Bible Education Mandate will thus make P.B. feel disrespected and will impair P.B.'s connections with teachers. When P.B.

feels disrespected or disregarded, P.B. adopts an adversarial relationship with authority figures and has trouble focusing. The Bible Education Mandate will thereby hinder P.B.'s ability to succeed in the classroom. (J. Bobo Decl. ¶ 10, PA114; P. Bobo Decl. ¶ 6, PA116–17.)

16. The Bobos pay various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and alcoholic-beverage taxes. They also pay local property taxes to Payne County. The Bobos object to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: The Bobos object to their tax payments being used to promote one set of religious beliefs over others. They believe that Superintendent Walters's planned purchase of Bibles would be illegal. As a Presbyterian, Mr. Bobo objects to his tax payments being used to purchase King James Version Bibles. He believes that the King James Version is an ahistoric version that lacks scholarly value for Oklahoma public-school students. (J. Bobo Decl. ¶¶ 11, 13, PA115; P. Bobo Decl. ¶¶ 7, 9, PA117.)

Robin Clymer

17. Petitioner Robin Clymer is a resident of Tulsa County, Oklahoma. Clymer has a child who is enrolled in fifth grade at an Oklahoma public school (which is not a charter school). For the reasons stated below, Clymer objects to and faces harm from the Bible Education Mandate. (Clymer Decl. ¶¶ 1–4, PA118.)

18. Clymer is an atheist and LGBTQ+. Clymer's child is Christian. Clymer is raising Clymer's child to respect and value people of all religious beliefs, sexual orientations, and gender identities. So that Clymer can address and correct any teachings that may contradict Clymer's efforts to so raise Clymer's child, it is critical to Clymer that any exposure of

Clymer's child to religious teachings occur in the home or otherwise in Clymer's presence. Inclusion of the Bible as part of public-school instruction thus interferes with Clymer's right to direct and control the upbringing of Clymer's child, including Clymer's child's moral and religious training. In addition, after exposure to religious teachings in the past, Clymer's child has expressed fear that Clymer will go to hell because Clymer is an atheist and LGBTQ+. Presentation of Biblical teachings in school to Clymer's child would worsen those fears and thereby harm Clymer's relationship with Clymer's child. (Clymer Decl. ¶¶ 5–6, PA118.)

19. Clymer is a registered member of the Citizen Potawatomi Nation, a federally recognized tribe. Clymer regularly takes Clymer's child to Potawatomi programming, including instruction in Potawatomi language, history, heritage, and arts. As a Native American, Clymer is especially fearful about the Bible Education Mandate because it reminds Clymer of the history of forced religious proselytization of Native Americans in boarding schools in Oklahoma and threatens a revival of such practices. (Clymer Decl. ¶ 7, PA118–19.)

20. Clymer pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and insurance taxes. Clymer also pays local property taxes to Tulsa County. Clymer objects to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: Clymer objects to Clymer's tax payments being used to purchase religious texts of a faith to which Clymer does not subscribe. Clymer objects to Clymer's tax payments being used to promote one set of religious beliefs over others. As a member of the LGBTQ+ community, Clymer does not want Clymer's tax payments to be used to expose Clymer's child to anti-LGBTQ+

religious teachings that are contained in the Bible. Clymer believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Clymer Decl. ¶¶ 8, 10, PA119.)

Cortney Cunningham

21. Petitioner Cortney Cunningham is a resident of Oklahoma County. She is a fifth-grade teacher at an Oklahoma public school (which is not a charter school). She teaches all primary subjects, including reading, math, social studies, and science. For the reasons stated below, Ms. Cunningham objects to and faces harm from the Bible Education Mandate. (Cunningham Decl. ¶¶ 1–4, PA120.)

22. Ms. Cunningham is agnostic. The Bible presents religious endorsements of violence and patriarchy with which she disagrees, and which she finds abhorrent. The Bible Education Mandate forces one particular form of religion, to which Ms. Cunningham does not subscribe, into the classes she teaches. Ms. Cunningham works hard to make her classroom a safe, welcoming environment for students of all religious and nonreligious backgrounds. She works hard to teach equality to her students. Many of Ms. Cunningham's students are afraid of being perceived as different. By promoting one particular religion over others, the Bible Education Mandate will worsen exclusionary social dynamics in Ms. Cunningham's classroom and impair her ability to create an open, engaging educational environment. For these reasons, Ms. Cunningham could not, in good conscience, teach the Bible to her students, especially her non-Christian students. (Cunningham Decl. ¶¶ 5–7, PA120.)

23. As a teacher, Ms. Cunningham feels threatened by Superintendent Walters's repeated warnings that teachers and school administrators will face serious negative consequences if they fail to implement the Bible Education Mandate. She fears that Superintendent Walters

will revoke her teaching license if she does not comply with the Mandate. The Bible Education Mandate thus forces Ms. Cunningham to choose between preserving her teaching license and following her conscience. (Cunningham Decl. ¶ 8, PA120–21.)

24. Ms. Cunningham pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and insurance taxes. She also pays local property taxes to Oklahoma County. Ms. Cunningham objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Ms. Cunningham objects to her tax payments being used to promote one set of religious beliefs over others. She objects to her tax payments being used to force teachers to explain religious concepts that they are not qualified to teach. She believes that Superintendent Walters’s planned purchase of Bibles would be illegal. (Cunningham Decl. ¶¶ 9, 11, PA121.)

Matthew Dixon

25. Petitioner Matthew Dixon is a resident of Oklahoma County, Oklahoma. He has a child who is enrolled at an Oklahoma public high school (which is not a charter school). For the reasons stated below, Mr. Dixon objects to and faces harm from the Bible Education Mandate. (Dixon Decl. ¶¶ 1–4, PA122.)

26. Mr. Dixon is an atheist. He is raising his child to respect and value people of all religious beliefs and people who do not subscribe to any faith. He strives to raise his child in an open environment where his child can choose which faith, if any, to follow, without pressure from any authority figure. Inclusion of the Bible as part of public-school instruction would promote one set of religious beliefs over others to his child with the backing of authority figures, would coercively subject his child to religious doctrines that

Mr. Dixon does not subscribe to, and would thus interfere with his right to direct and control the upbringing of his child, including his child’s moral and religious training. (Dixon Decl. ¶ 5, PA122.)

27. Mr. Dixon pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, and motor-vehicle taxes. He also pays local property taxes to Oklahoma County. Mr. Dixon objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Mr. Dixon objects to his tax payments being used to purchase religious texts of a faith to which he does not subscribe. He objects to his tax payments being used to promote one set of religious beliefs over others. He believes that the use of his tax dollars for religious instruction would violate the important constitutional principle of church–state separation. He believes that Superintendent Walters’s planned purchase of Bibles would be illegal. (Dixon Decl. ¶¶ 6, 8, PA122–23.)

Rachel Hill

28. Petitioner Rachel Hill brings this suit on behalf of herself and on behalf of her minor children, N.H. and F.H. Ms. Hill, N.H., and F.H. are residents of Tulsa County, Oklahoma. N.H. is enrolled at an Oklahoma public high school (which is not a charter school). F.H. is enrolled at an Oklahoma public middle school (which is not a charter school). For the reasons stated below, Ms. Hill, N.H., and F.H. object to and face harm from the Bible Education Mandate. (Hill Decl. ¶¶ 1–3, 7, PA124–25.)

29. On August 23, 2024, N.H. was assigned a graded, multiple-choice quiz, as part of N.H.’s public-school instruction. The quiz included the following questions and answers:

Q: What is the main idea conveyed by the statement “a student of English literature who does not know the Bible does not understand a good deal of what is going on in what he reads”?

A: The Bible has had a significant influence on English literature, making it a highly recommended reading for comprehension.

Q: What is the significance of the Dead Sea Scrolls being nearly identical to the traditional Hebrew text of the Old Testament?

A: It suggests that Biblical scripture has been accurately transferred from ancient times to modern day.

Q: What does 1 Samuel chapter 16, verses 1 – 13 (where God instructed Samuel to anoint David as Israel’s future king) tell us about the God of the Bible?

