

IN THE SUPREME COURT OF THE STATE OF OKLAHOMA

REV. DR. MITCH RANDALL; BRAD ARCHER, on behalf )  
of himself and on behalf of his minor child, M.A.; MATTHEW )  
DIXON; RACHEL HILL, on behalf of herself and on behalf of )  
her minor children, E.H., F.H., and N.H.; AMBER HOOD, on )  
behalf of herself and on behalf of her minor children, W.H.1, )  
W.H.2, W.H.3, and W.H.4; KARA JOY MCKEE and GENE )  
PERRY, on behalf of themselves and on behalf of their minor )  
child, T.P.; MICHELE MEDLEY, on behalf of herself and on ) Case No. \_\_\_\_\_  
behalf of her minor children, R.M. and S.M.; BRANDIE )  
PARKER, on behalf of herself and on behalf of her minor )  
child, L.P.; TAMARA SANCHEZ, on behalf of herself and on )  
behalf of her minor children, C.S., J.S., and M.S.; JAY )  
WHITNEY, on behalf of himself and on behalf of his minor )  
child, N.W.; YULIA WHITNEY, on behalf of herself and on )  
behalf of her minor children, D.S. and N.W.; REV. DR. LORI )  
WALKE; and REV. DR. LISA WOLFE, on behalf of herself )  
and on behalf of her minor children, A.M. and P.M., )  
Petitioners, )  
v. )  
RYAN WALTERS, in his official capacity as STATE )  
SUPERINTENDENT OF PUBLIC INSTRUCTION; )  
OKLAHOMA STATE DEPARTMENT OF EDUCATION; )  
OKLAHOMA STATE BOARD OF EDUCATION; and )  
ZACHARY ARCHER, SARAH LEPAK, MIKE TINNEY, )  
RYAN DEATHERAGE, CHRIS VAN DEHENDE, and )  
BECKY CARSON, in their official capacities as MEMBERS )  
OF THE OKLAHOMA STATE BOARD OF EDUCATION, )  
Respondents. )

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

**INTRODUCTION**

1. The Oklahoma State Board of Education (“the Board”) is charged with adopting and periodically revising Oklahoma academic standards that determine what Oklahoma public-school students must learn. On February 27, 2025, the Board approved revised Oklahoma

Academic Standards for Social Studies (“the 2025 Standards”). Absent court action, the 2025 Standards will be in effect for the 2025–26 school year.

2. The version of the standards that the Board approved at the February 27 meeting was significantly different from the only version that had been publicly released by state officials prior to the meeting, in December 2024. The agenda for the February 27 meeting provided no notice to the public that the Board would be considering a version of the standards different from the December 2024 version. And at least three of the six people who were members of the Board on February 27 did not realize when they voted on the 2025 Standards that the version they were acting on contained substantial differences from the December 2024 version.

3. The 2025 Standards require stories from the Bible to be taught to first and second graders. In accordance with a particular Christian view of the Bible, the 2025 Standards present certain biblical passages as historical fact to older children, contrary to a scholarly consensus that those passages do not accurately represent historical events. As a whole, the 2025 Standards favor Christianity over all other religions, as they contain numerous references to Christianity but few to other faiths.

4. The 2025 Standards present to students disproven contentions relating to the legitimacy of the 2020 presidential election. The 2025 Standards require teachers to teach students that the source of the Covid pandemic was a Chinese laboratory, even though there is considerable debate about the pandemic’s origin, and the scientific consensus is that the pandemic most likely resulted from animal-to-human transmission. The 2025 Standards contain other inaccurate teachings.

5. Petitioners include public-school children, parents, and teachers, as well as clergy. Petitioners face a variety of harms from the 2025 Standards. The 2025 Standards will subject the children to—and require the teachers to present—instruction that promotes particular religious beliefs and is inaccurate. The 2025 Standards interfere with the parents’ ability to direct the religious and moral upbringing of their children. And the tax payments of all the adult petitioners will be used to support implementation of the 2025 Standards and will thus support all these harms.

6. The 2025 Standards are unlawful and invalid for many procedural and substantive reasons. By failing to notify the public that it would consider at its February 27 meeting a version of the 2025 Standards different from the only one that had been publicly released, the Board violated the Open Meeting Act (25 O.S. §§ 303, 311), and votes taken in violation of that Act are null and void (*id.* § 313). By voting to approve the 2025 Standards when at least half its membership did not know their content, the Board violated a statute (70 O.S. § 11-103.6a(E)) that requires it to maintain sole control and authority over Oklahoma academic standards. By mandating the presentation of incorrect instruction, the 2025 Standards violate a statute (*id.* § 11-103.6(A)(5), (M)(3)) that requires them to be accurate. By mandating the presentation of stories from the Bible to first and second graders, the 2025 Standards violate a statute (*id.*) that requires them to be age-appropriate. By promoting and favoring particular religious beliefs above all others, the 2025 Standards violate the religious-freedom provisions of the Oklahoma Constitution (art. I, § 2; art. I, § 5; art. II, § 5) and related statutory protections (70 O.S. §§ 11-101, 11-103.6b(A)). And by violating the foregoing statutes and constitutional provisions, the 2025 Standards also violate the Oklahoma Administrative

Procedures Act, because they are a rule (*id.* § 11-103.6a-1(E)) subject to that Act’s requirement that rules be lawful (75 O.S. § 306(C)).

7. 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, (1) declaring the 2025 Standards invalid, unlawful, and unenforceable; (2) prohibiting Respondents (the Board, the Oklahoma State Department of Education, and State Superintendent of Public Instruction Ryan Walters) from taking any action to implement or further the 2025 Standards, including expending any state funds or resources in support of implementation of the 2025 Standards; and (3) requiring Respondents to proceed under the prior version of the academic standards for social studies (which was enacted in 2019) until a new version of the standards that is consistent with Oklahoma law is validly enacted.

## **PARTIES**

### **Petitioners**

8. Petitioners are all Oklahoma residents, who reside in Cleveland, Grady, Oklahoma, Tulsa, and Wagoner Counties. (Pet’rs’ Decls., Pet’rs’ Appendix (“PA”) 813, 817, 820, 823, 827, 830, 834, 838, 841, 844, 847, 851, 854, 858.) Petitioners include people who identify as Christian, Jewish, atheist, agnostic, and nonreligious. (PA814, 817, 821, 823, 827, 830–31, 835, 838–39, 841, 844, 847–48, 851, 854, 858.)

9. Most of the petitioners are parents of children attending Oklahoma public schools and their children: Brad Archer, who sues on behalf of himself and on behalf of his minor child, M.A.; Matthew Dixon; Rachel Hill, who sues on behalf of herself and on behalf of her minor

children, E.H., F.H., and N.H.; Amber Hood, who sues on behalf of herself and on behalf of her minor children, W.H.1, W.H.2, W.H.3, and W.H.4; Kara Joy McKee and Gene Perry, who sue on behalf of themselves and on behalf of their minor child, T.P.; Michele Medley, who sues on behalf of herself and on behalf of her minor children, R.M. and S.M.; Brandie Parker, who sues on behalf of herself and on behalf of her minor child, L.P.; Tamara Sanchez, who sues on behalf of herself and on behalf of her minor children, C.S., J.S., and M.S.; Jay Whitney, who sues on behalf of himself and on behalf of his minor child, N.W.; Yulia Whitney, who sues on behalf of herself and on behalf of her minor children, D.S. and N.W.; and Rev. Dr. Lisa Wolfe, who sues on behalf of herself and on behalf of her minor children, A.M. and P.M. (Pet’rs’ Decls., PA813, 817, 820, 823, 827, 834, 841, 844, 847, 851, 854, 858.)

