

Michael P. Hrycak
NJ Attorney ID # 2011990
316 Lenox Avenue
Westfield, NJ 07090
michaelhrycak@yahoo.com

Counsel for Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

LIBBY HILSEN RATH,
on behalf of her minor child,
C.H.,

Plaintiff,

-v.-

**SCHOOL DISTRICT OF THE
CHATHAMS;
BOARD OF EDUCATION OF
SCHOOL DISTRICT OF THE
CHATHAMS;
MICHAEL LASUSA,**
in his official capacity as the
Superintendent of the School
District of the Chathams;
KAREN CHASE,
in her official capacity as the
Assistant Superintendent of
Curriculum and Instruction at the
School District of the Chathams;
JILL GIHORSKI,
in her official capacity as the
Principal of Chatham Middle
School;

**COMPLAINT AND
DEMAND FOR JURY
TRIAL
[Civil Rights Action
under 42 U.S.C § 1983]**

STEVEN MAHER,

in his official capacity as the
Supervisor of Social Studies for
the School District of the
Chathams;

MEGAN KEOWN,

in her official capacity as a Social
Studies teacher for Chatham
Middle School;

CHRISTINE JAKOWSKI,

in her official capacity as a Social
Studies teacher for Chatham
Middle School;

Defendants.

“May God help us all find the true faith, Islam. Ameen.”

- Defendants’ call for the conversion of 7th grade students

LOCAL CIVIL RULE 10.1 STATEMENT OF PARTY ADDRESSES

Plaintiff Libby Hilsenrath (on behalf of her minor child) and C.H. reside at 37 Weston Avenue, Chatham, NJ 07928. The Defendants School District of the Chathams, Board of Education of the School District of the Chathams, and the individual defendants in their official capacities (collectively, “the Defendants”) have a common business address of 58 Meyersville Road, Chatham, NJ 07928.

COMPLAINT

Plaintiff Libby Hilsenrath, on behalf of her minor child, C.H., by and through her undersigned counsel, brings this civil rights action against the above-named

Defendants, their employees, agents, and successors in office, and in support thereof allege the following upon information and belief:

INTRODUCTION

1. This action seeks to enforce the protections afforded by the Establishment Clause of the First Amendment to the United States Constitution.
2. Defendants assailed the First Amendment, despite the opposition of Plaintiff, by forcing children to endure the promotion of Islam in their public schools, including an explicit and direct call to the children for conversion to the religion of Islam.
3. Plaintiff brings this civil rights action under the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983.
4. Plaintiff seeks a declaration that the Defendants violated clearly established constitutional and statutory rights; a permanent injunction barring the Defendants from continuing the acts, policies, practices, customs, and procedures that violate the rights of Plaintiff, her son, and other school children as set forth in this Complaint; and a judgment awarding nominal damages for the loss of these constitutional and statutory rights. Plaintiff also seeks an award of the reasonable costs of litigation, including attorneys' fees and costs, pursuant to 42 U.S.C. § 1988 and other applicable law.

JURISDICTION AND VENUE

5. This action arises under the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3) & (4).

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

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

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

9. Venue is proper under 28 U.S.C. § 1391(a)(1) and (b)(2) because Defendants reside in this District and a substantial part of the events or omissions giving rise to the claims in the Complaint occurred in this District.

PLAINTIFF

10. Plaintiff Libby Hilsenrath is an adult resident of the State of New Jersey. She is the mother and a legal guardian of C.H., her minor child. She brings this action on behalf of C.H. as his next friend.

11. C.H. is a minor child. At all relevant times, C.H. is and has been a middle school student at Chatham Middle School in School District of the Chathams, New Jersey.

DEFENDANTS

12. Defendant School District of the Chathams and Defendant Board of Education of the School District of the Chathams (hereinafter collectively referred to as “School District of the Chathams”) are public entities established and organized under and pursuant to the laws of the State of New Jersey with the authority to sue and be sued in their own name.

13. Chatham Middle School is a middle school managed, governed, operated by, and located within School District of the Chathams in Chatham, New Jersey.