A: He looks at the heart, not outward appearance.

Q: What is a lesson that can be inferred from David and Goliath?

A: It serves as a reminder that even the most formidable challenges can be overcome with faith, determination, and a willingness to fight for what is right.

This quiz constituted a deviation from N.H.’s past classroom instruction. N.H. had never been graded on questions relating to the accuracy of Bible translations, the importance of having faith while facing challenges, or the nature of God. The August 23 quiz made N.H.—who is nonreligious—feel marginalized and unwelcome at school. (Hill Decl. ¶¶ 5, 6, PA124–25; Quiz, PA127–32.)

30. Ms. Hill’s family is nonreligious. Ms. Hill is raising N.H. and F.H. in a secular household. The Bible Education Mandate forces into the classroom a particular Christian perspective representing beliefs contrary to those in which Ms. Hill is raising N.H. and F.H. The Bible Education Mandate thus interferes with Ms. Hill’s right to direct and control the upbringing of N.H. and F.H., including their moral and religious training. (Hill Decl. ¶ 8, PA125.)

31. N.H. and F.H. are neurodivergent, and so they often feel that they do not fit in at school. Inclusion of Bible teaching in public-school instruction will cause N.H. and F.H. to

keep their dissenting views with respect to religion to themselves out of fear of being judged by their teachers and peers. This decreased engagement will impair N.H.'s and F.H.'s educational experience. Ms. Hill fears that the Bible Education Mandate will encourage teachers and peers to discuss their religious beliefs in the classroom, and that such interactions will lead to further social ostracization of N.H. and F.H. at school. (Hill Decl. ¶ 9, PA125.)

32. Ms. Hill pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, alcoholic-beverage taxes, and insurance taxes. She also pays local property taxes to Tulsa County. Ms. Hill objects to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: Ms. Hill objects to her tax payments being used to purchase religious texts of a faith to which she does not subscribe. She objects to her tax payments being used to promote one set of religious beliefs over others. She believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Hill Decl. ¶¶ 10, 12, PA125–26.)

Amber Hood

33. Petitioner Amber Hood brings this suit on behalf of herself and on behalf of her minor child, W.H. W.H. and Ms. Hood are residents of Tulsa County, Oklahoma. W.H. is enrolled at an Oklahoma public high school (which is not a charter school). For the reasons stated below, Ms. Hood and W.H. object to and face harm from the Bible Education Mandate. (Hood Decl. ¶¶ 1–4, PA133.)

34. Ms. Hood is an atheist, and W.H. is nonreligious. Ms. Hood is raising W.H. to be a critical thinker. Ms. Hood tries to create an open household environment where W.H. has the freedom to choose religious or nonreligious beliefs. The Bible Education Mandate

promotes one particular faith and thus undermines Ms. Hood’s efforts to introduce W.H. to religious concepts in an open, evenhanded environment. Moreover, the Bible presents religious endorsements of slavery, discrimination, infanticide, and extreme violence, with which Ms. Hood disagrees and which she finds abhorrent. The Bible Education Mandate thus interferes with Ms. Hood’s right to direct and control the upbringing of W.H., including W.H.’s moral and religious training. (Hood Decl. ¶ 5, PA133.)

35. In addition, Ms. Hood believes that focusing on one religious text above others in the classroom communicates to W.H. that the government favors that particular religious text. Ms. Hood also fears that W.H. voicing opinions critical of the Bible will lead W.H. to be ostracized and judged by W.H.’s peers. Ms. Hood believes that inclusion of Bible teaching in the classroom will cause divisions and misunderstandings in class discussions and thereby hinder W.H.’s engagement, negatively affecting W.H.’s overall education quality. Further, Ms. Hood believes that forcing the Bible into science curricula would imply a conflict between faith and scientific inquiry and thereby limit discussions on important scientific topics. (Hood Decl. ¶ 6, PA133–34.)

36. Ms. Hood pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, alcohol taxes, and insurance taxes. She also pays local property taxes to Tulsa County. Ms. Hood objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Ms. Hood objects to her tax payments being used to indoctrinate W.H and promote one set of religious beliefs over others. Ms. Hood objects to her tax payments being used to purchase one specific version of the Bible—the King James Version—that is difficult for school-aged children to understand. She carries the scars of religious trauma from her own

childhood experiences of inadequacy, isolation, and shame, and she fears that her tax payments will be used to inflict similar emotional distress on children who do not follow the Bible or their teachers' interpretations of the Bible. Ms. Hood believes that Superintendent Walters's planned purchase of Bibles would be illegal and undemocratic. (Hood Decl. ¶¶ 7, 9, PA134.)

Mike Howe

37. Petitioner Mike Howe is a resident of Wagoner County, Oklahoma. Mr. Howe is a substitute teacher for Tulsa Public Schools. He teaches in traditional public schools, not charter schools. He typically teaches two days per week, and he principally teaches fifth-through twelfth-grade classes. He prefers to and often teaches history classes. Mr. Howe has been a public-school educator for thirty-five years, including as an elementary-school principal and elementary-school teacher. He decided to start substitute-teaching to scale back his weekly working hours. For the reasons stated below, Mr. Howe objects to and faces harm from the Bible Education Mandate. (Howe Decl. ¶¶ 1–4, PA135.)

38. Mr. Howe is Catholic, and he and his wife are active in their church. The Bible Education Mandate forces one particular form of Christianity, to which Mr. Howe does not subscribe, into the classes he teaches. While he has taken Bible classes in the past, he does not feel equipped to teach the Bible to students. Mr. Howe believes that the Bible contains confusing concepts, many of which are not age-appropriate for elementary- and middle-school students. He fears that implementing the Bible Education Mandate would impair his relationships with students, especially non-Christians. (Howe Decl. ¶ 5, PA135.)

39. As a teacher, Mr. Howe feels threatened by Superintendent Walters's repeated warnings that teachers and school administrators will face serious negative consequences if

they fail to implement the Bible Education Mandate. Mr. Howe fears that Superintendent Walters will revoke his teaching license if he does not comply with the Mandate. (Howe Decl. ¶ 6, PA136.)

40. Mr. Howe pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, tobacco and alcohol taxes, and insurance taxes. He also pays local property taxes to Wagoner County. Mr. Howe objects to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: Mr. Howe objects to his tax payments being used to promote one set of religious beliefs over others. He objects to his tax payments being used to force teachers to explain religious concepts that they are not qualified to teach. Mr. Howe believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Howe Decl. ¶¶ 7, 9, PA136.)

Brenda Lené

41. Petitioner Brenda Lené is a resident of Oklahoma County, Oklahoma. Ms. Lené has a child who is enrolled at an Oklahoma public high school (which is not a charter school). For the reasons stated below, Ms. Lené objects to and faces harm from the Bible Education Mandate. (Lené Decl. ¶¶ 1–4, PA137.)

42. Ms. Lené is raising her child to respect and value people of all religious beliefs and people who do not subscribe to any faith. Ms. Lené strives to raise her child in an open environment where her child can choose which faith, if any, to follow, without pressure from any authority figure. Inclusion of the Bible as part of public-school instruction would promote one set of religious beliefs over others to Ms. Lené's child with the backing of authority figures. It would also coercively subject Ms. Lené's child to religious doctrines

that Ms. Lené does not subscribe to, including anti-LGBTQ+ religious teachings and religious teachings about punishment in the afterlife for nonbelief. The Bible Education Mandate thus interferes with Ms. Lené’s right to direct and control the upbringing of her child, including her child’s moral and religious training. (Lené Decl. ¶ 5, PA137.)

43. Ms. Lené pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and insurance taxes. She also pays local property taxes to Oklahoma County. Ms. Lené objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Ms. Lené objects to her tax payments being used to promote one set of religious beliefs over others. She does not want her tax payments to be used to expose her child to anti-LGBTQ+ religious teachings, or religious teachings about hell, that are contained in the Bible. Ms. Lené believes that Superintendent Walters’s planned purchase of Bibles would be illegal. (Lené Decl. ¶¶ 6, 8, PA137–38.)

