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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

MADISON MCPHERSON, an individual;
A.M., a minor by and through her mother and
natural guardian, MARIBEL MUÑOZ,
individually; H.H., a minor by and through her
mother and natural guardian, HANAN
HAZAMEH, individually;

Case No.:

**COMPLAINT FOR INJUNCTIVE AND
DECLARATORY RELIEF AND
DAMAGES:**

- 1) **VIOLATION OF TITLE IX - SEX
DISCRIMINATION**
- 2) **EQUAL PROTECTION
VIOLATION - SEX
DISCRIMINATION**
- 3) **VIOLATION OF FREE SPEECH
CLAUSE**
- 4) **VIOLATION OF FREE EXERCISE
CLAUSE**

**ACTION SEEKING STATEWIDE RELIEF
DEMAND FOR JURY TRIAL**

Plaintiff(s)

v.

JURUPA UNIFIED SCHOOL DISTRICT;
CALIFORNIA INTERSCHOLASTIC
FEDERATION; and CALIFORNIA
DEPARTMENT OF EDUCATION;

Defendant(s)

INTRODUCTION

1. This lawsuit seeks to protect the rights of female student-athletes who have been deprived of equal educational opportunities and athletic participation by the California Department of Education (“CDE”), the California Interscholastic Federation (“CIF”), and Jurupa Unified School District (“District” or “JUSD”).

1 2. Plaintiffs are three current and former female athletes at Jurupa Valley High School
 2 (“JVHS”). Defendants have knowingly permitted a male¹ student to compete on the JVHS varsity
 3 girls’ track and field and volleyball teams, access female locker rooms and bathrooms, and engage
 4 in harassing conduct toward female athletes.

5 3. As a result of Defendants’ actions, Plaintiffs have suffered sex discrimination,
 6 including sexual harassment, unsafe and unfair athletic environments, viewpoint discrimination, and
 7 infringements on their religious liberty and safety. These actions have deprived them of equal
 8 opportunities and their civil rights guaranteed by Title IX, the Equal Protection Clause of the
 9 Fourteenth Amendment, and the First Amendment.

10 4. When Plaintiffs A.M. and H.H. most recently informed their coach that they were
 11 uncomfortable sharing the volleyball court and locker room with a male student, the coach retaliated
 12 by removing them from team group chats and communications, and telling one of the girls, “If you
 13 want to be a captain and a member of our team, then be one.”

14 5. Plaintiffs have been intimidated by an intentionally hostile environment created by
 15 Defendants wherein they were bullied by school officials to censor their objections to competing
 16 with, and against, a male and to sharing intimate and private spaces with a male.

17 6. As recognized by California Governor Gavin Newsom in 2025, it is “deeply unfair”
 18 unfair for girls to compete against boys.²

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22 ¹ “Male,” “Female,” “Boy,” and “Girl” used in this Complaint refer solely to binary, biological sex and not a person’s
 23 “gender identity.” *See Adams by & through Kasper v. Sch. Bd. of St. Johns Cnty.*, 57 F.4th 791, 812 (11th Cir. 2022)
 24 (Title IX defines “sex” “based on biology and reproductive function.”); Black’s Law Dictionary (5th ed. 1979) (“**Sex**.
 25 The sum of the peculiarities of structure and function that distinguish a male from a female organism[.]”); *see also* *Bostock v. Clayton Cnty., Ga.*, 590 U.S. 644, 655 (2020) (“**Sex**” in the Civil Rights Act of 1964 “refer[s] only to
 26 biological distinctions between male and female”); *see also* Executive Order No. 14168, “Defending Women From
 Gender Ideology Extremism and Restoring Biological Truth to the Federal Government” (2025) (“‘**Sex**’ shall refer to
 an individual’s immutable biological classification as either male or female. ‘**Sex**’ is not a synonym for and does not
 include the concept of ‘gender identity.’”).

27 ² *Gavin Newsom calls trans sports participation ‘deeply unfair,’ breaking with Democrats*, NBC News,
 28 <https://www.nbcnews.com/nbc-out/out-politics-and-policy/california-gov-gavin-newsom-breaks-democrats-trans-sports-participation-rcna195165>.

1 7. Plaintiffs seek relief because Defendants' decision to allow a male student to
2 compete on the 2025–2026 girls' varsity volleyball team has not only led other schools to forfeit
3 matches against Jurupa Valley High School, further depriving Plaintiffs of fair athletic
4 opportunities, but has also forced Plaintiffs themselves to abstain from participating in games and
5 practices due to the male athlete's unlawful participation on their girls' varsity team.

6 8. Plaintiffs file this action to stop Defendants' illegal sex discrimination against female
7 student athletes.

PARTIES - PLAINTIFFS

9. Plaintiff Madison McPherson, a female, is a former student athlete at Jurupa Valley
10 High School and, at all times relevant to this Complaint, a resident of Riverside County, California.