10. The child petitioners include children who will be enrolled during the 2025–26 school year in each grade of an Oklahoma public school, from kindergarten through twelfth grade, except for second, sixth, and ninth grades. (Pet’rs’ Decls., PA813, 820, 823, 827, 834, 841, 844, 851, 854, 858.)

11. Petitioners Archer and Sanchez are also Oklahoma public-school teachers. Petitioner Archer is a social-studies teacher, while petitioner Sanchez covers both social studies and other subjects in performing her duties. (Archer Decl., ¶ 4, PA813; Sanchez Decl., ¶ 4, PA834.)

12. Petitioners Rev. Dr. Mitch Randall and Rev. Dr. Lori Walke are both clergy. (Randall Decl., ¶¶ 4, 6, PA830; Walke Decl., ¶ 3, PA838.) Petitioner Wolfe is both a parent of public-school children and a member of the clergy. (Wolfe Decl., ¶¶ 3–4, PA847.) The clergy petitioners and all the other adult petitioners pay taxes to the State of Oklahoma (which

include individual income taxes, general sales taxes, motor-fuel taxes, motor-vehicle taxes, alcoholic-beverage taxes, and insurance taxes) and local property taxes to the counties where they reside. (Pet'rs' Decls., PA815, 818, 822, 825, 828, 831, 836, 838, 842, 845, 847, 850, 853, 856, 860.)

13. The petitioners object to and face harm from the 2025 Standards for many reasons.

14. Most of the child petitioners are not being raised in the Christian faith, and the 2025 Standards' promotion and favoritism of Christianity will coercively subject them to religious teachings that are contrary to their own beliefs, cause them to feel different and inferior, trigger discussions of religion in school that will lead them to feel ostracized and marginalized, impair their relationships with their teachers, and harm their ability to engage and succeed in the classroom. The 2025 Standards will inflict similar harms upon child petitioners who are Christian by promoting particular theological doctrines that are contrary to those children's beliefs and by triggering religion-based division in the classroom. Moreover, by requiring presentation of inaccurate teachings to the child petitioners, the 2025 Standards will further harm the quality of their education and their readiness for college. Some of the child petitioners are particularly vulnerable to these types of harms because they have disabilities, are neurodivergent, have other characteristics that make them different from most of their peers, or have had alienating experiences relating to religion. (Pet'rs' Decls., PA814–15, 821, 824–25, 827–28, 835–36, 844–45, 852, 854–56, 858–60.)

15. Many of the parent petitioners are raising their children in beliefs that are not religious or are raising their children in Christian or Jewish beliefs that are different from the theological doctrines advanced by the 2025 Standards. But the 2025 Standards promote particular versions of Christianity and Judaism to the children that are contrary to the beliefs

in which the children are being raised. Other parent petitioners are raising their children to be open-minded about religion and want them to make their own religious choices without pressure from authority figures. But the 2025 Standards use teachers' authority to advance particular religious views. And it is critical to some parent petitioners to control how the sensitive matter of religion is introduced and presented to their children. Yet the 2025 Standards teach stories from the Bible to students as young as first and second graders. In these ways, the 2025 Standards interfere with the parent petitioners' ability to direct and control the upbringing of their children, including their moral and religious training. (Pet'rs' Decls., PA814, 817, 821, 823–24, 827–28, 835–36, 841–42, 844–45, 848–49, 851–52, 854–56, 858–59.)

16. The 2025 Standards will force the teacher petitioners to promote particular religious beliefs and to present inaccurate teachings as truth to their students. This will impair the teachers' relationships with their students and harm the teachers' effectiveness in the classroom. (Archer Decl., ¶¶ 7–8, PA813–14; Sanchez Decl., ¶¶ 9–11, PA836.)

17. All of the adult petitioners object to the use of their tax payments to support implementation of the 2025 Standards, for a variety of reasons that include the following: Petitioners object to their tax funds being used to promote religion in the classroom and to advance one set of religious beliefs over others. They object to their tax funds being utilized to support factually inaccurate teachings and to thereby erode the quality of their children's and other children's education. They oppose the use of their tax funds to harm in these ways children who are particularly vulnerable due to disabilities, past traumatic experiences relating to religion, or other characteristics that already make it difficult for them to fit in

with their peers. And the adult petitioners believe that the 2025 Standards are unlawful. (Pet’rs’ Decls., PA816, 818, 822, 825, 829, 833, 837, 840, 842, 846, 850, 853, 857, 860–61.)

18. The clergy petitioners, who are all Christian, are particularly cognizant of how the 2025 Standards promote one version of Christianity over other Christian beliefs. They believe that the 2025 Standards misuse the Bible and Christianity in a manner that is deeply harmful to religious freedom and public education. (Randall Decl., ¶¶ 12–17, PA831–32; Walke Decl., ¶¶ 8–12, PA839–40; Wolfe Decl., ¶¶ 7–11, PA848–49.)

19. Some of the petitioners are Native Americans. Their ancestors were victims of forced Christian proselytization and cultural genocide in federally funded boarding schools in Oklahoma. They or their parents fear that the 2025 Standards’ promotion of Christianity threatens a revival of such shameful practices. (Randall Decl., ¶¶ 3, 16–17, PA830, 832–33; Sanchez Decl., ¶ 12, PA836.)

20. More details about Petitioners, their objections to the 2025 Standards, and the harms that the 2025 Standards will inflict on them are set forth in their declarations. (PA813–61.)

### **Respondents**

21. 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).

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



23. Respondents Zachary Archer, Sarah Lepak, Mike Tinney, Ryan Deatherage, Chris Van Dehende, and Becky Carson are (together with Walters) members of the Board. They are sued in their official capacities.

24. Respondent State Department of Education (“the Department”) is “charged with the responsibility of determining the policies and directing the administration and supervision of the public school system of the state.” *Id.* § 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.*

## **FACTS**

### **Background**

25. The Board is charged with adopting academic standards for a variety of subject matters, including social studies, that determine what Oklahoma public-school students must learn. *Id.* §§ 11-103.6(A)(1), 11-103.6a(A). All public school districts across the state are required to implement the standards. *Id.* §§ 11-103.6(A)(2), 11-103.6a(A); OAC §§ 210:35-3-66(c), 210:35-3-67(f), 210:35-3-67(j). Public-school students are tested and assessed on their knowledge of material required to be taught by the standards, including in the subject of United States History. 70 O.S. §§ 11-103.6(A)(4), 1210.508(A)(1), 1210.508(C)(1), 1210.508(E)(1)(c); OAC §§ 210:35-3-66(i)(4), 210:35-3-67(j), 210:35-3-68(b). The Board must review each set of subject-matter standards on a six-year cycle and adopt any revisions it deems necessary to improve the quality of student education. 70 O.S. § 11-103.6a(A). The state legislature may then vote to approve, disapprove, or amend the standards, but the

standards become law if the legislature takes no action within thirty legislative days of receipt of the standards from the Board. *Id.* § 11-103.6a-1(C).

26. In 2019, the Board adopted a revised set of Oklahoma academic standards for social studies (the “2019 Standards”). (New Standards webpage, PA150.) The 2019 Standards were in effect through the 2024–25 school year. (*Id.*, PA156.) The 2019 Standards did not reference the Bible. (2019 Standards, PA163–248.) They referenced Christianity once—in a high-school standard comparing Christianity to other world religions such as Judaism, Buddhism, and Islam. (*Id.*, PA228.) The 2019 Standards did not contain commentary about contested elections. (*Id.*, PA163–248.) Nor did the 2019 Standards attempt to assign responsibility for any disease outbreak to a particular country. (*Id.*)

#### **Adoption of the 2025 Standards**

27. On July 9, 2024, Superintendent Walters announced a “complete overhaul” of the Oklahoma academic standards for social studies. (July 2024 Press Release, PA88.) He emphasized that “[t]he revised standards will incorporate the . . . Bible as an instructional resource.” (*Id.*) He also announced a list of people he had enlisted to serve on the “Executive Review Committee” for the revision of the social-studies standards. (*Id.*, PA89–91.) This committee was given a prominent role in crafting the revised standards, including during the “final draft review.” (*Id.*, PA89; New Standards webpage, PA152–53.) The list Walters released was mostly comprised of out-of-state individuals, including several media personalities. (See July 2024 Press Release, PA89–91; see also Executive Review Committee biographical materials, PA92–102.)