Michele Medley

44. Petitioner Michele Medley brings this suit on behalf of herself, on behalf of her two minor children, S.M. and R.M.1, and on behalf of her adult child, R.M.2, as R.M.2’s legal guardian. R.M.2 has autism and is nonverbal. Ms. Medley’s three children are enrolled in Oklahoma public schools (which are not charter schools). S.M. is enrolled in fourth grade, and R.M.1 and R.M.2 are enrolled in public high schools. Next year, Ms. Medley plans to enroll S.M. in fifth grade at an Oklahoma public school. For the reasons stated below, Ms. Medley, R.M.1, R.M.2, and S.M. object to and face harm from the Bible Education Mandate. (Medley Decl. ¶¶ 1–4, PA139.)

45. Ms. Medley is agnostic. One of her minor children is an outspoken atheist, and one of her minor children is Christian. Ms. Medley is raising her children to respect and value people of all religious beliefs, sexual identities, and gender identities and to appreciate the importance of gender equality. Ms. Medley strives to raise her children in an open environment in which her children can choose which faith, if any, to follow, without pressure from any authority figure. Inclusion of the Bible as part of public-school instruction promotes one set of religious beliefs over others to Ms. Medley's children with the backing of authority figures. Moreover, the Bible presents religious teachings, with which Ms. Medley disagrees, concerning gender, gender roles, and sexuality. The Bible Education Mandate thus interferes with her right to direct and control the upbringing of her children, including her children's moral and religious training. (Medley Decl. ¶ 5, PA139.)

46. One of Ms. Medley's minor children is LGBTQ+, and inclusion of the Bible in public-school instruction, by subjecting the child to religious anti-LGBTQ+ teachings, would worsen the social isolation that the child already experiences. Two of Ms. Medley's children have autism. Ms. Medley has been a staunch advocate at the State Capitol on behalf of children with autism. She is acutely aware of the difficulties children with disabilities can have in vindicating their legal rights. R.M.2, who is nonverbal, has strong receptive language and is especially vulnerable to religious coercion—and thus to harm from the Bible Education Mandate—due to R.M.2's inability to express objections to religious teachings. (Medley Decl. ¶¶ 6–7, PA140.)

47. Ms. Medley pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and alcoholic-beverage taxes. She also pays local property taxes to Oklahoma County. Ms. Medley objects to

Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: As a non-Christian, Ms. Medley objects to her tax payments being used to purchase religious texts of a faith to which she does not subscribe. She believes that Superintendent Walters’s planned purchase of Bibles would be illegal. Oklahoma public-school students with disabilities often do not receive necessary supports at school due to funding constraints, so Ms. Medley is especially offended by her tax payments being wasted unlawfully in this manner. (Medley Decl. ¶¶ 8, 10, PA140.)

Melisa Mons

48. Petitioner Melisa Mons is a resident of Wagoner County, Oklahoma. She has a child who is enrolled at an Oklahoma public high school (which is not a charter school). For the reasons stated below, Ms. Mons objects to and faces harm from the Bible Education Mandate. (Mons Decl. ¶¶ 1–4, PA142.)

49. Ms. Mons and her child are atheists. Ms. Mons strives to create an open household environment where her child has the freedom to choose religious or nonreligious beliefs. Inclusion of the Bible as part of public-school instruction promotes one set of religious beliefs over others to Ms. Mons’ child with the backing of authority figures. Moreover, the Bible presents religious teachings, with which Ms. Mons disagrees, concerning gender, gender roles, sexuality, divorce, and corporal punishment. The Bible Education Mandate thus interferes with Ms. Mons’ right to direct and control the upbringing of her child, including her child’s moral and religious training. (Mons Decl. ¶ 5, PA142.)

50. Ms. Mons’ child was traumatized in the past by religious proselytizing that disapproved of her child’s decisions and identity. Ms. Mons fears that presentation in the classroom of the Bible, which contains similar teachings, will revive that trauma, interfere

with her child's ability to focus on schoolwork, and impose burdens on Ms. Mons associated with addressing the trauma. (Mons Decl. ¶ 6, PA142.)

51. Ms. Mons pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and alcoholic-beverage taxes. She also pays local property taxes to Wagoner County. Ms. Mons objects to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: Ms. Mons objects to her tax payments being used to purchase religious texts of a faith to which she does not subscribe. She fears that her tax payments would be used to retraumatize her child. She believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Mons Decl. ¶¶ 7, 9, PA143.)

Rev. Dr. Mitch Randall

52. Petitioner Rev. Dr. Mitch Randall is a resident of Cleveland County, Oklahoma. He is a citizen of the Muscogee (Creek) Nation—an experience that has offered him a first-hand perspective on issues regarding religious liberty and instilled in him a strong support for church–state separation. Rev. Randall holds a Bachelor of Arts from Northeastern State University, A Master of Divinity with Biblical Languages from Southwestern Baptist Theological Seminary, and a Doctor of Ministry from George W. Truett Theological Seminary. He currently is the chief executive officer of Good Faith Media, which provides reflection and resources at the intersection of faith and culture through an inclusive Christian lens, via four primary channels: news and opinion, video and podcasts, publishing (books and journal), and experiences. He previously served as pastor of NorthHaven Church in Norman and as the executive director of the Baptist Center for Ethics. Coming from the

Baptist tradition, Rev. Randall believes that the separation of church and state is a bedrock principle protecting religious liberty for every citizen. (Randall Decl. ¶¶ 1–7, PA144.)

53. Rev. Randall pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, and motor-fuel taxes. In the past calendar year, he has also paid local property taxes to Cleveland County. For the reasons stated below, Rev. Randall objects to the Bible Education Mandate and Superintendent Walters’s plan to further the Mandate by spending state funds to purchase Bibles for delivery to Oklahoma public schools. (Randall Decl. ¶¶ 8, 10, PA144–45.)

54. As a person of Christian faith, Rev. Randall’s conscience is violated by a sacred Christian religious text being used for what he considers to be political grandstanding. As a member of the Muscogee (Creek) Nation, he is especially bothered by his tax payments being used to support mandated religious learning for Oklahoma children without clear and effective guardrails to keep teachers from proselytizing. Such mandated religious teaching reminds Rev. Randall of the history of forced religious proselytization of Native Americans in boarding schools in Oklahoma and threatens a revival of such practices. Any attempt to assimilate children into a religious faith is appalling to him considering his family’s history of having their culture stripped away by government actors. Rev. Randall’s great grandmother and her sister were removed from their home in Broken Arrow and taken to the federally funded Chilocco Indian Agricultural School, where their hair was cut, their clothes were taken, they were forbidden to speak the native Muscogee language, and they were indoctrinated in Christianity. The Bible Education Mandate stirs up painful memories for Rev. Randall of his family’s oppression. (Randall Decl. ¶¶ 11–13, PA145.)

55. Rev. Randall objects to the use of the King James Version of the Bible as the official public-school version. As a person of faith and student of the Bible, he believes that other versions of the Bible are more accurate translations of the original Bible manuscripts. It is essential to Rev. Randall's faith to interpret the Bible accurately, and he believes that public-school teachers are not qualified to teach students about the evolution of the Bible and the complexities of the various translations. The Bible Education Mandate would therefore spread misconceptions about the Bible that are detrimental to the message of Christianity to which Rev. Randall subscribes. Rev. Randall also believes that Superintendent Walters's planned purchase of Bibles would be illegal. (Randall Decl. ¶¶ 14–16, PA145–46.)

Tamara Sanchez

56. Petitioner Tamara Sanchez brings this suit on behalf of herself and on behalf of her minor children, M.S. and J.S. Ms. Sanchez, M.S., and J.S. are residents of Oklahoma County, Oklahoma. M.S. and J.S. are enrolled at an Oklahoma public high school (which is not a charter school). Ms. Sanchez is a special-education teacher at an Oklahoma public school. She teaches English and math to ninth- and tenth-grade students. She teaches in a traditional public school, not a charter school. Ms. Sanchez holds a language-practitioner certification, which qualifies her to teach students with dyslexia and other learning disabilities. Ms. Sanchez, M.S., and J.S. object to and face harm from the Bible Education Mandate for the reasons stated below. (Sanchez Decl. ¶¶ 1–4, PA147.)