11 10. Plaintiff A.M., a minor female, is a twelfth-grade female student athlete at Jurupa
12 Valley High School and, at all times relevant to this Complaint, a resident of Riverside County,
13 California.

14 11. Plaintiff H.H., a minor female, is a twelfth-grade female student athlete at Jurupa
15 Valley High School and, at all times relevant to this Complaint, a resident of Riverside County,
16 California.

17 12. Plaintiff Maribel Munoz is A.M.'s mother and natural guardian. At all times relevant
18 to this Complaint, Munoz is a resident of Riverside County, California.

19 13. Plaintiff Hanan Hazameh is H.H.'s mother and natural guardian. At all times relevant
20 to this Complaint, Hazameh is a resident of Riverside County, California.

PARTIES - DEFENDANTS

14. Defendant Jurupa Unified School District (“JUSD” or “District”) is a school district
in Riverside County, California. JUSD is a current and past recipient of federal funding. Defendant
District is responsible for the adoption and implementation of District policies and ensuring its
agents enforce District policies, state law, and federal law.

26 15. Defendant California Interscholastic Federation (“CIF”) is a statewide, voluntary
27 non-profit association, made up of 1,615 public, public charter, and private high schools that are
28 aligned into 10 geographical sections for the purpose of governing education-based athletics in

1 Grades 9 through 12. CIF oversees Defendant JUSD's athletic program. Defendant CIF's member
2 schools, including JUSD, are current and past recipients of federal funding.

3 16. Defendant California Department of Education (“CDE”) is a current and past
4 recipient of federal funding. CDE distributes federal funding to public and private local schools,
5 including to schools participating in interscholastic athletics within the Central District of
6 California.

7 17. Defendant CDE, under the California Education Code, has authority over the
8 interscholastic athletic policies of Defendant CIF and local school districts, including JUSD. Cal.
9 Educ. Code § 33354(a)(1).

10 18. All Defendants are responsible for the implementation and application of federal law,
11 state law, and District policies.

JURISDICTION AND VENUE

13 19. This civil rights action raises federal questions under the United States Constitution,
14 specifically the First and Fourteenth Amendment, brought pursuant to 42 U.S.C. § 1983, and under
15 federal law, specifically Title IX.

16 20. This Court has subject matter jurisdiction over the federal claims pursuant to 28
17 U.S.C. §§ 1331 and 1343.

18 21. This Court has authority to grant the requested declaratory relief under the
19 Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202, implemented through Rule 57 of the
20 Federal Rules of Civil Procedure. This Court is also authorized to grant injunctive relief and
21 damages under 28 U.S.C. § 1343, pursuant to Rule 65 of the Federal Rules of Civil Procedure, and
22 reasonable attorney's fees and costs under 42 U.S.C. § 1988.

23 22. This Court has authority to award costs, attorneys' fees and expert witness fees under
24 42 U.S.C. § 1988(b) and (c).

25 23. Venue is proper in this Court under 28 U.S.C. § 1331(b)(2) because a substantial part
26 of the events or omissions giving rise to Plaintiffs' claims occurred in this district.

STATEMENT OF FACTS

A. PLAINTIFFS' BACKGROUND

i. Plaintiffs' Athletic and Academic Background

4 24. Plaintiffs McPherson, A.M., and H.H. are avid athletes and have dedicated their lives
5 to high level athletic competition.

5 25. McPherson is a former Jurupa Valley High School (“JVHS”) multi-sport athlete who
7 participated in varsity track and field, soccer, and volleyball. She currently competes as a collegiate
8 volleyball player.

9 26. As a high school freshman, McPherson played both club and varsity high school
10 soccer, while also joining a club volleyball program.

11 27. During her high school sophomore year, McPherson played varsity volleyball,
12 varsity soccer, and varsity track and field. She served as captain of her volleyball team and
13 distinguished herself by earning several awards, including Volleyball Offensive MVP All-League,
14 Soccer League Champion, and multiple All-Academic Awards.

15 28. As a high school junior, McPherson served as captain of the girls' varsity volleyball
16 team. Under her leadership, the team won a League Championship and the CIF Southern Section
17 Division 8 Title. McPherson was named League MVP and Athlete of the Month and received an
18 All-Academic Award. She also continued to compete in varsity soccer and varsity track and field,
19 where she earned additional awards and recognition.

20 29. As a high school senior, McPherson maintained her leadership role in volleyball as
21 varsity captain and continued to play on the varsity soccer team. She continued to receive various
22 awards, including volleyball All League MVP, Athlete of the Month (8/2023), and multiple All-
23 Academic Awards across volleyball and soccer.

30. In addition to her athletic skill, McPherson excelled academically, maintaining a
cumulative GPA of 4.0.

31. McPherson's younger sister, Plaintiff A.M., is also a multi-sport athlete at JVHS,
32. competing in varsity volleyball, varsity soccer, and track and field. She is currently a senior at JVHS.