28. At the Board’s regular meeting on December 19, 2024, Superintendent Walters announced to the Board and to the public a proposed version of the revised social-studies

standards (the “December 2024 version”). (Dec. 19 Meeting Tr., PA2.) During his announcement, Walters explained that the new standards would “champion the guidance that the Bible gave throughout American history.” (*Id.*) Walters stated that the new standards contain “over 50 references to the Bible and Christianity,” and that “we have included the Bible and Christianity more in our History standards in the State of Oklahoma than any other state in the country.” (*Id.*) On December 19, 2024, this version of the standards was published on the Department’s New Standards Review and Revision Process webpage for public comment. (New Standards webpage, PA151; Valentine Decl. ¶ 5, PA60–61.)

29. At its regular meeting on February 27, 2025, the Board voted to approve a new set of social-studies standards (the “2025 Standards”), with five of the six people who were then members of the Board voting in favor and one against. (Feb. 27 Meeting Tr., PA22–25.) As detailed below, the version of the standards that was approved at the February 27, 2025 meeting differed substantially from the December 2024 version. *See infra* ¶¶ 41, 52–54. For example, the new version added a requirement that students “[i]dentify discrepancies in 2020 elections results.” (*Compare* December 2024 version, PA369, *with* 2025 Standards, PA549.) It also added a requirement that students “[i]dentify the source of the COVID-19 pandemic from a Chinese lab.” (*Compare* December 2024 version, PA368–69, *with* 2025 Standards, PA549.) And, among other alterations, a requirement that first graders “[i]dentify stories from *ancient Israel* that influenced the American colonists, the Founders, and American culture” was changed to mandate that first graders “identify stories about people and ideas from *Judaism* that influenced the American colonists, the Founders, and American culture.” (*Compare* December 2024 version, PA267 (emphasis added), *with* 2025 Standards, PA445 (emphasis added).)

30. The version of the social-studies standards that was approved at the February 27, 2025 Board meeting was never publicly posted on any state website—or anywhere else—prior to the conclusion of the meeting. (Valentine Decl. ¶ 4, PA60.) This version was first publicly posted on a state website (on the Board’s webpage, as part of the handouts for the February 27, 2025 meeting) after the meeting had concluded. (*Id.*; *see also* screenshot showing Feb. 28, 2025, 2:53 pm, as date/time-stamp of handouts uploaded to webpage, PA63.) As one Board member acknowledged at an April 24, 2025 Board meeting, “the changes [to the standards] were not known to the public” at the time of the February 27 meeting. (Apr. 24 Meeting Tr., PA34.) Rather, prior to the conclusion of the February 27, 2025 meeting, the only version of the standards that was publicly available was the December 2024 version. (Valentine Decl. ¶ 5, PA60.)

31. The agenda for the February 27 Board meeting was posted to the Board’s webpage on February 26, as required by the Open Meeting Act (25 O.S. § 311(A)(9)). (Feb. 27 Agenda, PA77.) The agenda for the February 27 meeting did not provide notice that the Board would be voting on a version of the standards different from the December 2024 version. (*Id.*, PA77–79.) Instead, the agenda simply stated, “The State Department of Education is presenting and requesting approval of the proposed Oklahoma Academic Standards for Science (OAS-S) and Social Studies (OAS-SS).” (*Id.*, PA78.) This was a departure from past practice. In March 2022 and February 2024, ahead of votes on new academic standards, the agendas specified that the Board might approve modified versions of the standards, describing the agenda items as “[d]iscussion and possible action to approve, disapprove *or modify* the proposed” standards. (Mar. 2022 Agenda, PA66; Feb. 2024 Agenda, PA70 (emphasis added).)

32. The Board also failed to follow another of its regular notice practices in conjunction with the February 27, 2025 meeting. Prior to each Board meeting, the Board typically posts on its webpage handouts that contain items that are to be considered at the meeting. (Valentine Decl. ¶ 3, PA60.) But the Board did not post any handouts for its February 27 meeting on its webpage prior to that meeting. (*Id.*) Handouts for the February 27 meeting—which, as noted above, contained the final version of the 2025 Standards—were posted on the Board’s webpage only after the meeting had concluded. (*Id.* ¶¶ 3–4, PA60.)

33. With the exception of Superintendent Walters, the Board members did not receive the 2025 Standards until approximately 4:00 p.m. on February 26, 2025 (*see* Superintendent Walters & OSDE’s Answer to Petition ¶ 41, *Ford v. Okla. State Dep’t of Educ.*, No. CV-25-1133 (Okla. Dist. Ct. Okla. Cnty. May 28, 2025), PA82; *see also* Apr. 24 Meeting Tr., PA34, 42)—just seventeen-and-a-half hours before the start of the February 27 meeting (*see* Feb. 27 Agenda, PA77). The Board members were not alerted to any of the changes made to the standards that are identified in this Petition. (Apr. 24 Meeting Tr., PA28–31, 33–34, 41; *see also* Feb. 27 Meeting Tr., PA5–25.) At least three Board members did not read the changed 2025 Standards prior to voting on them. (Apr. 24 Meeting Tr., PA28, 31, 33–34, 41.)

34. At the April 24, 2025 Board meeting, Board Member Van Dehede—who voted to approve the 2025 Standards on February 27 (Feb. 27 Meeting Tr., PA22–24)—stated that he would have voted against approving the 2025 Standards if he had been fully informed (Apr. 24 Meeting Tr., PA33). At the same meeting, Board Member Tinney—who also voted to approve the 2025 Standards at the February 27 meeting (Feb. 27 Meeting Tr., PA22–24)—stated that he had reviewed the December 2024 version of the standards before casting his vote, without realizing that the December 2024 version was different from the final version,

and he left it unclear whether he would have voted to approve the 2025 Standards if he had understood what was in them (Apr. 24 Meeting Tr., PA28–29, 33–34, 41). Board Member Deatherage voted to disapprove the standards at the February 27 meeting. (Feb. 27 Meeting Tr., PA22–25.) Thus, the 2025 Standards may well have failed to receive the majority vote they needed for approval from the then-six-member Board had the Board members been aware of their content. As one Board member explained, “several board members voted on something they did not know had been changed from the” December 2024 version. (Apr. 24 Meeting Tr., PA41.)

35. At the Board’s February 27 meeting, Superintendent Walters heavily and successfully pressured the Board members to vote on the 2025 Standards that day, despite complaints by Board members that they were not being given sufficient time to review the 2025 Standards, rejecting proposals that the vote be postponed to a special Board meeting or the next regular Board meeting. (Feb. 27 Meeting Tr., PA16–22; *see also* Apr. 24 Meeting Tr., PA30–31.) At the April 24 meeting, some of the Board members expressed the view that Superintendent Walters made misleading statements in pressuring the Board to go forward with the vote. (Apr. 24 Meeting Tr., PA30–31.)

36. At the Board’s April 24 meeting, Walters stated, “You’re looking at the individual that made the decision on what’s in the standards. I’m right here. Ultimately, I make the decision on what’s in the standards and what’s not.” (Apr. 24 Meeting Tr., PA31–32.)