57. Ms. Sanchez is a Christian. Many of her family members are Catholic, so she objects to a Protestant version of the Bible being the official Bible of Oklahoma public schools. The Bible Education Mandate forces one particular form of Christianity—to which Ms. Sanchez,

M.S., and J.S. do not subscribe—into the classes Ms. Sanchez teaches and the classes her children attend. (Sanchez Decl. ¶ 5, PA147.)

58. The King James Version of the Bible contains antiquated language that would be extremely difficult for most fifth- through twelfth-grade students to understand. The King James Version would be nearly impossible for Ms. Sanchez's students with dyslexia and other learning disabilities to read and comprehend. Ms. Sanchez believes that forcing her students to read the King James Version would be cruel, and doing so would violate her conscience. Ms. Sanchez does not have the training to appropriately teach the King James Version Bible to her students. Attempts to do so would damage her credibility with her students. As a teacher, Ms. Sanchez feels threatened by Superintendent Walters's repeated warnings that teachers and school administrators will face serious negative consequences if they fail to implement the Bible Education Mandate. Ms. Sanchez fears that Superintendent Walters will revoke her teaching license if she does not comply with the Mandate. The Bible Education Mandate thus forces Ms. Sanchez to choose between preserving her teaching license and following her conscience. (Sanchez Decl. ¶¶ 6–8, PA147–48.)

59. In the past, Ms. Sanchez and her family attended church together. But one of her children—who has autism—was told by church authorities to stop attending church because of his autism symptoms. This experience was very isolating for Ms. Sanchez and her family. Because of this experience, Ms. Sanchez is very cautious about allowing others to teach her children religious concepts. Ms. Sanchez believes that religion is a private matter that should not be discussed in public schools. (Sanchez Decl. ¶ 9, PA148.)

60. Ms. Sanchez's child with autism often interprets statements very literally—a symptom of the child's autism. The Bible presents religious endorsements of violence with

which Ms. Sanchez disagrees and which her child with autism is likely to accept without asking for clarification. Ms. Sanchez strives to teach her children the importance of consent in sexual settings. The Bible presents religious endorsements of rape, incest, and sexual violence, which Ms. Sanchez finds abhorrent. The Bible Education Mandate thus undermines her efforts to teach her children the importance of consent. (Sanchez Decl. ¶¶ 10–11, PA148–49.)

61. M.S. and J.S. are Native American. Ms. Sanchez is especially fearful about the Bible Education Mandate and opposed to the presentation of the Bible to M.S. and J.S. in their public-school classrooms because the Mandate reminds Ms. Sanchez of the history of forced religious proselytization of Native Americans in boarding schools in Oklahoma and threatens a revival of such practices. For the reasons stated above, inclusion of the Bible as part of public-school instruction interferes with Ms. Sanchez’s right to direct and control the upbringing of her children, including her children’s moral and religious training. (Sanchez Decl. ¶¶ 12–13, PA149.)

62. Ms. Sanchez pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and insurance taxes. She also pays local property taxes to Oklahoma County. Ms. Sanchez objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Ms. Sanchez objects to her tax payments being used to promote one set of religious beliefs over others. She objects to her tax payments being used to exclude Catholics who do not read the King James Version. She objects to her tax payments being used to force teachers to explain religious concepts that they are not qualified to teach. She believes that

Superintendent Walters’s planned purchase of Bibles would be illegal. (Sanchez Decl. ¶¶ 14, 16, PA149.)

Jay and Yulia Whitney

63. Petitioners Jay Whitney and Yulia Whitney bring this suit on behalf of themselves, and Ms. Whitney brings this suit on behalf of her minor child, D.S., who is Mr. Whitney’s stepchild. Mr. Whitney, Ms. Whitney, and D.S. are residents of Wagoner County, Oklahoma. D.S. is enrolled at an Oklahoma public high school (which is not a charter school). For the reasons stated below, the Whitneys and D.S. object to and face harm from the Bible Education Mandate. (J. Whitney Decl. ¶¶ 1, 2, 4, PA153; Y. Whitney Decl. ¶¶ 1–4, PA155.)

64. Mr. Whitney and D.S. are atheists, and Ms. Whitney is agnostic. The Whitneys are raising D.S. in a secular household. The Bible Education Mandate forces a particular Christian perspective into the classroom representing beliefs contrary to those in which the Whitneys are raising D.S. The Bible Education Mandate thus interferes with Ms. Whitney’s right to direct and control the upbringing of D.S., including D.S.’s moral and religious training. (J. Whitney Decl. ¶ 5, PA153; Y. Whitney Decl. ¶ 5, PA155.)

65. In the past, D.S. has experienced unwanted peer pressure to attend church. D.S.’s peers have encouraged D.S. to attend church without parental permission—even though Ms. Whitney is open to D.S. attending church. D.S. has refused such invitations. D.S. has also experienced other instances of discrimination, harassment, and bullying at school due to D.S.’s atheism. D.S. has lost friendships due to D.S.’s atheism. Ms. Whitney fears that the Bible Education Mandate will encourage teachers and peers to discuss their religious beliefs

in the classroom, and that such interactions will lead to further social ostracization of D.S. at school. (Y. Whitney Decl. ¶ 6, PA155.)

66. The Whitneys pay various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and insurance taxes. They also pay local property taxes to Wagoner County. The Whitneys object to Superintendent Walters's planned use of state funds to purchase Bibles for the following reasons: The Whitneys object to their tax payments being used to purchase religious texts of a faith to which they do not subscribe. They object to their tax payments being used to promote one set of religious beliefs over others. They believe that Superintendent Walters's planned purchase of Bibles would be illegal. (J. Whitney Decl. ¶¶ 3, 5, PA153; Y. Whitney Decl. ¶¶ 7, 9, PA156.)

Rev. Dr. Lisa Wolfe

67. Petitioner Rev. Dr. Lisa Wolfe brings this suit on behalf of herself and on behalf of her minor children, A.M. and P.M. Dr. Wolfe, A.M., and P.M. are residents of Oklahoma County, Oklahoma. A.M. and P.M. are high-school students enrolled in an Oklahoma public charter school. Dr. Wolfe is a Professor of Religion at Oklahoma City University. She holds a Bachelor of Arts from the University of Colorado at Boulder, a Master of Divinity from United Theological Seminary, and a Ph.D. in Hebrew Bible from Northwestern University and Garrett-Evangelical Theological Seminary. Dr. Wolfe is an ordained minister in the United Church of Christ ("UCC"). She often preaches at local churches. For the reasons stated below, Dr. Wolfe, A.M., and P.M. object to and face harm from the Bible Education Mandate. (Wolfe Decl. ¶¶ 1–5, PA157.)

68. Dr. Wolfe, A.M., and P.M. are members of the United Church of Christ. Their faith community highly values interfaith dialogue, respect for others with differing viewpoints, and gentle expression of their own beliefs. Historically, the UCC has allowed for disagreement within the Christian tradition. Dr. Wolfe and her faith community value curiosity, education, community, and service of others. They believe that oppression and coercion are antithetical to the Christian message. Dr. Wolfe is raising her children in the UCC tradition because she believes it is important for them to learn about the value of open, inclusive Christian community. It is important to Dr. Wolfe that her children grow up in her religious tradition. While Dr. Wolfe does not oppose comparative religious studies as part of public-school instruction, singling out one religious text for mandatory study promotes one religion over others, which undermines Dr. Wolfe's efforts to instill inclusivity in her children. (Wolfe Decl. ¶ 6, PA157–58.)

69. Dr. Wolfe believes that the 400-year-old King James Version is far from the most historically accurate Bible translation widely available today. Dr. Wolfe further believes that the most important archaeological discoveries for biblical interpretation have occurred in the years since the King James Version was translated. Thus, while she opposes the inclusion of *any* Bible translation in non-comparative public-school instruction, she is especially concerned that the King James Version will mislead students, including A.M. and P.M. (Wolfe Decl. ¶ 7, PA158.)