1 32. As a freshman, A.M. played on the junior varsity volleyball team, where she earned
2 the Best Defensive Player Award and an All-Academic Award. She also competed on the varsity
3 soccer team, helping them secure a League Championship and receiving Honorable Mention along
4 with an All-Academic Award. In addition, she played club volleyball and club soccer.

5 33. During her sophomore year, A.M. advanced to varsity volleyball, where she
6 contributed to a League Championship, was named to the First Team, and earned another All-
7 Academic Award. In varsity soccer, she again helped capture a League Championship, was
8 recognized with a Second Team award, and earned an All-Academic Award. She also competed in
9 track and field in the 100m and 200m events, starting on junior varsity before earning opportunities
10 to compete at the varsity level.

11 34. During her junior year, A.M. continued to excel in volleyball, helping lead the varsity
12 team to another League Championship.

13 35. As a senior, A.M. serves as captain of the varsity volleyball team and a starter,
14 continuing her leadership role on and off the court. On September 2, 2025, she was awarded Athlete
15 of the Month by Principal Todd Moerer.

16 36. In addition to her athletic skill, A.M. has excelled academically, maintaining a
17 cumulative GPA of 4.3.

18 37. Plaintiff H.H. is also a multi-sport athlete at JVHS, competing in varsity volleyball
19 and varsity track and field. She is currently a senior at JVHS.

20 38. During her freshman year, H.H. competed in varsity track and field, participating in
21 the triple jump, long jump, 200-meter, and 400-meter events. She earned recognition as an All-
22 Academic athlete and contributed to her team winning the Girls Mountain Valley League
23 Championship.

24 39. In her sophomore year, H.H. joined varsity volleyball, where she contributed to the
25 team winning the League Championship and earned All-Academic honors. The team advanced to
26 CIF Round 3. H.H. continued competing in varsity track and field, maintaining her All-Academic
27 status and demonstrating high-level performance across multiple events.

1 40. During her junior year, H.H. continued to excel in volleyball and track and field. She
2 helped the varsity volleyball team win the League Championship and earned All-Academic
3 recognition. In track and field, H.H. competed at the varsity level, again earning All-Academic
4 honors and consistently placing in competitions.

5 41. In her senior year, H.H. remains an active member of the varsity volleyball team as
6 a starter and will again be competing in track and field in the upcoming track and field season.

7 42. In addition to her athletic skill, H.H. has excelled academically, maintaining a
8 cumulative GPA of 4.3.

ii. Plaintiffs' Religious Background

10 43. Plaintiffs Munoz, McPherson, and A.M. are practicing Catholics who believe that
11 God created human beings as male and female and that gender is a fixed characteristic that cannot
12 be changed. Their faith informs their understanding of human identity and shapes their views
13 regarding the importance of recognizing and honoring the distinctives of male and female as created
14 by God.

15 44. Plaintiffs Hazameh and H.H. are practicing Muslims whose religious obligations
16 prevent H.H. from exposing her hair or body to males, including by wearing a hijab. Guided by
17 Islamic teachings, they believe that men and women have distinct biological differences, roles, and
18 responsibilities, which should be respected and upheld. Their faith emphasizes modesty, dignity,
19 and the honoring of gender distinctions which must conform with one' biological sex in both
20 practice and identity.

21 45. Based on these sincerely held religious beliefs, Plaintiffs McPherson, A.M., and H.H.
22 object to sharing locker rooms with members of the opposite sex and to participating on athletic
23 teams that include members of the opposite sex. Plaintiffs also object to any inappropriate and
24 unwelcomed physical contact with males.

25 46. Based on their sincerely held religious beliefs, Plaintiffs Hazameh and Munoz also
26 object to their daughters being required to share locker rooms or teams with males and inappropriate
27 physical contact with males.

1 47. Due to fear and intimidation caused by school administrators, Plaintiffs have felt
 2 intimidated, silenced, and unable to state their religious objections.

3 **B. SCOPE OF TITLE IX**

4 48. Congress enacted Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681,
 5 to prohibit sex-based discrimination in federally funded education programs. Section 901(a)
 6 provides: “No person in the United States shall, on the basis of sex, be excluded from participation
 7 in, be denied the benefits of, or be subjected to discrimination under any education program or
 8 activity receiving Federal financial assistance.”

9 49. Title IX was designed to eliminate significant “discrimination against women in
 10 education” and to ensure that biological women received “equal opportunity to aspire, achieve,
 11 participate in and contribute to society based on their individual talents and capacities.” *See Neal v.*
 12 *Bd. of Trs. of Cal. State Univs.*, 198 F.3d 763, 766 (9th Cir. 1999); *United States v. Virginia*, 518
 13 U.S. 515, 532 (1996).

14 50. Title IX was adopted in response to widespread educational discrimination against
 15 women, particularly in admissions and faculty employment. *See* H.R. Rep. No. 92-554, at 51–52;
 16 Cong. Rec. 6398–6400.