14. Defendant School District of the Chathams and its officials are responsible for creating, adopting, approving, ratifying, and enforcing the policies, practices, customs, and procedures of the public schools within School District of the Chathams, including Chatham Middle School.

15. Defendant School District of the Chathams and its officials are responsible for selecting, managing, approving, and implementing the materials used in the curriculum taught at Chatham Middle School.

16. Defendant School District of the Chathams and its officials are responsible for how the schools within the district meet the educational standards set by the State of New Jersey.

17. Defendant School District of the Chathams and its officials are responsible for the training and supervision of their teachers and administrators, including the training and supervision of Defendants Michael LaSusa, Karen Chase, Jill Gihorski, Steven Maher, Megan Keown, and Christine Jakowski.

18. Defendant Michael LaSusa is an adult resident of the State of New Jersey. Defendant Michael LaSusa was at all relevant times the Superintendent of School District of the Chathams.

19. As Superintendent, Defendant LaSusa was responsible for establishing and supervising the curriculum as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams.

20. At all times relevant to the Complaint, Defendant LaSusa was responsible for all aspects of education, including supervision and direction of the curriculum at Chatham Middle School.

21. At all times relevant to the Complaint, Defendant LaSusa acted under color of state law and within the scope of his employment with School District of the Chathams.

22. Defendant Karen Chase is an adult resident of the State of New Jersey. Defendant Karen Chase was at all relevant times the Assistant Superintendent of Curriculum and Instruction for School District of the Chathams.

23. As the Assistant Superintendent, Defendant Chase was responsible for establishing and supervising the curriculum as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams. She was responsible for developing and implementing the curriculum, including the curriculum presented to C.H.

24. At all times relevant to the Complaint, Defendant Chase acted under color of state law and within the scope of her employment with School District of the Chathams.

25. Defendant Jill Gihorski is an adult resident of the State of New Jersey. Defendant Jill Gihorski was at all relevant times Principal of Chatham Middle School.

26. As the Principal of Chatham Middle School, Defendant Gihorski was responsible for Chatham Middle School, including establishing and supervising the curriculum as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams and Chatham Middle School.

27. Defendant Gihorski was responsible for supervising the instruction and the curriculum presented to C.H.

28. At all times relevant to the Complaint, Defendant Gihorski acted under color of state law and within the scope of her employment with School District of the Chathams.

29. Defendant Steven Maher is an adult resident of the State of New Jersey. Defendant Steven Maher was at all relevant times the Supervisor of the Social Studies Department for School District of the Chathams.

30. Defendant Maher was responsible for the social studies instruction in C.H.'s World Cultures and Geography class.

31. As the Supervisor of the Social Studies Department, Defendant Maher was responsible for establishing and supervising the curriculum within the Social Studies Department as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams.

32. At all times relevant to the Complaint, Defendant Maher acted under color of state law and within the scope of his employment with School District of the Chathams.

33. Defendant Megan Keown is an adult resident of the State of New Jersey. Defendant Megan Keown was at all relevant times a teacher in the Social Studies Department at Chatham Middle School.

34. As a Chatham Middle School Social Studies teacher, Defendant Keown was responsible for establishing and teaching the curriculum as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams.

35. At all times relevant to the Complaint, Defendant Keown acted under color of state law and within the scope of her employment with School District of the Chathams.

36. Defendant Christine Jakowski is an adult resident of the State of New Jersey. Defendant Christine Jakowski was at all relevant times a teacher in the Social Studies Department at Chatham Middle School.

37. As a Chatham Middle School Social Studies teacher and substitute teacher for Defendant Keown, Defendant Jakowski was responsible for teaching the curriculum as well as enforcing the policies, practices, customs, and/or procedures of School District of the Chathams.

38. At all times relevant to this Complaint, Defendant Jakowski acted under color of state law and within the scope of her employment with School District of the Chathams.