70. Dr. Wolfe believes that public-school fifth- through twelfth-grade teachers are unqualified to teach students about the complexities of the Bible without a carefully developed and rigorously vetted guiding curriculum and training to use such a curriculum. Dr. Wolfe believes that Bible translation choices have religious significance, and public-

school teachers have not been trained to avoid making sectarian assertions while teaching any specific version of the Bible. Inclusion of the Bible as part of public-school instruction thus interferes with Dr. Wolfe’s right to direct the religious upbringing of A.M. and P.M. (Wolfe Decl. ¶¶ 8–9, PA158.)

71. Dr. Wolfe pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, alcoholic-beverage taxes, and insurance taxes. She also pays local property taxes to Oklahoma County. Dr. Wolfe objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Dr. Wolfe objects to her tax payments being used to promote one set of religious beliefs over others. Due to funding constraints, her children’s classrooms often lack basic school supplies, and so she objects to her tax payments being used to purchase Bibles when there are more pressing needs, especially given that the Bible is freely accessible online. Dr. Wolfe believes that the use of her tax dollars for religious instruction would violate the important constitutional principle of church–state separation. She believes that Superintendent Walters’s planned purchase of Bibles would be illegal. (Wolfe Decl. ¶¶ 10–12, PA158–59.)

Erika Wright

72. Petitioner Erika Wright brings this suit on behalf of herself and on behalf of her minor children, C.W and V.W. Ms. Wright, C.W., and V.W. are residents of Cleveland County, Oklahoma. C.W. is enrolled at an Oklahoma public high school (which is not a charter school). V.W. is enrolled at an Oklahoma public middle school (which is not a charter school). Ms. Wright is the founder and leader of the Oklahoma Rural Schools Coalition, which is a 10,000-member advocacy group of parents, educators, and business leaders that

supports rural Oklahoma public schools. For the reasons stated below, Ms. Wright, C.W., and V.W. object to and face harm from the Bible Education Mandate. (Wright Decl. ¶¶ 1–5, PA160.)

73. Faith is very important to Ms. Wright and her family. Ms. Wright, C.W., and V.W. are Christians, and they attend church regularly. After church attendance, they sometimes have theological discussions about what was said. As a parent, Ms. Wright believes that she and her husband should decide how and when their children engage with the Bible and religious teachings. Inclusion of the Bible as part of public-school instruction impairs Ms. Wright’s ability to control and address the religious teachings that are presented to her children and thus interferes with her right to direct and control the upbringing of her children, including her children’s moral and religious training. (Wright Decl. ¶ 6, PA160.)

74. Oklahoma’s education system is already struggling, ranking nearly last in national standings. Ms. Wright believes that mandating addition of the Bible to the public-school curriculum will further overwhelm teachers and distract students from their core learning goals, thus impairing C.W.’s and V.W.’s education. (Wright Decl. ¶ 7, PA161.)

75. Ms. Wright pays various taxes to the State of Oklahoma, including individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, and alcoholic-beverage taxes. She also pays local property taxes to Cleveland County. Ms. Wright objects to Superintendent Walters’s planned use of state funds to purchase Bibles for the following reasons: Ms. Wright objects to her tax payments being used to promote one set of religious beliefs over others. She believes that the use of her tax dollars for religious instruction would violate the important constitutional principle of church–state separation. She believes

that Superintendent Walters’s planned purchase of Bibles would be illegal. (Wright Decl. ¶¶ 8, 10, PA161.)

Respondents

76. Respondent Ryan Walters is the State Superintendent of Public Instruction. He is sued in his official capacity. The State Superintendent of Public Instruction is “the executive officer of the State Board of Education and ha[s] control of and direct[s] the State Department of Education.” 70 O.S. § 1-105(C).

77. Respondent State Board of Education is “the governing board of the public school system of the state.” 70 O.S. § 1-105(B). It “supervis[es] the public school system of Oklahoma.” 70 O.S. § 3-104(A).

78. Respondents Donald Burdick, Sarah Lepak, Katie Quebedeaux, Zachary Archer, and Kendra Wesson are (together with Walters) members of the State Board of Education. They are sued in their official capacities.

79. Respondent State Department of Education is “charged with the responsibility of determining the policies and directing the administration and supervision of the public school system of the state.” 70 O.S. § 1-105(A). The Department consists of “the State Board of Education, the State Superintendent of Public Instruction and any divisions and positions as may be established by law, by the State Board of Education or by the State Superintendent of Public Instruction.” *Id.*

80. The above-listed respondents are collectively referred to below as the “Department of Education Respondents.”

81. Respondent Oklahoma Office of Management and Enterprise Services (“OMES”) provides financial, property, purchasing, human resources, and information technology

services to all Oklahoma state agencies. 62 O.S. § 34.3.1. OMES includes a Purchasing Division. 74 O.S. § 85.3(A).

82. Respondent Rick Rose is the Executive Director of OMES. He is sued in his official capacity. The Executive Director of OMES supervises the State Purchasing Director. 74 O.S. § 85.5(A). The Executive Director also has the authority to “[a]uthorize transfers of appropriation authorized by law.” 62 O.S. § 34.6(A)(4).

83. Respondent Amanda Otis is the State Purchasing Director of OMES. She is sued in her official capacity. The Purchasing Director is the administrative head of the Purchasing Division. 74 O.S. § 85.3(A). The Purchasing Director has the “sole and exclusive authority and responsibility for all acquisitions by state agencies.” 74 O.S. § 85.5(A). “All activities of any state agency, department, or institution relating to purchasing shall be under the direction of the Purchasing Division” 74 O.S. § 85.3(D).

84. Respondent Brenda Hansel is a Contracting Officer within the Purchasing Division of OMES. She is sued in her official capacity. She is serving as the Contracting Officer for the Bible RFP. (RFP, PA29, 31.)

85. Respondents OMES, Rose, Otis, and Hansel are collectively referred to below as the “OMES Respondents.”

FACTS

86. On June 27, 2024, Superintendent Walters issued a memorandum to all Oklahoma public-school superintendents, entitled “Immediate Implementation of Foundational Texts in Curriculum.” (PA4.) The June 27 memorandum orders all Oklahoma public schools to “immediately . . . incorporate the Bible, which includes the Ten Commandments, as an instructional support into the curriculum across specified grade levels, e.g., grades 5 through

12.” (PA4.) It further states, “Adherence to this mandate is compulsory. . . . Immediate and strict compliance is expected.” (PA4.)

87. On July 24, 2024, Superintendent Walters issued an additional memorandum to all Oklahoma public school districts, entitled “OSDE Instructional Support Guidelines for Teachers.” (July 24 Press Release, PA6; July 24 Mem., PA8–12.) The July 24 memorandum states that it must be provided to every teacher, and that physical copies of the Bible and the Ten Commandments must also be provided to every teacher to be used “as resources in every classroom in the school district.” (PA8.) It adds, “These documents are mandatory for the holistic education of students in Oklahoma.” (PA8.)

88. The July 24 memorandum provides details on how fifth- through twelfth-grade teachers should use the Bible as part of classroom instruction. (PA8–11.) For example, teachers “must”:

- “focus on how biblical principles have shaped the foundational aspects of Western societies, such as the concepts of justice, human rights, and the rule of law”;
- “highlight key historical moments where the Bible played a role”;
- “explore its influence on classic and contemporary works”; and
- “introduce students to famous artworks that depict biblical scenes or themes.”

(PA8–9.) The July 24 memorandum also advises teachers to “use biblical texts to illustrate” “various literary techniques” and to “explore how composers and musicians have interpreted and expressed biblical themes through music.” (PA9.) The July 24 memorandum further states, “immediate and complete implementation of these guidelines for the 2024–2025 school year is required.” (PA8.)