17 51. In the hearings on equal rights, Dr. Bernice Sandler called for protections for women
 18 in education because, “Sex prejudice is so ingrained in our society that many who practice it are
 19 simply unaware that they are hurting women. Let me reiterate, –it is the last socially acceptable
 20 prejudice.” Hearings, Ninety-first Congress, second session, on S.J. Res. 61, May 5, 6, and 7, 1970,
 21 p. 415.

22 52. Senator Birch Bayh, Title IX’s chief sponsor, stated the bill was designed to
 23 “guarantee that women, too, enjoy the educational opportunity every American deserves.” 117
 24 Cong. Rec. 32,476–79; 118 Cong. Rec. 5808 (1972).

25 53. Senator Bayh further stressed that Title IX “provide[d] equal access to women and
 26 men” but did not “desegregate” spaces and activities that have long been sex-separated. 117 Cong.
 27 Rec. 30407 (1971). Senator Bayh recognized that regulations would be necessary to “allow

1 enforcing agencies to permit differential treatment by sex only, . . . such as . . . in sports facilities or
 2 other instances where personal privacy must be preserved.” 118 Cong. Rec. 5807.

3 54. Title IX does have exemptions that allow for traditionally male-only and female-only
 4 activities, so long as similar opportunities are permitted for the opposite sex. *See* 20 U.S.C. § 1686;
 5 34 C.F.R. §§ 106.33, 106.41(b).1.

6 55. Under Title IX, “sex, like race and national origin, is an immutable characteristic
 7 determined solely by” biology. *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973) (plurality
 8 opinion).

9 56. As a whole, biological males have physiological advantages over biological females.
 10 *See Clark v. Arizona Interscholastic Ass’n*, 695 F.2d 1126, 1131 (9th Cir. 1982) (“The record makes
 11 clear that due to average physiological differences, males would displace females to a substantial
 12 extent if they were allowed to compete for positions on the volleyball team. Thus, athletic
 13 opportunities for women would be diminished.”); *Cape v. Tennessee Secondary School Athletic
 14 Ass’n*, 563 F.2d 793, 795 (6th Cir. 1977) (overturned on other grounds) (“It takes little imagination
 15 to realize that were play and competition not separated by sex, the great bulk of the females would
 16 quickly be eliminated from participation and denied any meaningful opportunity for athletic
 17 involvement.”).

18 57. Scientific research demonstrates that biological males, on average, possess
 19 significant physiological advantages over biological females, including greater height and body
 20 mass, larger and stronger muscles and bones, increased lung capacity, and higher cardiac output.
 21 While these advantages are greatest after puberty, they begin at birth. *See, e.g.*, Frank Falkner, J.M.
 22 Tanner, *Human Growth: Postnatal Growth*, p. 286 (1976) (“Boys demonstrate, on the average,
 23 greater strength than girls at all ages.”).

24 58. As Justice Stevens put it, “[w]ithout a gender-based classification in competitive
 25 contact sports, there would be a substantial risk that boys would dominate the girls’ programs and
 26 deny them an equal opportunity to compete in interscholastic events.” *O’Connor v. Bd. of Ed. of*
Sch. Dist. 23, 449 U.S. 1301, 1307 (1980) (Stevens, J., in chambers).

28

1 59. At the time of Title IX's enactment, the dictionary definitions of "sex" demonstrate
 2 that Congress meant *biological* sex when it prohibited discrimination on the basis of "sex" in
 3 education. *See Adams v. Schl. Bd. of St. Johns Cty.*, 58 F.4th 791 (2022) (citing Sex, American
 4 Heritage Dictionary of the English Language (1976) ("The property or quality by which organisms are
 5 classified according to their reproductive functions."); Sex, American Heritage Dictionary of the English
 6 Language (1979) (same); Sex, Female, Male, Oxford English Dictionary (re-issue ed. 1978) (defining
 7 "sex" as "[e]ither of the two divisions of organic beings distinguished as male and female respectively,"
 8 "female" as "[b]elonging to the sex which bears offspring," and "male" as "[o]f or belonging to the sex
 9 which begets offspring, or performs the fecundating function of generation"); Sex, Webster's New
 10 World Dictionary (1972) ("[E]ither of the two divisions, male or female, into which persons, animals,
 11 or plants are divided, with reference to their reproductive functions."); Sex, Female, Male, Webster's
 12 Seventh New Collegiate Dictionary (1969) (defining "sex" as "either of two divisions of organisms
 13 distinguished respectively as male or female," "female" as "an individual that bears young or produces
 14 eggs as distinguished from one that begets young," and "male" as "of, relating to, or being the sex that
 15 begets young by performing the fertilizing function"); Sex, Random House College Dictionary (rev. ed.
 16 1980) ("[E]ither the male or female division of a species, esp. as differentiated with reference to the
 17 reproductive functions.").

18 60. The Department of Health, Education and Welfare (the predecessor to the
 19 Department of Education) issued regulations for Title IX that took effect in 1975. *See* 34 C.F.R. §§
 20 106.1-106.82.