39. At all times relevant to this Complaint, Defendants LaSusa, Chase, Gihorski, Maher, Keown, and Jakowski acted under color of state law, within the scope of their employment, and deprived Plaintiff and her child of clearly-established constitutional and statutory rights.

40. One or more official rules, regulations, policies, decisions, or customs of School District of the Chathams were the cause of and the moving force behind the violations of Plaintiff and her child's clearly-established constitutional and statutory rights.

41. At all times relevant to this Complaint, violation of the clearly-established constitutional and statutory rights occurred through: (1) rules or regulations promulgated, adopted, or ratified by School District of the Chathams; (2) policy statements or decisions officially made by School District of the Chathams; (3) one or more customs that are widespread, well-settled practices that constitute standard operating procedures of School District of the Chathams; and/or (4) inadequate training, inadequate supervision, inadequate screening during the hiring process, and/or a failure to adopt a needed policy.

42. At all times relevant to this Complaint, School District of the Chathams: (1) directed that the violation of Plaintiff and her child's rights occur; (2) authorized those violations; (3) agreed with and ratified the decisions of one or more subordinates to engage in violation of Plaintiff and her child's rights; and/or (4) was guilty of inadequate training, inadequate supervision, inadequate screening during the hiring process, and/or a failure to adopt a needed policy when violation of these rights was a highly predictable consequence of the inadequate training,

inadequate supervision, inadequate screening during the hiring process, and/or failure to adopt a needed policy.

STATEMENT OF THE FACTS

43. During the 2016-2017 school year, C.H., only twelve-years-old, was a 7th grade student at Chatham Middle School in the School District of the Chathams.

44. In January 2017, C.H. and other children were enrolled in the 7th grade World Cultures and Geography class (“Geography class”) at Chatham Middle School.

45. This class is a mandatory requirement for a student to be promoted from the 7th grade at Chatham Middle School.

I. Defendants’ Curriculum Promotes Islam

46. On or about January 11, 2017, each of the Defendants collectively, through their responsibilities of supervision, creation, implementation, and approval of the curriculum, began the Middle East and North Africa (“MENA”) unit of the Geography class.

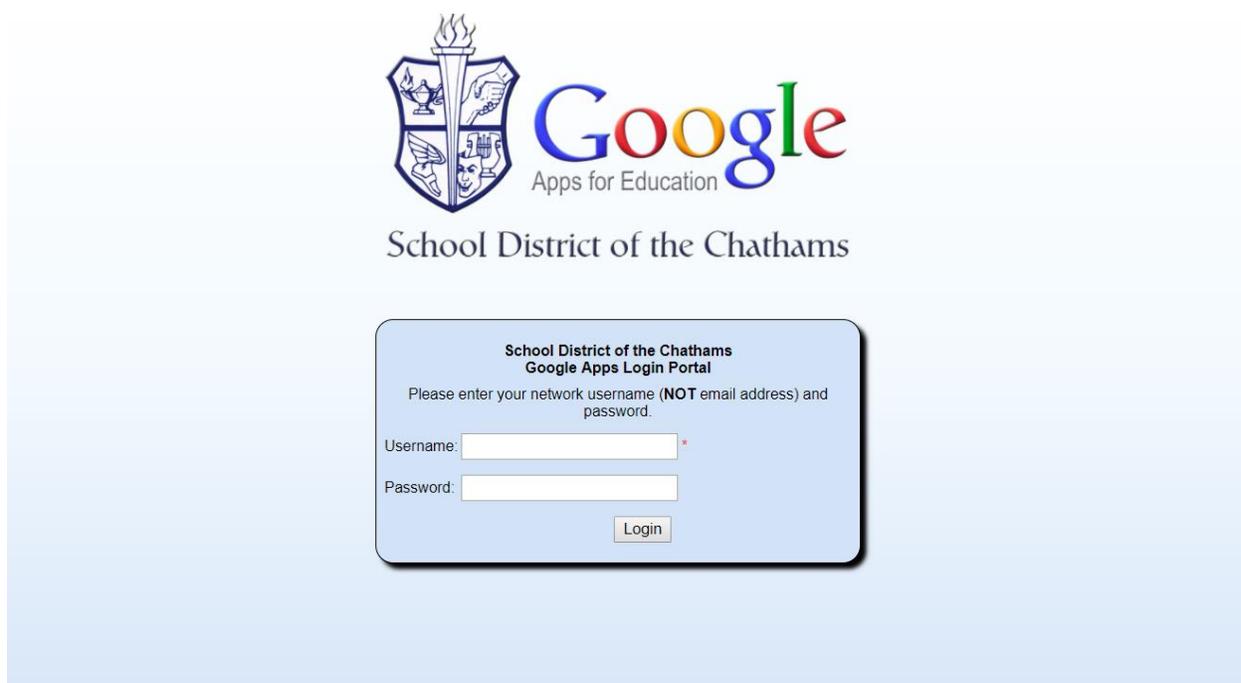
47. Defendants, all of whom are responsible for the curriculum, utilize the online resource known as “Google Classroom” in the Geography class, including the MENA unit.