37. At the Board’s April 24 and May 21, 2025 meetings, partly as a result of concerns among Board members about what was disclosed to them and when, the Board members engaged in substantial debate about what the content of the minutes of the February 27 meeting should be and whether to approve the minutes. (Apr. 24 Meeting Tr., PA39–44; May

21 Meeting Tr., PA50–56.) At a June 26, 2025 Board meeting, as a result of those concerns, the Board declined to approve the minutes of the February 27 meeting and instead authorized them to be placed in the public record without approval. (June 26 Meeting Tr., PA874–76.) A Board member explained, “On behalf of some members of the Board, I believe that we still do not think the process [concerning approval of the 2025 Standards] was properly followed in the Board.” (*Id.*, PA874.)

38. The Board typically livestreams its meetings on Facebook. (Valentine Supp. Decl. ¶ 3, PA863.) After the meetings, the videos of the meetings typically remain posted on the Department’s Facebook page as permanent video recordings that any member of the public can view. (*Id.*) The Board livestreamed its meetings on February 27, 2025, April 24, 2025, and May 21, 2025. (*Id.* ¶ 4, PA863.) At the conclusions of those meetings, the video recordings of the meetings initially remained posted on the Department’s Facebook page and were accessible to the public. (*Id.*) But by June 25, 2025, the video recordings of those three meetings were no longer available for public viewing on the Department’s Facebook page or on any other State of Oklahoma website or webpage. (*Id.*)

39. As noted above, after the Board voted to approve the 2025 Standards and submitted them to the legislature, the legislature had thirty legislative days to adopt a joint resolution approving, disapproving, or amending the standards, and the standards would become law if the legislature did not act within that timeframe. 70 O.S. § 11-103.6a-1(C). The legislature did not adopt any joint resolution concerning the 2025 Standards. (*See* Senate Journals, Okla. Senate, <https://bit.ly/4kLNW2p> (last visited June 28, 2025)). So the 2025 Standards automatically became law on or about May 2, 2025. (Response to Motion for Preliminary

Injunction ¶ 2, *Ford v. Okla. State Dep't of Educ.*, No. CV-25-1133 (Okla. Dist. Ct. Okla. Cnty. May 15, 2025), PA85.)

### **Content of the 2025 Standards**

40. The 2025 Standards prescribe what public-school students must learn in social studies in each grade from pre-kindergarten through eighth grade. (2025 Standards, PA431–32.) For higher grades, as not all high-school students take the same social-studies subjects in the same grades, the 2025 Standards are divided not by grade level but by subject matter: Oklahoma History and Government, Modern World History, United States History, United States Government, Economics, World Geography, Ancient and Medieval World History, History of 20th Century Totalitarianism, Psychology, and Sociology. (*Id.*, PA431.) To graduate from a public high school with a standard diploma, students must take at least three high-school units of social studies, including three required courses: United States History (a one-unit course), United States Government (a half-unit course), and Oklahoma History (a half-unit course). 70 O.S. § 11-103.6(B)(4), (D)(4).

41. The 2025 Standards force teachers to present stories from the Bible to impressionable first- and second-grade students. Standard 1.C.2.7 requires first graders to “[i]dentify stories about people and ideas from Judaism that influenced the American colonists, the Founders, and American culture (e.g., David and Goliath, Moses and the Ten Commandments).” (2025 Standards, PA445.) The language of this standard in the final version of the 2025 Standards is different from and more overtly religious than the language in the December 2024 version, which stated, “Identify stories from *ancient Israel* that influenced the American colonists, the Founders, and American culture (e.g., David and Goliath, Moses and the Ten Commandments).” (December 2024 version, PA267 (emphasis added).) 2025 Standard



2.C.2.5 requires second graders to “[i]dentify stories from Christianity that influenced the American Founders and culture, including the teachings of Jesus of Nazareth (e.g., the ‘Golden Rule,’ the Sermon on the Mount).” (2025 Standards, PA451.) Due to their developmental stage, first- and second-grade children are likely to accept as true stories that are presented to them by trusted authority figures such as teachers. *See, e.g.,* Paul L. Harris et al., *Germes and Angels: The Role of Testimony in Young Children’s Ontology*, 9 *Developmental Sci.* 76, 93 (2006) (PA610, 627<sup>1</sup>).

42. The 2025 Standards require teachers to present biblical passages about ancient Israel as historical fact. Standard AWH.C.5.2 requires Ancient and Medieval World History students to “[t]race the Biblical account of Hebrew migrations from Mesopotamia to Canaan and their later sojourn in Egypt, explaining the role of Abraham and Moses, as recorded in the Book of Exodus.” (2025 Standards, PA578.) Similarly, standard AWH.C.5.4 requires Ancient and Medieval World History students to “[d]escribe the Hebrew Bible’s account of the unification of the tribes of Israel under Kings Saul, David, and Solomon, including David’s founding of Jerusalem in 1000 BC and the building of the first temple by Solomon.” (*Id.*, PA579.) These standards fall under a heading that states, “The student will analyze the roots of Western Civilization in Ancient Israel.” (*Id.*, PA578.)

43. Scholars generally agree that many, if not all, of the Bible’s accounts of ancient Israel—including those referenced in AWH.C.5.2 and AWH.C.5.4—are not historically reliable. *See, e.g.,* J. Maxwell Miller, *Reading the Bible Historically: The Historian’s Approach, in To Each Its Own Meaning: An Introduction to Biblical Criticisms and Their*

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<sup>1</sup> Relevant portions of sources that may not be readily available to the Court are included in Petitioners’ Appendix.

*Application* 11, 14, 16 (Stephen R. Haynes & Steven L. McKenzie eds., 1993) (PA637, 639). The Bible itself does not claim to be a cohesive or accurate historical account—indeed, its depictions of ancient Israel contain numerous inconsistencies. *See id.* at 16 (PA639); Joel S. Baden, *The Composition of the Pentateuch: Renewing the Documentary Hypothesis* 16–20 (2012) (PA646–50). And most scholars agree that the biblical accounts of Abraham, Moses, Saul, David, and Solomon were written long after the apparent settings they describe. *See* Megan Bishop Moore & Brad E. Kelle, *Biblical History and Israel's Past: The Changing Study of the Bible and History* 150 (2011) (PA675); Terrence E. Fretheim, *Abraham: Trials of Family and Faith* 19 (2007) (PA686). The historical record does not even support the existence of Abraham, let alone details about his “role” in history. *See* Fretheim, *supra*, at 21 (PA688); Ronald Hendel, *Remembering Abraham: Culture, Memory, and History in the Hebrew Bible* 7 (2005) (PA696). Similarly, there is no clear historical evidence supporting the existence of Moses or of a Hebrew “sojourn in Egypt.” *See* Moore & Kelle, *supra*, at 81 (PA661); Jeffrey Stackert, *Moses, Bible Odyssey*, <https://perma.cc/6P8S-T9LU> (last visited June 28, 2025). And scholars generally understand the Bible’s accounts of Kings Saul, David, and Solomon to be literary works that were written to serve ideological and theological goals—not to document literal history. Moore & Kelle, *supra*, at 150–51 (PA675–76); Walter Brueggemann, *Solomon: Israel's Icon of Human Achievement* 21–23 (Fortress Press 2024) (2005) (PA708–10).

44. By treating biblical accounts of ancient Israel as historical fact—an approach that directly conflicts with scholarly consensus—the 2025 Standards adopt an interpretation of the Bible that only certain religious groups adhere to. *See* Mark A. Chancey, *Sectarian Elements in Public School Bible Courses: Lessons from the Lone Star State*, 49 *J. Church &*

St. 719, 735–36 (2007) (PA730–31). Some Christians, for example, hold the religious belief that the Bible is historically factual, while numerous other Christians and non-Christians do not. *See id.*; Miller, *supra*, at 15 (PA638); *see also, e.g.*, Sanchez Decl. ¶ 9, PA835; Wolfe Decl. ¶¶ 8–11, PA848–49. The 2025 Standards thus take sides in a religious debate about how to interpret and utilize a particular religious text.