21 61. These regulations required that, if an entity subject to Title IX provides athletic
 22 programs or opportunities separated by sex, then it must do so in a manner that "provide[s] equal
 23 athletic opportunity for members of both sexes." 34 C.F.R. § 106.41(c).

24 62. Equal athletic opportunity can be determined by whether such athletic opportunities
 25 "effectively accommodate the interests and abilities of both sexes." 34 C.F.R. § 106.41(c).

26 63. Here, the "governing principle" is that "the athletic interests and abilities of male and
 27 female students must be equally effectively accommodated." Policy Interpretation, 44 Fed. Reg.
 28 71,413, 71,414 (1979).

1 64. More specifically, the District must accommodate the physical abilities of girls “to
 2 the extent necessary to provide equal opportunity in . . . levels of competition,” and competitive
 3 opportunities “which equally reflect their abilities.” Policy Interpretation, 44 Fed. Reg. at 71,417-
 4 418.

5 65. As another aspect of equal athletic opportunity, implementing regulations and
 6 guidance state that male and female athletes “should receive equivalent treatment, benefits and
 7 opportunities.” Policy Interpretation, 44 Fed. Reg. at 71,415.

8 66. The “equal treatment” to which girls are entitled includes equal “opportunities to
 9 engage in . . . post-season competition,” *id.* at 71,416, equal opportunities for public recognition, 34
 10 C.F.R. § 106.41(c), and the right to be free of any policies which are “discriminatory in . . . effect”
 11 or that have the effect of denying “equality of athletic opportunity.” 44 Fed. Reg. at 71,417.

12 67. An institution is only in compliance “if the compared program components are
 13 equivalent, that is, equal or equal in effect.” *Id.* at 71,415.

14 68. Accordingly, Title IX is understood to require the allocation of equal opportunities
 15 based on biological sex alone without regard to or consideration of gender identity. When an
 16 institution creates a team for one sex, “it must do so for members of the other sex” given certain
 17 conditions are met. *Id.*

18 69. In 2024, the Biden administration issued provisions aimed at expanding Title IX. The
 19 new regulations stated that Title IX forbids discrimination based on sexual orientation or gender
 20 identity.

21 70. On January 9, 2025, a federal judge invalidated the Biden administration’s
 22 regulations citing several legal flaws, including that the United States Education Department
 23 exceeded its authority by expanding the scope of Title IX. *Tennessee v. Cardona*, No. CV 2:24-072-
 24 DCR, 2025 WL 63795 (E.D. Ky. Jan. 9, 2025), as amended (Jan. 10, 2025).

25 71. On January 20, 2025, President Donald Trump issued an Executive Order
 26 “Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the
 27 Federal Government.” *See* Executive Order 14168 (2025) (“EO”).

28 72. The EO recognized that “ideologues who deny the biological reality of sex have

1 increasingly used legal and other socially coercive means to permit men to self-identify as women
 2 and gain access to intimate single-sex spaces and activities designed for women.” *Id.*

3 73. The EO states that it “is the policy of the United Staes to recognize two sexes, male
 4 and female. These sexes are not changeable and are grounded in fundamental and incontrovertible
 5 reality.” Under the EO, the “executive Branch will enforce all sex-protective laws to promote this
 6 reality.”

7 74. Pursuant to EO, the provided definitions for “sex,” “women,” “men,” “female,” and
 8 “male” “shall govern all Executive interpretation of and application of Federal law and
 9 administration of policy.” *Id.*

10 75. Specifically, “sex” “shall refer to an individual’s immutable biological classification
 11 as either male or female. ‘Sex’ is not a synonym for and does not include the concept of ‘gender
 12 identity.’” *Id.*

13 76. The EO further recognizes that “gender identity” “reflects a fully internal and
 14 subjective sense of self, disconnected from biological reality and sex and existing on an infinite
 15 continuum, that does not provide a meaningful basis for identification and cannot be recognized as
 16 a replacement for sex.” *Id.*

17 77. Pursuant to EO, “[e]ach agency and all Federal employees shall enforce laws
 18 governing sex-based rights, protections, opportunities, and accommodations to protect men and
 19 women as biologically distinct sexes.” *Id.*

20 78. Further, the EO states that “[f]ederal funds shall not be used to promote gender
 21 ideology.” *Id.*

22 79. The EO reinstates the federal protections for women under Title IX that the Biden
 23 and Obama administrations attempted to remove through executive action.

24 80. Title IX may be enforced by a private right of action. *Cannon v. University of*
 25 *Chicago*, 441 U.S. 677 (1979). “[A] damages remedy is available for an action brought to enforce
 26 Title IX.” *Franklin v. Gwinnet County Public Schools*, 503 U.S. 60, 76 (1992).

27 81. All public schools in California, including JVHS, receive federal funds covered by
 28 Title IX, and thus are subject to the requirements of Title IX.