48. Google Classroom operates as an internet forum for schools and teachers to share information, including power points, videos, assignments, links to

other websites, and other documents, with the students to access anywhere on any internet compatible device.

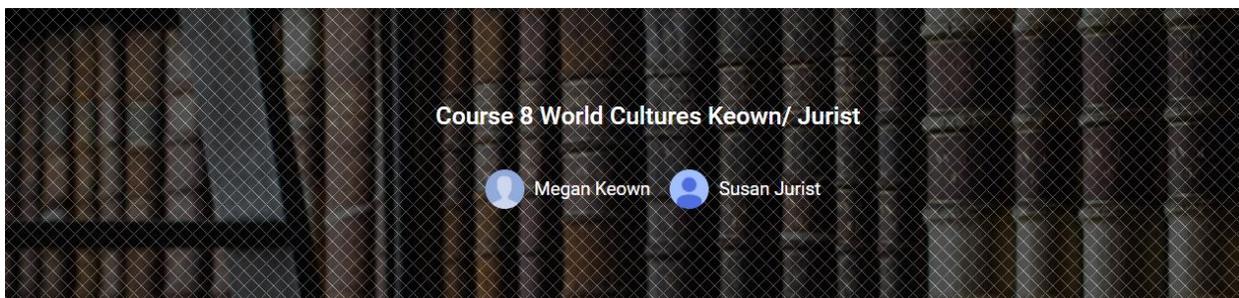
49. For students at Chatham Middle School to access Google Classroom, the students must use their official school email address with the domain “@chatham-nj.org.” This brings the students to Defendant School District of the Chatham’s official Google Classroom login page.

50. The login page bears the imprint “School District of the Chathams” and the district’s crest. This is a capture of the login page:



51. After completing the login process, the students can then access specific online “classrooms” for the classes in which they are enrolled at Chatham Middle School.

52. The Geography class online classroom bears the teachers' names as pictured below:



53. The online classroom also bears the imprint of the teachers' official school district email addresses.

54. School District of the Chathams' Google Classroom allowed Defendants to upload materials, including videos, assignments, slide show presentations, and other documents, for children in the Geography class to access at home, alone, with no supervision from a teacher or any school employee. The school children were required to view the uploaded materials and had access to the uploads, videos, and other materials on any device with an internet connection.

55. Defendants required the students of the Geography course, under the coercive threat of lower grades and failed assignments, to view all materials posted on the Google Classroom.

56. On or about January 23, 2017, Plaintiff Libby Hilsenrath was reviewing her child's assignments for the MENA unit of C.H.'s Geography class on the Google Classroom website.

57. While reviewing the website, Mrs. Hilsenrath discovered, for the first time, that the online content from the school directed students, as an assignment alone and unsupervised at home, to watch an “Intro to Islam Video” (“conversion video”) (available at <https://www.youtube.com/watch?v=ZHujiWd49I4> (last viewed Jan. 4, 2018)).

58. This nearly five-minute long video seeks to convert viewers to Islam and is filled with the religious teachings of Islam presented, not as beliefs, but as facts.