89. Oklahoma public-school curricula are guided by the Oklahoma Academic Standards—a set of educational benchmarks for each grade in each subject-matter area, which must be adopted by the State Board of Education every six years and must be approved by the legislature. *See* 70 O.S. §§ 11-103.6a, 11-103.6a-1. The June 27 and July 24 memoranda (collectively, “the Bible Education Mandate”) purport to rely on the 2019 Oklahoma Academic Standards for Social Studies. (*See* June 27 Mem., PA4; July 24 Mem., PA8.) But those standards do not include any requirement that schools use the Bible as an instructional support or provide the teaching required by the Bible Education Mandate; indeed, the standards do not even mention the Bible or the Ten Commandments. *See* OAC §§ 210:15-3-104.5 to 210:15-3-113. The same is true with respect to all other Oklahoma Academic Standards (*see* OAC §§ 210:15-3-1 to 210:15-3-209), except for a single reference relating to study of Native American perspectives (OAC § 210:15-3-139(d)).

90. Oklahoma also has a State Textbook Committee that annually meets to create a list of approved state textbooks that school districts may elect to use. *See* 70 O.S. §§ 16-101, 16-102. The State Textbook Committee has not selected the Bible as a textbook or other instructional material for the 2024–25 schoolyear. *See State Textbook Approved Titles*, Okla. State Dep’t of Educ., <https://bit.ly/482CoLY> (last updated Sept. 4, 2024).

91. The Department of Education Respondents issued the Bible Education Mandate without following any of the procedures that the OAPA requires for issuance of a rule, such as provision of notice through the Oklahoma Register and a comment period. *See Search Oklahoma Registers*, Okla. Sec’y of State Admin. Rules, <https://bit.ly/4h5q74f> (last visited Oct. 16, 2024).

92. At State Board of Education meetings and in interviews with the media, Superintendent Walters has repeatedly emphasized that the Department will strictly enforce the Bible Education Mandate. For example, at a June 27 Board meeting, Superintendent Walters stated, “every school district will adhere to” the Mandate and “every teacher, every classroom in the state will have a Bible in the classroom and will be teaching from the Bible in the classroom” (Meeting Tr., PA14.) In a July 1, 2024 interview with PBS NewsHour, Walters stated, “If teachers don’t want to teach it, they are compelled to teach it, or they can find another job.” (Interview Tr., PA17.) In a July 24, 2024 press release, Walters stated, “Some Oklahoma educators have indicated they won’t follow the law and Oklahoma standards, so let me be clear: they will comply, and I will use every means to make sure of it.” (PA6.) In a July 28, 2024 interview on Fox and Friends Weekend, Walters stated, referring to Bible instruction, “I’m going to tell these woke administrators, if they’re going to break the law and not teach it, they can go to California because . . . here in Oklahoma schools, we’re going to make sure that history is taught.” (Interview Tr., PA20.) At a July 31, 2024 Board meeting, Superintendent Walters stated that certain “rogue administrators” had “come out and said that they’re not going to . . . teach the Bible because they don’t agree with it,” and added, “So now dealing with these districts, that want to break state law, want to lie to kids and indoctrinate kids by not including the Bible in its historical context . . . It’s outrageous, we will not allow it. So just because they don’t like it . . . doesn’t mean that they won’t do it. We will enforce the law. They will be held accountable.” (Meeting Tr., PA23.)

93. During its September 26, 2024 meeting, the Oklahoma State Board of Education approved a \$3 million budget request for the fiscal year starting on July 1, 2025, and ending

on June 30, 2026, “to provide Bibles to the Oklahoma classrooms.” (Meeting Tr., PA26.) During that Board meeting, Superintendent Walters stated that this “three-million-dollar ask . . . would be in conjunction with the three million dollars that we’re putting forth currently to provide Bibles in the classroom. So this would give us the ability to utilize six million dollars in less than two years to ensure that the Bible hasn’t been driven out of Oklahoma classrooms” (Meeting Tr., PA26.) At that meeting, Walters indicated that he would be issuing a Request for Proposal for the spending of the initial \$3 million during the current fiscal year. (Meeting Tr., PA26.) He added that the Bibles that would be purchased with these funds and provided to school districts would be King James Version Bibles that do not have commentary. (Meeting Tr., PA26.) The King James Version of the Bible is a Protestant version that is different from the Bibles typically used by Catholics and Jews. *See, e.g., Tudor v. Bd. of Educ*, 100 A.2d 857, 864–66 (N.J. 1953); Joan DeFattore, *What Is Past Is Prelude: Newdow and the Evolution of Thought on Religious Affirmations in Public Schools*, 8 U. Pa. J. Const. L. 641, 663–69 (2006); *Schools and School Districts—Reading Bible in Public Schools*, 24 Harv. L. Rev. 160 (1910).

94. On September 30, 2024, the State Department of Education posted a Request for Proposal (“the Bible RFP”) on its website “for the purchase of 55,000 King James Version Bibles that contain The United States Pledge of Allegiance, The U.S. Declaration of Independence, The U.S. Constitution, and The U.S. Bill of Rights documents included for Oklahoma’s classrooms.” (PA29.) The RFP states, “The Office of Management and Enterprise Services (OMES), Central Purchasing Division, is seeking responses on behalf of Oklahoma State Department of Education from potential Suppliers to provide a contract for the purchase of 55,000 King James Version Bibles, and 55,000 copies each of The United

States Pledge of Allegiance, The U.S. Declaration of Independence, The U.S. Constitution, and The U.S. Bill of Rights documents included. These documents can be bound together or separately.” (PA87.)

95. The RFP adds:

- “The supplier must provide 55,000 Bibles with shipping included to each school district and with a two-week delivery time after contract award date.”
- “The supplier must provide only the King James Version Bible for historical accuracy and contain both the Old and New Testaments.”
- “The supplier must also provide copies of The United States Pledge of Allegiance, The U.S. Declaration of Independence, The U.S. Constitution, and The U.S. Bill of Rights. These can be bound together or separately.”
- “The supplier’s Bible must not contain study guides, publisher narration, or additional commentary.”
- “The supplier’s Bible must be bound in leather or leather-like material for durability. The additional documents listed [above] must also be bound in durable material.”

(PA87–88.)

96. The RFP provides that the due date for responsive proposals is October 21, 2024, at 1 pm Central time. (PA86.) The RFP further provides that the supplier of the Bibles may be paid any time after delivery of the Bibles and submission of an invoice, and must be paid within thirty days thereof. (PA91.)

97. The foregoing describes the current version of the RFP, as amended as of October 7, 2024. The RFP had initially provided (before that amendment) that the Pledge of

Allegiance, Declaration of Independence, Constitution, and Bill of Rights had to be contained in the Bibles and could not be provided as separate documents. (Original Attachment A to RFP, PA100.) The original RFP also had set forth a deadline of October 14 for responsive bids. (*Compare* original Bidder Instructions, PA31, *with* Amendment No. 3, PA86.) And the amendment added “[p]rice” as an evaluation criterion; originally, the only two criteria had been “[m]andatory requirements” and “[c]riteria for delivery.” (*Compare* original Attachment A, PA100, *with* revised Attachment A, PA87.)

98. The RFP makes clear that the OMES Respondents have been and will be heavily involved in the issuance of the RFP, the award of a contract thereunder, and the payment of state funds thereunder. For instance, the RFP states that the contract will be “awarded on behalf of the Oklahoma State Department of Education by and through the Office of Management and Enterprise Services” (PA87), identifies the “contracting officer” as OMES employee Hansel (PA31), and states that the Director of OMES will be responsible for ensuring that payment is timely issued (PA85).

99. Nothing in the legislatively approved budget for the current fiscal year authorizes Respondents to spend state funds on Bibles. *See* 2024 Okla. Sess. Laws Ch. 379 §§ 1–47. A spokesperson for Superintendent Walters stated that the \$3 million Walters plans to spend on Bibles will come from money that was supposed to be spent on Department of Education staff salaries. *See* Jennifer Palmer, et al., ‘Trump Bible’ one of few that meet Walters’ criteria for Oklahoma classrooms, *The Oklahoman* (Oct. 4, 2024), <https://bit.ly/402FOmF>. There is no evidence or public record of any attempt by the Department of Education Respondents to follow procedures (detailed below) applicable to attempts to reallocate state funds from one purpose to another.