C. DEFENDANTS' AUTHORITY OVER ATHLETICS

2 82. Defendant CDE oversees Defendant CIF, which governs high school athletics in
3 California.

4 83. Under the California Education Code, CDE has authority over interscholastic athletic
5 policies of Defendant CIF and local school districts, including JUSD. Cal. Educ. Code §
6 33354(a)(1).

7 84. CDE is currently, and has been for many years, a recipient of federal financial
8 assistance from various federal agencies, including the United States Department of Education
9 (“USDOE”).

10 85. CIF's member schools are recipients of federal funding.

11 86. Under the Implementing Regulations, CDE is required to comply with Title IX, the
12 Implementing Regulations, and ensure equal athletic opportunities regardless of “any State or local
13 law . . . rule or regulation of any organization, club, athletic or other league, or association.” 34
14 C.F.R. § 106.6(b)-(c).

15 87. JUSD, CDE, and CIF currently have policies that violate Title IX. These policies
16 discriminate against girls in interscholastic athletics by mandating that schools allow boys to
17 compete in girls' sports, which denies girls equal educational opportunities. These policies also force
18 girls to share intimate spaces, such as locker rooms, with boys, causing a hostile and unsafe
19 educational environment that denies girls educational opportunities.

20 88. JUSD Administrative Regulation 6145.2 (“AR 6145.2”) provides, “[e]ach student
21 shall be allowed to participate in any single-sex athletic program or activity consistent with the
22 student’s gender identity, of the gender listed on the student’s records, for which the student is
23 otherwise eligible to participate.”

24 89. In 1976, the California legislature enacted California Education Code section 221.5,
25 which prohibits elementary and secondary schools from discriminating against students based on
26 their *sex* in both academic and non-academic courses.

27 90. Section 221.5 was amended a couple times before Tom Ammiano (D), a member of
28 the California State Assembly from 2008-2014, introduced AB 1266 in 2013. After the bill passed

1 both the Assembly and the Senate in summer 2013, Governor Brown signed it into law in August
 2 2013 and AB 1266 became effective on January 1, 2014.

3 91. Upon amendment, California Education Code section 221.5(f) (or AB 1266)
 4 provides, “a pupil shall be permitted to participate in sex-segregated school programs and activities,
 5 including athletic teams and competitions, and use facilities consistent with his or her *gender*
 6 *identity*, irrespective of the gender listed on the pupil’s records.” (emphasis added).

7 92. The primary goal of AB 1266 was to “take away [] discretion from local school
 8 districts and create a uniform policy for participation in sports.” Assembly Comm. on Educ. AB
 9 1266, p. 2 (2013).

10 93. The further purpose, according to the primary author of the bill, was to provide
 11 school districts with a method for dealing with transgender students playing sports in schools.
 12 Ammiano reasoned:

13 [M]any school districts do not understand and are not presently in
 14 compliance with their obligations to treat transgender students the
 15 same as all other students in the specific areas addressed by this bill.
 16 As a result, some school districts are excluding transgender students
 17 from sex-segregated programs, activities and facilities. Other school
 districts struggle to deal with these issues on an ad hoc basis. Current
 law is deficient in that it does not provide specific guidance about how
 to apply the mandate of non-discrimination in sex-segregated
 programs, activities and facilities.

18 Senate Comm. on Educ., AB 1266, p. 4 (2013).

19 94. Ammiano reasoned that AB 1266 was necessary because:

20 When transgender students are denied the opportunity to participate
 21 in physical education classes in a manner consistent with their gender
 22 identity, they miss out on these important benefits and suffer from
 23 stigmatization and isolation. In addition, in many cases, students who
 24 are transgender are unable to get the credits they need to graduate on
 25 time when, for example, they do not have a place to get ready for gym
 26 class.

27 Assembly Comm. on Educ. AB 1266, p. 3 (2013).

28 95. CDE currently has posted on its website guidance entitled “Gender Equity/Title IX,”
 29 which states in part: “The laws found in the California Education Code 221.5-231.5 are collectively
 30 known as the Sex Equity in Education Act. These laws expand upon gender equity and Title IX laws

1 which provide guidance to California's education system. Each Local Educational Agency (LEA)
 2 will be responsible for following the laws in addition to Title IX requirements.”³

3 96. Article 30, Section 300(B)(3) of the CIF Constitution and Bylaws (“Girls Team”)
 4 provides: “[w]henever the school provides only a team or teams for girls in a particular sport, boys
 5 shall not be permitted to qualify for the girls team in that sport unless opportunities in the total sports
 6 program for boys in the school have been limited in comparison to the total sports program for the
 7 girls in that school. Permission for boys to qualify for a girls’ team must be secured through petition
 8 by the school principal to the Federated Council.” CIF Constitution and Bylaws 2025-26 (Girls
 9 Team), https://www.cifstate.org/governance/constitution/Constitution_and_Bylaws.pdf.