59. These unqualified, religious “facts” included such proselytizing statements as:

- a. “Allah is the one God”
- b. “[Allah] has no equal and is all powerful[.]”
- c. “Muhammad (Peace be upon him) is the last & final Messenger of God.”
- d. “God gave [Muhammad] the Noble Quran[.]”
- e. “[The Quran is] [d]ivine revelation”
- f. “[The Quran is a] Perfect guide for Humanity[.]”
- g. “The Noble Quran [is] Guidance, Mercy and Blessing for all mankind[.]”

h. “The Noble Quran[:] [w]ithout any doubt and an eloquent guide from Allah[.]”

i. “The Beautiful Quran[:] Guidance for the wise & sensible[.]”

j. “Muslims created a tradition of unsurpassable splendor”

k. “Islam [is] [a] shining beacon against the darkness of repression, segregation, intolerance and racism”

60. The conversion video also contains excerpts from the Quran stating that Islam is “perfected” religion and the only religion for mankind.

61. This conversion video, replete with biased, chastising statements encouraging the students at Chatham Middle School, including C.H., to follow the Quran and become Muslim, *concluded with a direct and explicit call for the children to convert to Islam, “May God help us all find the true faith, Islam. Ameen.”* This is a picture captured from the video:



62. Additionally, the conversion video is set to a musical version of the poem “Qaseedah Burdah” and includes a link for students to download the song for their own use. The “Qaseedah Burdah” contains the following verses describing Christians and Jews as “infidels” and praising Muhammad in gruesome detail for slaughtering them:

- a. “He [Muhammad] kept on encountering with them (infidels) in every battle until they looked like meat put on butcher’s bench (they were the lesson for those who were willing to encounter with the Muslims)” (parenthetical in original).

b. “It is as though the religion of Islam was a guest that visited every house of those (infidels and was) extremely desirous for the flesh of enemy” (parenthetical in original).

c. “(Of course!) Everyone of volunteer has hope of reward from Allah (Almighty; and) fights to exterminate the roots of (infidels) and to demolish it (infidelity).” (parentheticals in original).

d. “(The Muslims made their) white shining swords red (with the blood of infidels) after they were plunged; (and the majority of) enemies were having black hair (i.e., most of them were young).” (parenthetical in original).

63. Defendants, collectively through their supervision, implementation, and creation of the curriculum, also put a video on the pillars of Islam (“pillars video”) on the Google Classroom website as an assignment for the children at Chatham Middle School, including C.H., to view at home without the supervision of a teacher. (available at <https://www.youtube.com/watch?v=ikVGwzVg48c> (last viewed Jan. 4, 2018)).

64. This video utilizes cartoon animation that is similar to popular television programs regularly viewed by many children and teenagers. Thus, the manner in which the information on Islam is presented is designed to appeal to

those of an impressionable age, including C.H. and the other students at Chatham Middle School.

65. The cartoon video begins with two children, like the students, playing with a soccer ball, Alex (a non-Muslim) and Yusuf (a Muslim).

66. As Alex and Yusuf play, the Islamic call for prayer sounds in the background, sparking a conversation between the two. During that conversation between the two students, Yusuf proselytizes Alex.

67. Yusef first explains that Allah created everything.

68. Yusef then instructs Alex in the *Shahada*, the Islamic conversion creed and prayer, stating as the words appear in bright, colorful letters, “There is no God except Allah and Prophet Muhammad is his messenger.”

69. As the video proceeds, Yusuf explains the 5 pillars of Islam to Alex, including the second pillar which requires Muslims to pray five times a day.

70. Alex then asks if it is hard to pray that often. Yusef responds, with a chuckle, “No. Not at all! We are praying to god. And when I remember that it is god that keeps me healthy and keeps my heart beating it makes me want to pray.” As Yusuf says this, the video zooms in and shows his heart beating in his chest. Alex then looks down, sees his own heart beating, and smiles, signaling his understanding of why one should adhere to the second pillar of Islam.