45. Standard AWH.C.5.2 also inaccurately communicates that the story of Abraham appears in the Book of Exodus. (*See* 2025 Standards, PA578.) In fact, it appears in the Book of Genesis. *See Genesis* 12–25.

46. The 2025 Standards inaccurately depict the influence of the Bible and Christianity on the founding of the United States. Scholars generally agree that religious ideas did not play a central role in the founding. *See* Steven K. Green, *Inventing a Christian America: The Myth of the Religious Founding* 7 (2015) (PA745). But the 2025 Standards repeatedly insist otherwise. In addition to standards 1.C.2.7 and 2.C.2.5 (discussed in paragraph 41 above), various other standards present the founding as primarily religiously motivated.

47. Standard 5.C.5.3 requires fifth-graders to “[e]xplain how the Framers based the Constitution on ‘the Laws of Nature and of Nature’s God,’ as expressed in the Declaration of Independence and influenced by Biblical principles, reflected in the writings of the Founders.” (2025 Standards, PA476.) Similarly, standard USG.C.1.3(D) requires United States Government students to “[d]escribe how the Constitution of the United States was influenced by religion, morality, and the Bible as a frequently cited authority by America’s founders.” (*Id.*, PA553.) But at the time it was enacted, the Constitution was widely understood *not* to be based on religious principles. *See* Green, *supra*, at 188 (PA776). As one contemporary author put it, the Constitution was “the invention of mere human wisdom;

no deity [came] down to dictate it.” Letter by David, Mass. Gazette, Mar. 7, 1788, reprinted in 4 *The Complete Anti-Federalist* 246, 248–49 n.1 (Herbert J. Strong ed., 1981) (quoting a Federalist writer who used the pseudonym “Elihu”) (PA785). Indeed, the Constitution was enacted as an explicitly secular document that does not contain any profession of reliance on divine authority or any other religious references aside from a prohibition against religious tests for public office. *See* Green, *supra*, at 179–80 (PA770–71); U.S. Const. art. VI, cl. 3. Similarly, the Declaration of Independence was a product of Enlightenment and Whig thought, not Christianity. Green, *supra*, at 164 (PA766).

48. Standard 8.C.1.5(C) requires eighth graders to “[e]valuate the role of Judeo-Christian ideals in supporting colonial demands for independence, as exemplified by the Bible being a frequently cited authority by America’s Founders.” (2025 Standards, PA500.) But while the founders sometimes used religious imagery to supplement their revolutionary rhetoric, the substantive reasons for their demands for independence were political, not religious. *See* Green, *supra*, at 120–21, 153 (PA760–61, 764).

49. Standard USG.C.2.1(B) requires United States Government students to “[s]ummarize Judeo-Christian concepts of ethics and government as the basis for American civilization and law, as exemplified by the influence of the Ten Commandments on American judicial decisions.” (2025 Standards, PA553–54.) Similarly, standard MWH.C.1.2(C) requires Modern World History students to “[e]xamine the influence of Judeo-Christian ethics and Mosaic law on early American political and legal systems, as well as modern legal systems.” (*Id.*, PA525.) But the founding generation generally viewed their common-law system as a “repository of human experience” that was not based on religious principles. *See* Paul Finkelman, *The Ten Commandments on the Courthouse Lawn and Elsewhere*, 73

Fordham L. Rev. 1477, 1511 (2005). And no early American judicial decisions treated the Ten Commandments as a normative basis for the American legal system. *See Green, supra*, at 93 (PA752).

50. As a whole, the 2025 Standards favor Christianity over all other religions, as they contain numerous references to Christianity but few references to other faiths. Twenty-nine provisions reference Christianity or the Bible. (2025 Standards, PA451, 467, 473, 476, 493, 500, 505, 525–26, 528–31, 538, 553–54, 578–83, 594.) Thirteen provisions reference Judaism, the Hebrew Bible, or the Torah. (*Id.*, PA445, 459, 473, 493, 500, 525, 553–54, 578–80.) Four of these thirteen references use the term “Judeo-Christian” (*id.*, PA473, 500, 525, 553), a term that some Jews consider to offensively subordinate Judaism to Christianity and conflate the two religions. *See, e.g.*, Arthur A. Cohen, *The Myth of the Judeo-Christian Tradition and Other Dissenting Essays* xvi, xviii (1971) (PA797, 799); *see also, e.g.*, McKee Decl. ¶ 9, PA855; Perry Decl. ¶ 8, PA859. Eight provisions reference Islam. (2025 Standards, PA493, 525–26, 531, 582–84.) Other religions, such as Hinduism and Buddhism, are mentioned in no more than six provisions each. (*Id.*, PA493, 525–26, 581–82, 584.)

51. On top of the quantitative dominance of Christianity, the manners in which the 2025 Standards reference religion favor and promote Christianity over all other religions, as well as religion over nonreligion, including in the earliest grades. Standard AWH.5.7 singles out Judaism and Christianity as religions that specially contributed to the “foundations of Western Civilization.” (*Id.*, PA399.) Standard AWH.C.7.8 prompts students to describe “the meanings and effects of Jesus of Nazareth’s words as recorded by [the Gospel of] Matthew.” (*Id.*, PA580.) Students are not asked to describe the “meanings” of any other religious text. Standard 7.C.5.3 asserts that Christianity has impacted “modern societies and contemporary

culture,” without qualification, while geographically limiting the impact of other world religions. (*Id.*, PA493.) Standard 1.1.6 requires first graders to “[e]xplain . . . the significance of the phrase ‘under God’” in the Pledge of Allegiance, while no other language from the Pledge is selected for special treatment. (*Id.*, PA266.) Standards 1.C.1.7 and 2.C.1.11 require first and second graders to “[i]dentify and explain the meaning” of the national motto “In God we trust” and “the importance of religion to American people.” (*Id.*, PA445, 451.) Standard 3.C.1.1 requires third graders to accept the premise that the people of Oklahoma “rel[y] on spiritual guidance.” (*Id.*, PA457.)

52. Standard USH.C.9.3(D)—which consists of language that was not in the December 2024 version of the standards—requires United States History students to “[i]dentify discrepancies in 2020 elections results by looking at graphs and other information, including the sudden halting of ballot-counting in select cities in key battleground states, the security risks of mail-in balloting, sudden batch dumps, an unforeseen record number of voters, and the unprecedented contradiction of ‘bellwether county’ trends.” (*Compare* 2025 Standards, PA549, *with* December 2024 version, PA369.) But courts and experts have thoroughly disproven claims that there were “discrepancies” in the 2020 election results. *See, e.g.*, John Danforth et. al, *Lost, Not Stolen: The Conservative Case that Trump Lost and Biden Won the 2020 Presidential Election* 3–4 (2022), <https://perma.cc/2ARA-ATJQ>. Numerous courts have rejected claims that ballots were not properly counted.<sup>2</sup> So too have courts roundly

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<sup>2</sup> *See, e.g.*, *Ariz. Republican Party v. Fontes*, No. CV 2020-014553 (Ariz. Super. Ct. Maricopa Cnty. Dec. 21, 2020), <https://bit.ly/3HEV02r>; *Costantino v. City of Detroit*, 20-014780-AW (Mich. Cir. Ct. Wayne Cnty. Nov. 13, 2020), <https://bit.ly/44g1cGI>; *Law v. Whitmer*, 20 OC 00163 1B (Nev. Dist. Ct. Carson City Dec. 4, 2020), <https://bit.ly/3G1FIJQ>.

rejected claims of mail-in voting fraud.<sup>3</sup> Voter turnout did break records in 2020, but this was hardly “unforeseen”—political prognosticators had been forecasting “massive turnout” well in advance of the 2020 election. *See, e.g.,* William A. Galston, *What Does High Voter Turnout Tell Us About the 2020 Elections?*, Brookings (Nov. 20, 2019), <https://perma.cc/3EM3-HJFW>. And changes to “‘bellwether county’ trends” can be readily explained by the recent, well-documented increase in partisan polarization. *See, e.g.,* Bernard Grofman & Haotian Chen, *Understanding the Factors that Affect the Incidence of Bellwether Counties: A Conditional Probability Model*, 76 Pol. Rsch. Q. 119, 121, 124 (2023) (PA806, 809).