10 97. Article 30, Section 300(D) (“CIF Bylaw 300.D”) specifically requires that California
 11 public high schools participating in interscholastic athletic activities must allow males to participate
 12 in girls’ interscholastic athletics: “All students should have the opportunity to participate in CIF
 13 activities in a manner that is consistent with their gender identity, irrespective of the gender listed
 14 on a student’s records.” CIF Constitution and Bylaws 2025-26 (Gender Identity Participation),
 15 https://www.cifstate.org/governance/constitution/Constitution_and_Bylaws.pdf.

16 98. On February 12, 2025, the USDOE notified CIF that it was commencing a Title IX
 17 investigation into its provision of student athletics that allows boys to compete in girls’ athletic
 18 programs and to access girls’ spaces, including bathrooms and locker rooms.

19 99. On April 4, 2025, the USDOE notified CDE that it was commencing a Title IX
 20 investigation into its provision of student athletics that allows boys to compete in girls’ athletic
 21 programs and to access girls’ spaces, including bathrooms and locker rooms.

22 100. On June 2, 2025, Assistant Attorney General Harmeet Dhillon of the Department of
 23 Justice, Civil Rights Division, sent a letter to California public schools informing them that CIF
 24 Bylaw 300.D was facially unconstitutional.

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28 ³ CDE, Gender Equity/Title IX, <https://www.cde.ca.gov/re/di/eo/genequitytitleix.asp>.

1 101. On July 7, 2025, CDE and CIF confirmed they would not voluntarily comply with
2 Title IX, and the USDOE referred its findings of Defendants' Title IX violations to the United States
3 Department of Justice for enforcement.

4 102. On July 9, 2025, the United States filed a Title IX action against CDE and CIF.
5 *United States of America v. California Interscholastic Federation et al*, No. 8:25-cv-01485-CV-JDE
6 (C.D. Cal. July 9, 2025).

**D. DEFENDANTS' DISCRIMINATION AGAINST FEMALE STUDENTS IN
ATHLETICS**

9 103. JVHS provides athletic programs separated by sex, including sex-specific track and
10 field and volleyball teams, with separate boys' varsity and junior varsity teams and girls' varsity
11 and junior varsity teams.

12 104. By enforcing AB 1266, CIF Bylaw 300.D, and AR 6145.2, Defendants CDE, CIF,
13 and JUSD, have allowed a male student, A.H., to compete on girls' sports teams and access girls'
14 facilities, including bathrooms and locker rooms.

15 105. As a result of A.H.'s participation in the JVHS girls' athletic program, Plaintiffs have
16 suffered unfair athletic competition, safety risks, sexual harassment, and deprivation of equal
17 educational opportunities resulting in harm to Plaintiffs and many other female athletes.

i. Deprivation Of Fair Athletic Competition

19 106. A.H. is a twelfth-grade male student athlete at JVHS who is and has been competing
20 with and against female athletes in numerous sports from 2022 to the present with JUSD.

107. A.H. has competed on the JVHS's girls' varsity track and field team since 2022.

108. Plaintiffs McPherson and H.H., as members of the girls' varsity track and field team,
23 were forced to compete with A.H. and lost higher rankings as a result.

109. During the 2022-2023 track season, Plaintiff McPherson placed behind A.H. in
multiple track and field events, including:⁴

⁴ Jurupa Valley High School, *Track and field (Outdoor) 2023 Season*, ATHLETIC.NET, <https://www.athletic.net/team/1707/track-and-field-outdoor/2023> (last visited Aug. 31, 2025).

Date	Meet	Event	A.H. Place	A.H. Mark	McPherson Place	McPherson Mark
March 4, 2023	Roosevelt Track and Field Invitational	Long Jump	1st	16'2"	5th	14'5"
March 4, 2023	Roosevelt Track and Field Invitational	Triple Jump	1st	32'11.75"	2nd	31'10.75"
March 9, 2023	JVHS v. A.B. Miller	Long Jump	1st	16'6"	2nd	14'6.5"
April 6, 2023	JVHS v. Indian Springs	Long Jump	1st	16'11"	3rd	14'2"
April 6, 2023	JVHS v. Indian Springs	Triple Jump	1st	35'0"	2nd	29'6"

110. McPherson grew frustrated and angry that, despite her high athletic ability, she was
 111. losing many placements—often first place—to A.H.

111. In or around March 2023, A.H. posted a TikTok stating, “It must suck to come in
 112. second, while I’m over here getting all the medals,” seemingly taunting McPherson who consistently
 113. came in second place behind A.H.

112. Plaintiff Munoz, McPherson’s mother, reported the video to Principal Shelley Morris
 113. and Assistant Principal Peter Zamora. Principal Morris and Assistant Principal Zamora stated they
 114. would investigate the situation. Neither McPherson nor her mother received any follow up
 115. communications regarding the “investigation.”