71. Toward the end of the video, Yusuf tells Alex that he must depart for midday prayer. Alex looks after Yusuf and then puts his head down in sadness. Yusuf then returns and invites Alex to come with him to the prayer. Alex then, smiling and happy, goes off to pray with Yusuf.

72. The pillars video, that the children of Chatham Middle School are instructed to watch outside the supervision of the teacher in the classroom concludes with text containing contact information and a website for the students of Chatham Middle School to set up their own mosque tour.

73. Due to the fact that these doctrinal messages calling for conversion to Islam were included in video format with vivid images and text, they possess greater communicative impact and are more likely to be accepted by the students viewing them than information that is spoken in a classroom or even written in a book.

74. The videos also do not contain any form of disclaimer from Defendants indicating that they do not represent their views or opinions.

75. Defendants' curriculum also contained a work sheet requiring the children to engage in a fill-in-the-blank written profession of the *shahada*, the Islamic conversion creed and prayer: "There is no god but [Allah] and [Muhammad] is his messenger." (bracketed statements were required to be filled in by the students).

76. Further, this worksheet contains a hyperlink directing students to another webpage that explains to the students the ease with which they could convert to become a Muslim.

77. The webpage begins with the *shahada*, the Islamic conversion creed and prayer: “There is no God but Allah, and Muhammad is his messenger.” The document then, in a cavalier statement demonstrating the ease of conversion, states: “**Becoming Muslim**[:] Reciting this statement three times in front of witnesses is all that anyone need do to become a Muslim.”

78. Defendants coerced the children in the Geography class to watch the conversion video and pillars video, and complete other assignments on Google Classroom because the material and information contained in the videos could be tested on homework, assignments, quizzes, tests, and other graded assignments.

II. Defendants’ Curriculum Ignores Christianity and Judaism

79. The Jewish and Christian religions both developed in the Middle East and North Africa predating Islam.

80. Currently, there are approximately 16 million Christians in the Middle East and approximately 6.4 million Jews living in the Middle East.

81. Despite the historical and current presence of Jews and Christians in the Middle East and North Africa, the MENA portion of the World Cultures and Geography class did not cover the historical origins of these religions, require

students to learn the central tenets of these religions, or require students to watch any videos related to these religions.

82. The Geography class has a unit on Latin America, which is approximately 88% Christian. Despite this, Defendants did not instruct the students in the religious beliefs of Christianity or include and readings from the Bible.

83. Christianity is the world's largest religion. Despite this fact, Defendants' so-called *World Cultures* and Geography class, did not teach the students any of the tenets of Christianity or have the students read any portions of the Bible in any unit.

84. The Geography class also has a unit on East and Southeast Asia. Despite this, Defendants did not include detailed instruction on any of the Eastern religions, and certainly contained no instructions on prayer in the Eastern religions.

III. Defendants School District of the Chathams, Board of Education of the School District of the Chathams, LaSusa, and Maher Authorized, Approved, and Ratified the MENA Unit

85. On February 5, 2017, Plaintiff sent an email to Defendant Board of Education member Jill Weber, and Defendants Assistant Superintendent Karen Chase, and Superintendent Michael LaSusa. The email included a request that the concerns be forwarded to the rest of the Board.

86. Plaintiff included in her email hyperlinks to the conversion and the pillars videos. Plaintiff explicitly directed Defendants to these videos in her email stating, “[i]ncluded are two videos from the class.”

87. On February 6, 2017, Plaintiff attended a School District of the Chathams Board of Education meeting, again articulating that the conversion video and the pillars video promote the religion of Islam. In addition, she expressed concern that other religions, including Christianity and Judaism, were not covered in the class. Defendant LaSusa indicated that he reviewed the entire curriculum and vigorously defended and approved of the curriculum.

88. On February 8, 2017, Defendant LaSusa sent an email to Defendants Chase, Gihorski, Maher, and Keown stating that he was aware of parent complaints and that the documents and curricular material at issue were posted online. His email further indicated approval of the curricular materials.