53. Standard USH.C.9.3(C)—which also consists of language that was not in the December 2024 version of the standards—requires United States History students to “[i]dentify the source of the COVID-19 pandemic from a Chinese lab and the economic and social effects of state and local lockdowns.” (*Compare* 2025 Standards, PA549, *with* December 2024 version, PA369.) But the scientific consensus is that although a laboratory origin is possible, the Covid pandemic most likely originated from animal-to-human

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<sup>3</sup> *See, e.g., In re: Enforcement of Election Laws and Securing Ballots Cast or Received After 7:00 p.m. on November 3, 2020*, SPCV20-00982-J3, 2020 WL 6701610 (Ga. Super. Ct. Chatham Cnty. Nov. 5, 2020), <https://bit.ly/45RqZGu>; *Donald J. Trump for President, Inc. v. Benson*, No. 20-000225-MZ (Mich. Ct. Cl. Nov. 6, 2020), <https://bit.ly/43Uotg3>; *Election Integrity Project of Nev. v. Cegavske*, No. A-20-820510-C (Nev. Dist. Ct. Clark Cnty. Sept. 28, 2020), <https://bit.ly/4jYjRfa>; *Election Integrity Project of Nevada v. Cegavske*, No. 81847 (Nev. Oct. 7, 2020), <https://bit.ly/3TkcR0W>; *In re: Canvass of Absentee and Mail-In Ballots of November 3, 2020 Election*, No. 20-05786-35 (Pa. Ct. Com. Pl. Bucks Cnty. Nov. 19, 2020), <https://bit.ly/3HSlAVE>.

transmission.<sup>4</sup> And while the Central Intelligence Agency announced earlier this year that it believes that a laboratory accident was the most likely source, it cautioned that it had “low confidence” in this assessment. *CIA Now Backs Lab Leak Theory for COVID-19, but Confidence Remains Low*, Infectious Disease Advisor (Jan. 29, 2025), <https://perma.cc/9GZA-3L3E>.

54. Various other standards were changed between the December 2024 version and the February 27, 2025 version of the standards. Some examples are the following (the examples in this paragraph are presented by Petitioners only in support of their procedural claims, not—unlike the standards discussed above—in support of their substantive claims): Two standards were changed to incorporate the phrase “Gulf of America.” (*Compare* December 2024 version, PA288, 306, *with* 2025 Standards, PA466, 484.) A standard about the New Deal was changed to remove teaching on discrimination against Black people. (*Compare* December 2024 version, PA362, *with* 2025 Standards, PA542.) Teaching about the Black Lives Matter movement was removed. (*Compare* December 2024 version, PA369, *with* 2025 Standards, PA549.) A standard about the Biden administration was changed to remove references to bipartisanship and economic recovery. (*Compare* December 2024 version, PA369, *with* 2025 Standards, PA549.)

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<sup>4</sup> See, e.g., Gary Ackerman, et al., *The Origin and Implications of the COVID-19 Pandemic: An Expert Survey* 4 (Feb. 2024), <https://perma.cc/3NPX-LUVJ>; Jose L. Domingo, *The Contentious Origins of SARS-CoV-2: A Comprehensive Review of Current Knowledge*, *Qeios* (June 18, 2025), <https://perma.cc/RMS8-AJMA>; Jin-Hong Yoo, *On the Controversies Surrounding the Lab-Leak Theory of COVID-19*, *J. Korean Med. Sci.* (Apr. 2025), <https://perma.cc/A7P3-QE7Y>; Mun-Keat Looi, *Will We Ever Know Where Covid-19 Came From?*, *thebmj* (Sept. 9, 2024), <https://perma.cc/LEJ3-JBAT>.



### **Purpose of the 2025 Standards**

55. In the months following the Board’s vote on the 2025 Standards, Superintendent Walters made clear that the 2025 Standards were designed to promote and favor Christianity.

56. On March 17, 2025, Walters issued a press release that promised that “[w]ith strong Social Studies standards in place, Oklahoma classrooms” would “foster . . . the Judeo-Christian values that built America.” (March 17 Press Release, PA104.) In a March 23, 2025 interview with Fox News, Walters bragged that the 2025 Standards “have more references to the Bible and Christianity than any other standards in the country.” (Interview Tr., PA107.) In the same interview, and again during remarks at a March 24, 2025 event hosted by PragerU, Walters described the Bible as a “founding document” of the United States alongside the Constitution and the Declaration of Independence. (Interview Tr., PA108; Event Tr., PA111.) During his remarks at the PragerU event, Walters again emphasized the importance of “Judeo-Christian values” in education. (Event Tr., PA111.)

57. In an April 1, 2025 social-media post, Walters stated, “Oklahoma is standing strong, ensuring students have access to the Bible as a vital cornerstone of our history and values,” and depicted Oklahoma as participating in a “movement to restore our nation’s moral foundation.” (PA114.) In an April 29, 2025 social-media post, Walters stated, “As part of these standards, the Bible will now be recognized as a foundational text, helping students understand its undeniable influence on our nation’s history and values.” (PA116.)

58. In a May 13, 2025 interview with One America News, Walters was asked, “Are you bringing the Word? Are you bringing God? Are you bringing Jesus back to the classroom in Oklahoma?” Walters responded, “We are.” (Interview Tr., PA125.) In a June 2, 2025 interview with Real America’s Voice, Walters stated, “We want our kids to . . . understand

where this country's values came from. So, we . . . increased the standards dramatically. We put the Bible back in." (Interview Tr., PA128.) In a June 3, 2025 interview with News 9, Walters stated, "I will not stop fighting . . . for our kids to understand the Judeo-Christian values that the country was founded on." (Interview Tr., PA132.) In a June 4, 2025 interview with Fox News, Walters stated that "[w]e cannot tolerate" those who "have taken the Judeo-Christian values . . . out of our schools." (Interview Tr., PA135.)

59. In a June 6, 2025 interview with KOTV, Walters stated that the United States Supreme Court had "lo[st] their mind" by "driving God and prayer out of school," that "[w]e're going to have prayer in school in Oklahoma," and that "[w]e're going to have the Bible in school in Oklahoma." (Interview Tr., PA139.) On June 9, 2025, Walters reposted on social media an article in which he was quoted as saying, "We are a country that was built with Judeo-Christian values. . . . You don't have America if you don't have that Christian foundation. . . . We brought it back to our schools." (X Post, PA143; Article, PA147.)

60. Walters's statements also make clear that the 2025 Standards are intended to promote the view that Donald Trump was the true winner of the 2020 presidential election. In a May 10, 2025 interview with MSNBC, Walters stated that the 2025 Standards support "the reality" that "President Trump should have won the 2020 election." (Interview Tr., PA118.) Similarly, in a May 10, 2025 social-media post linking to that interview, Walters stated, ".@realDonaldTrump should have won the 2020 election." (PA121.) On May 17, 2025, Walters reposted a social-media post from Roger Stone that stated, "Oklahoma high schools will now teach the truth about the 2020 election." (PA123.)

## **Implementation of the 2025 Standards**

61. State funds and state-funded resources will be used to implement the 2025 Standards in a variety of ways.

62. For example, starting this summer, the Department will use state funds and resources to develop frameworks that guide teachers in their implementation of the 2025 Standards and assessments that will be used to test whether students are learning the 2025 Standards. (New Standards FAQs webpage, PA156–57; Frameworks webpage, PA159; News 9 Interview Tr., PA131; *see also* 70 O.S. § 1210.508; OAC § 210:35-3-67(j).) The Department also plans to provide training on the 2025 Standards to teachers this summer. (News 9 Interview Tr., PA131.)