100. Petitioners are aware of only two manufacturers that supply King James Version Bibles that are bound in leather or leather-like material and contain the Pledge of Allegiance, Declaration of Independence, Constitution, and Bill of Rights: (1) the supplier of the “God Bless the USA Bible,” also known as the “Greenwood Bible,” which costs \$59.99, and is officially endorsed by a prominent candidate for public office (*see Home, God Bless the USA Bible*, <https://bit.ly/3zSa2yj> (last visited Oct. 16, 2024)); and (2) the supplier of the “We the People Bible,” which costs \$89.99 (*see We the People: Single Bible, America Superstore*, <https://bit.ly/3Y6MFZV> (last visited Oct. 16, 2024)). Petitioners are not aware of any vendor that supplies copies of the Pledge of Allegiance, Declaration of Independence, Constitution, and Bill of Rights that are bound together—or are each bound separately—in durable material. The campaign disclosure of the prominent candidate for public office who endorses the “God Bless the USA Bible” reports that he has earned \$300,000 in royalties from that Bible. *See Candidate-Report-Donald-J.-Trump-2024-Part-6*, line 22.3, <https://bit.ly/3Y4qnI9>.

REASONS TO ASSUME AND BASIS TO EXERCISE ORIGINAL JURISDICTION

101. Petitioners respectfully ask this Court to assume original jurisdiction over this case.

102. This case presents issues of statewide concern. The Bible Education Mandate affects every school district in the state, every public-school teacher in the state who teaches a grade above fourth, every public-school student who is or will be in a grade above fourth, and every parent of those public-school students. In addition, every taxpayer in the state is affected by Superintendent Walters’s plan to spend \$3 million on Bibles.

103. This case also presents a pressing need for a judicial determination. The Bible Education Mandate requires school districts and teachers to comply with it immediately.

Superintendent Walters has publicly threatened to punish school administrators and teachers who do not comply. Bids for the contract to deliver Bibles to school districts are due October 21. The Bibles must be delivered within two weeks of the contract-award date, and Respondents can pay the supplier for the Bibles immediately after delivery.

104. Assuming original jurisdiction would also serve judicial economy. Otherwise, multiple challenges to the Bible Education Mandate could be brought or prosecuted in different district courts, and then could be followed by multiple appeals to this Court. Indeed, a lawsuit has been brought *pro se* to challenge the Bible Education Mandate in Mayes County District Court. The petitioner in that case is not represented by any attorney; no hearing has been set in that case; and the petition asserts only a single constitutional claim, omitting the numerous and determinative statutory grounds Petitioners discuss in detail below. *See Price v. Walters*, Mayes County Case No. CJ-2024-00151, Docket (<https://bit.ly/3BAwsV5>), Complaint (<https://bit.ly/4dIln5>), Motion to Amend Petition/Complaint (<https://bit.ly/3BSm5vV>).

105. This Court also has authority to exercise jurisdiction over this case. Section 4 of Article VII of the Oklahoma Constitution grants this Court “general superintending control over . . . all Agencies, Commissions, and Boards created by law.” The OAPA grants a right to bring suit to challenge an agency’s rule when the rule harms or threatens to harm the petitioner (75 O.S. § 306(A)), and the OAPA confirms this Court’s authority to declare agency rules invalid (75 O.S. § 306(C)). The Bible Education Mandate harms Petitioners in numerous ways, including the following: The Mandate orders the teacher petitioners to present instruction that is on religious tenets to which they do not subscribe, that would harm their students, and that would damage their relationships with their students—or face

the loss of their jobs and teaching licenses if they refuse. The Mandate subjects the student petitioners to instruction on religious beliefs to which they do not adhere. The Mandate interferes with the parent plaintiffs' right to direct the religious and moral upbringing of their children. The tax payments of all the adult petitioners will be unlawfully spent on Bibles over their objections. Petitioners sue both under the OAPA and in their capacities as taxpayers.

LEGAL CLAIMS

106. The Bible Education Mandate violates the Oklahoma Administrative Procedures Act.

107. The OAPA defines a “[r]ule” as “any agency statement or group of related statements of general applicability and future effect that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of the agency.” 75 O.S. § 250.3(17). The June 27, 2024 and July 24, 2024 memoranda—which together constitute the Bible Education Mandate—plainly are a “[r]ule,” as they are a group of related agency statements of general applicability and future effect that interpret and prescribe law and policy.

108. Where, as here, a rule is challenged under the OAPA, “it shall be the duty of the promulgating agency to show and bear the burden of proof to show”:

1. that the agency possessed the authority to promulgate the rule;
2. that the rule is consistent with any statute authorizing or controlling its issuance and does not exceed statutory authority;
3. that the rule is not violative of any other applicable statute or the Constitution; and
4. that the laws and administrative rules relating to the adoption, review and promulgation of such rules were faithfully followed.

75 O.S. § 306(C). The Bible Education Mandate violates all of these requirements.

109. In issuing the Bible Education Mandate, the Department of Education Respondents did not “faithfully follow[]” “the laws and administrative rules relating to the adoption, review and promulgation of . . . rules” (75 O.S. § 306(C)(4)). These requirements include that the agency issuing the rule give notice through the Oklahoma Register (*see* 75 O.S. § 303(A)(1)), allow for a comment period (*see* 75 O.S. § 303(A)(2)), take into account certain considerations (*see* 75 O.S. § 303(A)(4)-(5)), forward copies of the rule to the governor and legislative leaders (*see* 75 O.S. § 303.1(A)), file the newly adopted or amended rule with the Secretary of State (*see* 75 O.S. §§ 250.3(19), 251(B)(1)), and prepare a summary of the rule (*see* 75 O.S. § 251(B)(2)(f)). The Department of Education Respondents did not even attempt to do any of these things. *See Search Oklahoma Registers*, Okla. Sec’y of State Admin. Rules, <https://bit.ly/4h5q74f> (last visited Oct. 16, 2024).

110. Nor did the Department of Education Respondents follow the procedure for modifying the Oklahoma Academic Standards in promulgating the Bible Education Mandate. These subject-matter standards are a set of educational benchmarks for each grade in each subject-matter area. *See* 70 O.S. §§ 11-103.6a. The subject-matter standards must be adopted by the State Board of Education every six years and must be approved by the legislature. *See* 70 O.S. §§ 11-103.6a, 11-103.6a-1. The subject-matter standards have not been modified through this procedure to incorporate the Bible Education Mandate. *See* OAC §§ 210:15-3-1 to 210:15-3-209; *Search Oklahoma Registers*, Okla. Sec’y of State Admin. Rules, <https://bit.ly/4h5q74f> (last visited Oct. 16, 2024).

111. Indeed, the Bible is not one of the textbooks or other instructional materials that are on the approved list of state textbooks and curricular materials for the 2024–25 school year. *See State Textbook Approved Titles*, Okla. State Dep’t of Educ. (last updated Sept. 4, 2024),

<https://bit.ly/482Co1Y>. The State Textbook Committee, which annually meets to create this list (*see* 70 O.S. §§ 16-101, 16-102), never included the Bible in it. In any event, while school districts *may* use textbooks from the list, they are not *required* to use any particular textbook on it, and they can choose to use textbooks and supplemental materials that are not on the list. *See* 70 O.S. §§ 16-111, 16-111.1.

112. Moreover, the Bible Education Mandate contravenes the OAPA’s requirement “that the rule is not violative of any other applicable statute” (75 O.S. § 306(C)(3)). Under 70 O.S. § 11-103.6a(F), “[s]chool districts shall exclusively determine the instruction, curriculum, reading lists and instructional materials and textbooks, subject to any applicable provisions or requirements as set forth in law, to be used in meeting the subject matter standards.” Contrary to this statute, the Bible Education Mandate requires school districts to provide particular instruction and use a particular instructional item—the Bible.