89. On March 6, 2017, Defendant Board of Education held a prescheduled public meeting attended by over one hundred people. At this meeting, Defendant Maher defended the curriculum and indicated that he approved of the entire MENA unit. He also stressed that the entire curriculum, including the MENA unit, had been approved by Defendant Board of Education.

90. At the same meeting, Defendant Maher and three Board of Education members communicated their approval and ratification of the MENA unit and

Defendant Maher purported to explain to the public, parents, and students present at the board meeting the true nature of the curriculum.

91. However, Defendant Maher did not show the conversion video or the pillars video, did not explain the two videos, and did not even mention these two controversial videos.

92. In fact, Defendant Maher purposely excluded from his presentation any mention whatsoever of the videos that were the true source of Plaintiff's concerns with the curriculum, thereby concealing important information from the public.

93. Also at the March 6, 2017 meeting, the chair of the Policy Committee for Defendant Board of Education, Richard Connors, speaking on behalf of the committee, said that his committee "carefully reviewed" the policies and regulations of the school as well as the Islam classes and curriculum. Mr. Connors stated that "[t]he year-long curriculum, as well as the classes in particular, fall well within the spirit and the wording of the policies and the regulations."

94. Any reasonable individual, especially someone with experience or training in how public students are to be educated, would be troubled by a video that includes direct calls for conversion to Islam, doctrinal religious instruction, or references to Christians and Jews as "infidels" who should be killed.

95. Nevertheless, despite stating that he and his committee had undertaken a careful review of the curriculum, Mr. Connors likewise never informed those

assembled at the meeting that the curriculum about the two controversial videos or explained their content.

IV. Defendants Display Animus toward Christianity and Those Who Oppose Islamic Prayer in Public Schools.

96. On January 24, 2017, Defendant Maher, in response to criticism of the curriculum, sent an email purportedly justifying Defendants' promotion of Islam. In this email, Defendant Maher included a link to a video he described as "priceless." (available at <https://www.youtube.com/watch?v=fX3gMDJCZ-4> (last viewed Jan. 4, 2018)).

97. This "priceless" video shows a powerful man mocking, bullying, and belittling a woman because of her Christian beliefs.

98. Defendant Maher sent no such video belittling or mocking Islam or any other religion.

CLAIM FOR RELIEF
(Establishment Clause – First Amendment Violation)

99. Plaintiff hereby incorporates by reference all stated paragraphs.

100. Defendants deprived Plaintiff and her son of their rights guaranteed under the Establishment Clause of the United States Constitution.

101. By Defendants' collective conduct of creating, implementing, authorizing, and ratifying the curriculum, their conduct has the primary purpose and effect of promoting and advancing religion. Thereby Defendants violated, and are

continuing to violate, Plaintiff and her son's rights under the Establishment Clause, contrary to the First and Fourteenth Amendments. The policies, practices, and customs established by Defendants School District of the Chathams, Board of Education of the School District of the Chathams, LaSusa, Chase, Gihorski, Maher, Keown, Jakowski and/or other school officials are the cause in fact of the constitutional violations.

102. By including the conversion and pillars videos in the Chatham Middle School curriculum and on the school's official online classroom, the videos bear the imprint of Defendants and Chatham Middle School, thus putting the school age children in the untenable position of enduring and actively participating in the videos.

103. Defendants, through their creation, implementation, approval, and ratification of the curriculum and videos, affirmatively sponsor the Islamic prayer directed at the school children.

104. Defendants, by initiating and requiring Islamic prayer, have forced a coercive decision on the Plaintiff and her son: either endure Islamic prayer and other promotion of Islam or forgo completing assignments, thereby risking a lower grade and other negative consequences.

105. A reasonable, objective student, parent, or other observer aware of Defendants' conduct would conclude that the Defendants have endorsed and continue to endorse Islam in Chatham Middle School.

106. A reasonable, objective student, parent, or other observer aware of Defendants conduct with regard to presenting students with conversion prayers and encouraging students to attend Muslim prayer services and mosques would view the conduct as government endorsement of Islam.