63. What is more, state funds will be used to purchase textbooks and other curricular materials aligned with the 2025 Standards. (New Standards FAQs webpage, PA157; 70 O.S. §§ 11-103.6(A)(2), 11-103.6a(A), 16-113(A), 16-114.1; OAC §§ 210:35-3-66(c), 210:35-3-67(f).) A State Textbook Committee will be responsible for selecting these textbooks and curricular materials. 70 O.S. §§ 16-101 to 16-104. The Textbook Committee began its meetings concerning the adoption of textbooks and curricular materials to implement the 2025 Standards on June 6, 2025, and plans to vote on what textbooks and curricular materials to adopt on November 14, 2025, though substituted textbooks and curricular materials can be approved as late as February 6, 2026. (Textbook Committee Calendar, PA161.) State Department of Education funds and resources will be used to support the Textbook Committee's work. 70 O.S. § 16-113(B); *see also id.* § 1-105(A).

64. In addition, teachers paid with public funds will present classroom instruction based on the 2025 Standards. 70 O.S. §§ 11-103.6(A)(2), 11-103.6a(A); OAC §§ 210:35-3-66(c), 210:35-3-67(f), 210:35-3-67(j).

65. On June 13, 2025, Petitioners sent Respondents a letter advising Respondents that the 2025 Standards are procedurally invalid and substantively unlawful and that Petitioners therefore planned to file this lawsuit. (PA866–68.) The letter asked Respondents to voluntarily agree to a stay of the 2025 Standards:

To prevent wasteful use of taxpayer funds or tax-funded resources at the state or local levels in furtherance of the invalid and unlawful 2025 Standards, and to avoid uncertainty and confusion at the school-district level about what version of the Oklahoma academic standards for social studies to follow, we ask that the Board, the Department, and Superintendent Walters agree that, until the Court enters a final decision in the case, they will (1) refrain from taking any action to implement or further the 2025 Standards, including expending any state funds or resources in support of preparation, selection, adoption, or dissemination of frameworks, assessments, trainings, or textbooks relating to or aligned with the 2025 Standards; (2) proceed under the prior version of the Oklahoma academic standards for social studies (which was enacted in 2019); and (3) advise all Oklahoma school districts and other local education agencies that the 2025 Standards are stayed until the conclusion of litigation and that they should continue to proceed under the 2019 version of the Oklahoma academic standards for social studies.

(PA868.) The letter asked for a response by June 27, 2025. (*Id.*) The letter stated (*id.*)—and an email sent by Petitioners’ counsel to Respondents’ counsel later on June 13 reiterated (PA870–71)—that a failure to substantively respond by June 27 would be treated as a denial of Petitioners’ request for an agreed stay. Respondents’ counsel did not provide a substantive response to the request by June 27 (Luchenitser Decl., ¶ 3, PA879), but Superintendent Walters announced at the Board’s June 26, 2025 meeting that he planned to proceed with implementation of the 2025 Standards (June 26 Meeting Tr., PA874).

## REASONS TO ASSUME AND BASIS TO EXERCISE ORIGINAL JURISDICTION

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

67. This case presents issues of statewide concern. The 2025 Standards affect every public-school student in the state, every parent of those public-school students, every public-school teacher in the state who teaches social studies, and every school district in the state. In addition, every taxpayer in the state is affected by the use of state funds to implement the 2025 Standards.

68. This case also presents a pressing need for a judicial determination. School districts are required to implement the 2025 Standards (70 O.S. § 11-103.6a(A)) and will begin doing so during the 2025–26 school year (New Standards FAQs webpage, PA150). And starting this summer, state funds and state-funded resources will be used to support implementation of the 2025 Standards, including to develop or select frameworks, assessments, trainings, textbooks, and curricular materials aligned with the 2025 Standards. (*See supra* ¶¶ 61–64.)

69. Assuming original jurisdiction would also serve judicial economy. Otherwise, multiple challenges to the 2025 Standards could be brought or prosecuted in different district courts, and then could be followed by multiple appeals to this Court. Indeed, one such lawsuit (asserting different claims from those asserted here) was recently dismissed by the Oklahoma County District Court. *See* Order Granting Defendants’ Motion to Dismiss, *Ford v. Okla. State Dep’t of Educ.*, No. CV-25-1133 (Okla. Dist. Ct. Okla. Cnty. June 13, 2025), <https://bit.ly/4ex3XY5>.

70. And this Court 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 Court also has

authority to declare the 2025 Standards invalid under the Open Meeting Act (25 O.S. § 313), which allows “any person” to bring a civil suit for declaratory or injunctive relief for violation of that Act (*id.* § 314(B)). The Court further has inherent authority to hear cases brought by Oklahoma taxpayers who challenge expenditures that implement unconstitutional or otherwise unlawful governmental policies, to hear constitutional claims for injunctive or declaratory relief brought by people who face violations of their constitutional rights, and—in certain circumstances—to hear claims for violations of substantive statutory rights brought by people who face harm therefrom. The Court additionally has authority to declare agency rules invalid under the Oklahoma Administrative Procedures Act (75 O.S. § 306(C)), which grants people threatened with harm by an agency’s rule a right to bring suit to challenge the rule (*id.* § 306(A)). Petitioners sue (1) under the Open Meeting Act, (2) in their capacities as taxpayers, (3) as people who are threatened with harm by violations of the Oklahoma Constitution, (4) under the Administrative Procedures Act, and (5) under the other statutes alleged to be violated herein, if and to the extent that their claims concerning violations of those statutes cannot properly be brought under the Administrative Procedures Act.

## **LEGAL CLAIMS**

### **Violation of the Open Meeting Act (25 O.S. §§ 303, 311, 313)**

71. The Open Meeting Act (“OMA”) requires that “[a]ll meetings of . . . public bodies . . . be preceded by advance public notice specifying the time and place of each such meeting to be convened as well as the subject matter or matters to be considered at such meeting.” 25 O.S. § 303. The OMA requires public bodies to post their agendas at least twenty-four hours prior to meetings. *Id.* § 311(A)(9). Agendas must “identify all items of business to be

transacted by a public body at a meeting.” *Id.* § 311(B)(1). “Any action taken in willful violation of [the OMA] shall be invalid.” *Id.* § 313.

72. The agenda for the Board’s February 27, 2025 meeting did not provide notice that the Board would be considering a version of the 2025 Standards different from the December 2024 version. (PA77–79.) Instead, the agenda simply stated that the State Department of Education would be “requesting approval of the proposed Oklahoma Academic Standards for Science (OAS-S) and Social Studies (OAS-SS).” (PA78.) The only version of the social-studies standards that was available to the public prior to the conclusion of the February 27 meeting was the December 2024 version. (Valentine Decl., ¶ 5, PA60.) By failing to provide notice to the public that the Board would consider at the February 27 meeting a version of the standards different from the only one that it had publicly released, Respondents misled the public and violated the Open Meeting Act.