113. For the above-stated reasons, the Bible Education Mandate also violates the OAPA’s requirements that “the agency possessed the authority to promulgate the rule” and “that the rule is consistent with any statute authorizing or controlling its issuance and does not exceed statutory authority” (75 O.S. §§ 306(C)(1)–(2)). And even aside from those reasons, nothing in the statutes that set forth the powers of the Department of Education Respondents gave them authority to promulgate the Bible Education Mandate. Those statutes simply contain nothing that would authorize the Department of Education Respondents to require school districts to include any particular text in their curriculum. *See* 70 O.S. §§ 3-104, 3-107, 3-107.1.

114. Because the Bible Education Mandate violates the OAPA, spending public funds in furtherance of it—including purchasing Bibles for delivery to school districts as requested

by the Bible RFP—would be unlawful. The RFP and the planned spending of state funds on Bibles are illegal for a number of other reasons as well.

115. The Department of Education Respondents have no authority to spend state funds on Bibles. Nothing in the legislatively approved budget for the current fiscal year authorizes them to spend state funds on Bibles. *See* 2024 Okla. Sess. Laws Ch. 379 §§ 1–47. Though the budget does appropriate a specific sum of money “for the purchase of textbooks” (*id.* § 13), “[a]ll monies allocated for the purchase of textbooks shall be sent directly to the school districts.” 70 O.S. § 16-113(A); *accord* 70 O.S. § 16-114.1 (“funds appropriated for the purchase of textbooks shall be apportioned by the State Board of Education to each school district”). No provision in the budget (*see* 2024 Okla. Sess. Laws Ch. 379 §§ 1–47) or in the statutes governing the authority of the Department of Education Respondents (*see* 70 O.S. §§ 3-104, 3-107, 3-107.1) authorizes them to buy instructional materials themselves. Indeed, it would make no sense and be wasteful for the Department of Education Respondents to be able to do so, as school districts have the authority to select what materials to use and could simply decline to use materials that are offered to them (*see* 70 O.S. § 11-103.6a(F), 16-111, 16-111.1).

116. In addition, a spokesperson for Superintendent Walters stated that the \$3 million Walters plans to spend on Bibles will come from money that was appropriated for Department of Education staff salaries. *See* Jennifer Palmer, et al., ‘Trump Bible’ one of few that meet Walters’ criteria for Oklahoma classrooms, *The Oklahoman* (Oct. 4, 2024), <https://bit.ly/402FOMF>. But state funds appropriated for one purpose can only be spent on another purpose if a formal “request for budget transfer” and “revised agency budget” are sent to and approved by the Director of OMES and filed with the Joint Legislative

Committee on Budget and Program Oversight. 62 O.S. § 34.52(B)–(C). There is no evidence or public record of any attempt by the Department of Education Respondents to follow this procedure. In any event, such reallocations of funds must not “subvert[] the intention and objectives of the Legislature in establishing the original appropriation.” 62 O.S. § 34.52(D). Spending money that was appropriated for staff salaries on Bibles would be contrary to the intent of the legislature.

117. Furthermore, Executive Order 2023-12 requires the chief administrative officer of an agency (here, Superintendent Walters) to provide advance written notice to and consult with the agency’s cabinet secretary (here, the Secretary of Education, *see* 70 O.S. § 3-118) before making any “non-emergency purchase(s) that exceed \$25,000.00.” OAC § 1:2023-12(2) (footnote omitted). There is no evidence or public record that Superintendent Walters attempted to do this either.

118. The Bible RFP also violates state procurement requirements. State-agency purchases in amounts higher than \$250,000 must be conducted through competitive bidding and “shall be awarded to the lowest and best, or best value, bidder or bidders.” 74 O.S. § 85.7(A)(1)(b), (B). “It is the policy of the State to make acquisitions from suppliers through a competitive selection process that is fair, open and objective in order to achieve optimum value, quality and serve the best interest of the taxpayers.” OAC § 260:115-1-1(a). But the RFP has been gerrymandered to favor one or two specific and very expensive suppliers.

119. Instead of asking for bids to provide any kind of Bibles, Respondents have requested King James Version Bibles, that have no commentary, that are bound with leather or leather-like material, and that either contain or are accompanied by durably bound (separately or together) copies of the Pledge of Allegiance, Declaration of Independence, Constitution, and

Bill of Rights. (RFP, PA87–88.) Moreover, the RFP requires 55,000 copies of these Bibles to be delivered to all the school districts in the state within two weeks of the contract-award date. (PA87.) Petitioners are aware of only two manufacturers that supply King James Version Bibles that are bound in leather or leather-like material and contain the Pledge of Allegiance, Declaration of Independence, Constitution, and Bill of Rights: (1) the supplier of the “God Bless the USA Bible,” which costs \$59.99 (*see Home, God Bless the USA Bible*, <https://bit.ly/3zSa2yj> (last visited Oct. 16, 2024)); and (2) the supplier of the “We the People Bible,” which costs \$89.99 (*see We the People: Single Bible, America Superstore*, <https://bit.ly/3Y6MFZV> (last visited Oct. 16, 2024)). Petitioners are not aware of any vendor that supplies copies of the Pledge of Allegiance, Declaration of Independence, Constitution, and Bill of Rights that are bound together—or are each bound separately—in durable material.

120. It seems highly unlikely that anyone could fulfill the requirements of the RFP other than the suppliers of the God Bless the USA Bible and the We the People Bible, especially on the timeframe required by the RFP. And dividing the \$3 million that Superintendent Walters said he plans to spend on Bibles in the current fiscal year by the 55,000 copies requested in the RFP results in a price of \$54.55 per Bible, which would represent a small volume discount from the normal \$59.99 price of the God Bless the USA Bible, and suggests that the Department of Education Respondents prepared the specifications of the RFP with the intent and expectation that the supplier of the God Bless the USA Bible would be the winning bidder. In comparison, other Bibles can be purchased for as little as \$3.49 per Bible. *See, e.g., KJV Outreach Bible, Christianbook*, <https://bit.ly/3U8fp3g> (last visited

Oct. 16, 2024). And the Bible is available on the internet for free. *See Get a free Bible for your phone and tablet*, YouVersion, <https://www.bible.com/> (last visited Oct. 16, 2024).

121. Finally, spending state funds on Bibles would violate the Oklahoma Constitution. Section 5 of Article II of the State Constitution provides, “No public money or property shall ever be appropriated, applied, donated, or used, directly or indirectly, for the use, benefit, or support of any sect, church, denomination, or system of religion, or for the use, benefit, or support of any priest, preacher, minister, or other religious teacher or dignitary, or sectarian institution as such.” Section 2 of Article I provides, “Perfect toleration of religious sentiment shall be secured, and no inhabitant of the State shall ever be molested in person or property on account of his or her mode of religious worship; and no religious test shall be required for the exercise of civil or political rights.” Respondents’ planned spending on Bibles violates these clauses for several reasons: It would support a system of religion. It would be for items that are religious in nature. And it represents a governmental preference for one religion over another, as the state funds are to be spent on the King James Version Bible, which is a Protestant version that is different from versions typically used by Catholics and Jews.

RELIEF REQUESTED

122. Petitioners respectfully request that the Court grant the following relief:

- a. A declaratory judgment stating that the Bible Education Mandate is invalid and unenforceable and that the Bible RFP and any contract award or contract issued pursuant to the RFP are unlawful and void;
- b. An injunction or a writ of prohibition barring Respondents from taking any action to implement or enforce the Bible Education Mandate, including spending

any state funds to purchase Bibles—pursuant to the Bible RFP or otherwise—or to further the Mandate in any other manner;

- c. A writ of mandamus requiring Respondents to rescind the Bible Education Mandate, withdraw the Bible RFP, and cancel any contract award or contract issued pursuant to the RFP;
- d. An award of costs and attorneys' fees to the extent allowed by law; and
- e. Such other relief as the Court deems just and proper.

Respectfully submitted,

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**Pro hac vice application forthcoming.*

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CERTIFICATE OF SERVICE

I certify that, on the same date that the foregoing document was filed, I caused a true and correct copy of it to be served by mail and email to counsel for all the Respondents in this action at the addresses set forth below:

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