107. Defendants' sponsorship of the religious messages contained in their curriculum sends the message to non-Muslims, like C.H., that he is an outsider and the accompanying messages to Muslims that they are insiders.

108. As Defendants' approval and ratification make abundantly clear, unless restrained by this Court, Defendants will continue to subject C.H. to coercive instruction in Islam. Plaintiff and C.H. have been and will continue to be irreparably harmed by the Defendants' denial of Plaintiff and her son's fundamental constitutional right to be free from government endorsement of particular religious beliefs.

109. Defendants conduct of presenting students, including C.H., with a prayer encouraging them to "find the true faith, Islam," attend Muslim prayer, schedule a mosque visit, and other matters alleged *supra* have no secular purpose.

110. Defendants conduct of presenting students, including C.H., with a prayer encouraging them to “find the true faith, Islam,” attend Muslim prayer, schedule a mosque visit, and other matters alleged *supra* have the primary effect of advancing Islam and inhibiting all other religions and non-religion.

111. Defendants conduct of presenting students, including C.H., with a prayer encouraging them to “find the true faith, Islam,” attend Muslim prayer, schedule a mosque visit, and other matters alleged *supra* foster an excessive entanglement with the religion of Islam.

112. Defendants did not treat religions neutrally and, in fact, endorsed Islam in their curriculum, conveying the message that Islam is favored or preferred over any other religious belief or non-religion.

113. Defendants’ promotion of Islam, favoritism toward Islam, and the disparate and disparaging treatment of all other religions create a situation that is likely to create religiously based divisiveness.

114. The School District of the Chathams’ training, supervision, policies, practices, customs, and/or procedures were the moving force behind the Defendants’ violation of the right to freedom of religion protected by the First Amendment

115. Plaintiff has no adequate remedy at law for the denial of her son’s fundamental constitutional rights.

116. As a direct and proximate result of the Defendants' violation of the Establishment Clause of the First Amendment, C.H. has suffered irreparable harm, including the loss of fundamental constitutional rights, which warrants declaratory and injunctive relief as well as nominal damages for the past loss of constitutional rights.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully asks this Court to:

- a) Declare that the Defendants violated Plaintiff and C.H.'s fundamental and clearly established constitutional rights as set forth in this Complaint;
- b) Declare that Defendants' training, supervision, policies, practices, customs, and procedures that promote Islam violate the Establishment Clause of the First Amendment;
- c) Permanently enjoin the Defendants, their supervisors, employees, agents, and successors in office from funding and implementing religious instruction that endorses Islam or that favors Islam over other religions or non-religion, including the conversion and pillars videos, as set forth in this Complaint;
- d) Award Plaintiff Libby Hilsenrath, on behalf of C.H., damages against all the Defendants for the violations of their constitutional rights, including nominal damages that will appropriately recognize the Defendants' violation of constitutional rights;

- e) Award Plaintiff reasonable attorneys' fees, costs, and expenses pursuant to 42 U.S.C. § 1988 and other applicable law;
- f) Award Plaintiff prejudgment and post-judgment interest; and
- g) Grant such other and further relief as this Court should find just and proper.

DEMAND FOR JURY TRIAL

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

Date: January 23, 2018

Respectfully submitted,

MICHAEL P. HRYCAK
Attorney for Plaintiff

/s/ Michael P. Hrycak
MICHAEL P. HRYCAK
NJ Attorney ID # 2011990
316 Lenox Avenue
Westfield, NJ 07090
(908)789-1870
michaelhrycak@yahoo.com

THOMAS MORE LAW CENTER

Kate Oliveri, MI Bar No. P79932*
B. Tyler Brooks, N.C. Bar No. 37604*†
24 Frank Lloyd Wright Drive, Suite J 3200
Ann Arbor, MI 48106
koliveri@thomasmore.org
tbrooks@thomasmore.org
**Pro Hac Vice to be filed*

†Admitted to practice law in North Carolina, South Carolina, and Tennessee. Not admitted to practice law in Michigan.