73. And this violation was willful. Past agendas concerning adoption of proposed academic standards provided notice that the standards might be modified, but the agenda for the February 27 meeting did not. (*Compare* Feb. 27, 2025 Agenda (PA77–79), *with* Mar. 2022 Agenda (PA66), *and* Feb. 2024 Agenda (PA70).) Prior to each meeting, the Board typically posts on its webpage handouts that contain items that are to be considered at the meeting, but the Board did not post the handouts for the February 27, 2025 meeting—which contained the final version of the 2025 Standards—until after the meeting had concluded. (Valentine Decl., ¶¶ 3–4, PA60.) Respondents did not alert the Board members to any of the differences identified in this Petition between the December 2024 version of the standards and the final version. (Apr. 24 Meeting Tr., PA28–31, 33–34, 41; Feb. 27 Meeting Tr., PA5–25.) At the February 27 meeting, despite complaints by Board members that they were not

being given sufficient time to review the 2025 Standards, Superintendent Walters heavily and successfully pressured the Board members to vote on the 2025 Standards—through statements that some Board members subsequently found to be misleading—and rejected proposals that the vote be postponed to a special Board meeting or the next regular Board meeting. (Feb. 27 Meeting Tr., PA16–22; Apr. 24 Meeting Tr., PA30–31.) As a result of concerns by Board members about the lack of notice of the changes to the standards, the Board declined to approve the minutes of the February 27 meeting. (*See supra* ¶ 37.) Videos of Board meetings typically are permanently posted on the Department’s Facebook page, but the videos of the February 27 meeting and of subsequent meetings where the process for approving the 2025 Standards was discussed were removed from the page after initially being posted. (*See supra* ¶¶ 37–38.)

74. For these reasons, the Board’s approval of the 2025 Standards was invalid under the Open Meeting Act, and the 2025 Standards are null and void.

**Violation of Statute Requiring Board to Maintain Control Over Standards  
(70 O.S. § 11-103.6a(E))**

75. 70 O.S. § 11-103.6a(E) provides:

The content of all subject matter standards and corresponding student assessments shall be *solely approved and controlled by the state through the State Board of Education*. The State Board of Education shall maintain independence of all subject matter standards referenced in Section 11-103.6 of this title and corresponding statewide student assessments and *shall not relinquish authority over Oklahoma subject matter standards* and corresponding statewide student assessments.

(Emphasis added.) Yet, when the then-six-member Board voted to approve the 2025 Standards, at least three of the Board members had not read the final version of the standards and had not otherwise been fully informed of the differences between the final version and the December 2024 version. (Apr. 24 Meeting Tr., PA28–31, 33–34, 41.) And, at a



subsequent Board meeting, Superintendent Walters explained, “You’re looking at the individual that made the decision on what’s in the standards. I’m right here. Ultimately, I make the decision on what’s in the standards and what’s not.” (Apr. 24 Meeting Tr., PA31–32.) By voting to approve the 2025 Standards without knowing what was in them and by ceding control over the 2025 Standards to Superintendent Walters, the Board failed to “solely approve[] and control[]” the 2025 Standards and instead “relinquished authority” over them, violating 70 O.S. § 11-103.6a(E).

**Violation of Statute Requiring Standards to be Accurate and Age-Appropriate  
(70 O.S. § 11-103.6(A)(5), (M)(3))**

76. 70 O.S. § 11-103.6(A)(5) requires that Oklahoma academic standards be “designed with rigor.” “[R]igor” is defined as “accurate” and “appropriate for the grade level.” *Id.* § 11-103.6(M)(3). The 2025 Standards are not “accurate” and are not “appropriate for the grade level,” and therefore they are not “designed with rigor” and violate 70 O.S. § 11-103.6(A)(5).

77. The 2025 Standards are not “accurate.” As described above, they require inaccurate instruction about the history of ancient Israel, the influence of the Bible and Christianity on the founding of the United States, the 2020 presidential election results, and the source of the Covid pandemic. (*See supra* ¶¶ 41–53.)

78. The 2025 Standards are not “appropriate for the grade level.” As described above they require the presentation of Bible stories to impressionable first and second graders, who are especially likely to accept as literal fact stories that are presented to them by trusted adults. (*See supra* ¶ 41.)

**Violation of Religious-Freedom Protections of Oklahoma Constitution and Statutes  
(Okla. Const. art. I, § 2; art. I, § 5; art. II, § 5; 70 O.S. §§ 11-101, 11-103.6b(A))**

79. Section 2 of Article I of the Oklahoma Constitution 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.” Section 5 of Article I requires the state to provide “a system of public schools, which shall be open to all the children of the state and free from sectarian control.” Section 5 of Article II 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.” Together, these constitutional clauses prohibit the state from promoting or favoring any religion in the public schools and from using public funds for that purpose.

80. Yet, as detailed above, the 2025 Standards promote Christianity to students, including impressionable first and second graders. (*See supra* ¶¶ 41–51.) The 2025 Standards favor Christianity over all other religious beliefs, and the 2025 Standards even take sides on a religious debate within Christianity by treating biblical accounts of ancient Israel as historical fact. (*See supra* ¶¶ 42–51.) Moreover, Superintendent Walters has made numerous public statements confirming that the 2025 Standards were designed to promote and favor Christianity. (*See supra* ¶¶ 55–59.) And state funds will be used to support implementation of the 2025 Standards and thus these goals. (*See supra* ¶¶ 61–64.) The 2025 Standards therefore violate the religious-freedom protections of the Oklahoma Constitution.

81. The 2025 Standards also violate 70 O.S. § 11-101, which provides, “No sectarian or religious doctrine shall be taught or inculcated in any of the public schools of this state, but nothing in this section shall be construed to prohibit the reading of the Holy Scriptures.”

While this statute allows students to read the Bible in public schools on their own, the 2025 Standards cross the statute’s line by teaching and promoting particular religious beliefs in the public schools. By favoring Christianity, the 2025 Standards additionally violate 70 O.S. § 11-103.6b(A), which requires the Board to “adopt a social studies core curriculum with courses of instruction for all students enrolled in the public schools that reflect the . . . religious . . . diversity of the United States of America.”

#### **Violation of the Administrative Procedures Act (75 O.S. § 306(C))**

82. The adoption of Oklahoma academic standards is—as detailed above—governed by its own set of procedures (70 O.S. §§ 11-103.6, 11-103.6a, 11-103.6a-1) and is therefore exempted from the default requirements (*see* 75 O.S. § 303) in the Oklahoma Administrative Procedures Act (“OAPA”) for promulgating rules (70 O.S. § 11-103.6a(A)). But once subject-matter standards receive final approval, “the standards shall be considered final agency rules” and “have the same force and effect of law as agency rules promulgated pursuant to the Administrative Procedures Act.” *Id.* § 11-103.6a-1(E). As noted above, agency rules may be challenged in court under the OAPA. 75 O.S. § 306(A).

83. 75 O.S. § 306(C) provides that, in an OAPA legal action, “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.

The 2025 Standards violate subsections (2), (3), and (4) of this statute on the same grounds that are set forth as free-standing legal claims in paragraphs 71 through 81 above.

### **RELIEF REQUESTED**

84. Petitioners respectfully request that the Court grant the following final relief:

- a. A declaratory judgment stating that the 2025 Standards are invalid, unlawful, and unenforceable;
- b. An injunction barring Respondents from taking any action to implement or enforce the 2025 Standards, including expending any state funds or resources (i) in support of preparation, selection, adoption, or dissemination of frameworks, assessments, trainings, textbooks, or other curricular materials relating to or aligned with the 2025 Standards or (ii) in furtherance of the 2025 Standards in any other manner;
- c. A writ of mandamus requiring Respondents to treat the 2019 Standards as effective and controlling, until the Board validly enacts a new version of the academic standards for social studies that is consistent with Oklahoma law;
- d. An award of costs and attorneys' fees to the extent allowed by law, including under 25 O.S. § 314(B)(2); and
- e. Such other relief as the Court deems just and proper.

85. Petitioners further respectfully request interim relief. Specifically, Petitioners respectfully request that the Court issue an order providing that, until the Court enters a final decision in the case, (a) the 2025 Standards shall be stayed and (b) Respondents shall be prohibited from taking any action to implement or enforce the 2025 Standards, including expending any state funds or resources (i) in support of preparation, selection, adoption, or dissemination of frameworks, assessments, trainings, textbooks, or other curricular materials relating to or aligned with the 2025 Standards or (ii) in furtherance of the 2025 Standards in any other manner.

Respectfully submitted,



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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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