113. During the 2023-2024 track season, Plaintiff McPherson again placed behind A.H.
 114. in multiple track and field events, losing higher rankings as a result of his participation, including:⁵

27
 28 ⁵ Jurupa Valley High School, *Track and field (Outdoor) 2024 Season*, ATHLETIC.NET,
 https://www.athletic.net/team/1707/track-and-field-outdoor/2024 (last visited Aug. 31, 2025).

1	Date	Meet	Event	A.H. Place	A.H. Mark	McPherson Place	McPherson Mark
2	March 6, 2024	JVHS v. A.B. Miller	High Jump	1st	4'5"	2nd	4'4"
3	March 6, 2024	JVHS v. A.B. Miller	Long Jump	1st	16'9"	3rd	14'7"
4	March 6, 2024	JVHS v. A.B. Miller	Triple Jump	1st	37'11"	2nd	28'5"
5	March 13, 2024	JVHS v. San Bernardino	High Jump	2nd	4'6"	1st	4'8" (PR)
6	March 13, 2024	JVHS v. San Bernardino	Long Jump	1st	17'9"	2nd	13'7"
7	March 13, 2024	JVHS v. San Bernardino	Triple Jump	1st	35'5"	2nd	30'2"
8	March 27, 2024	JVHS v. Patriot	High Jump	3rd	4'6"	1st	4'8"
9	March 27, 2024	JVHS v. Patriot	Long Jump	Did Not Compete	—	1st	13'10.5"
10	March 27, 2024	JVHS v. Patriot	Triple Jump	Did Not Compete	—	1st	30'2"
11	April 10, 2024	JVHS v. Pacific	High Jump	1st	4'10"	3rd	4'2"
12	April 10, 2024	JVHS v. Pacific	Long Jump	1st	18'7.5"	3rd	14'3.5"
13	April 10, 2024	JVHS v. Pacific	Triple Jump	1st	39'11"	2nd	32'1"
14	April 17, 2024	JVHS v. Rubidoux	High Jump	1st	4'10"	2nd	4'6"
15	April 17, 2024	JVHS v. Rubidoux	Long Jump	1st	17'4"	2nd	14'5"
16	April 17, 2024	JVHS v. Rubidoux	Triple Jump	1st	37'6"	3rd	29'2"
17	April 24, 2024	League Meet	High Jump	1st	4'8"	2nd	4'6"
18	April 24, 2024	League Meet	Long Jump	1st	16'9"	2nd	14'5"
19	April 24, 2024	League Meet	Triple Jump	1st	35'0"	2nd	31'6"
20	April 24, 2024	CIF-SS D3 Prelims	Triple Jump	2nd	37'3"	25th	32'6"

114. McPherson again grew frustrated and angry that, despite her high athletic ability, she was losing many placements—often first place—to A.H.

1 115. Following her experience during the 2023-2024 season and as a result of consistently
 2 losing her 1st place position and other higher rankings across multiple events to a male student,
 3 McPherson refused to participate in the 2024-2025 track season during her senior year.

4 116. At the completion of the 2024-2025 track season, A.H. won the CIF State
 5 Championship for the girls' high jump and triple jump.⁶

6 117. During the 2024-2025 track season, Plaintiff H.H. continued to compete against
 7 A.H., consistently losing higher placements because of A.H.:⁷

Date	Meet	Event	A.H. Place	A.H. Mark	H.H. Place	H.H. Mark
March 1, 2025	Roosevelt Invitational	Long Jump	1st	19'	21st	12'5"
March 12, 2025	JVHS v. Rubidoux	Long Jump	1st	18'7.5"	3rd	12'8"
March 12, 2025	JVHS v. Rubidoux	Triple Jump	1st	40'2"	3rd	27'8"
March 22, 2025	Yorba Linda Invitational	Long Jump	1st	19'6"	35th	10'3.25"
April 30, 2025	River Valley League Championships	Long Jump	1st	19'5"	11th	12'8"

16 118. Of the approximately 16 CIF meets in which A.H. competed against girls during the
 17 2024-2025 outdoor track and field season, he took home at least 36 first-place victories or gold
 18 medals.

19 119. A.H.'s track performance demonstrates his biological advantage within the girls'
 20 track and field team. For example, on or about March 2025, at the Rancho Cucamonga Kickoff
 21

22
 23
 24
 25
 26 ⁶ California Interscholastic Federation, 2025 CIF State Track and Field Championships Results, CIFSTATE,
 27 https://www.cifstate.org/sports/track_and_field/past_results_records/2025_Results.pdf (last visited Sept. 4, 2025).

28 ⁷ Jurupa Valley High School, *Track and field (Outdoor) 2025 Season*, ATHLETIC.NET,
<https://www.athletic.net/team/1707/track-and-field-outdoor/2025> (last visited Aug. 31, 2025).

1 Classic, A.H. won girls' varsity long jump with a distance of approximately 18 feet – a result that
 2 would have placed only 20th among male competitors.⁸

3 120. In addition to his inclusion on the girls' track and field team, A.H. has been and is
 4 also a current member on JVHS's girls' varsity volleyball team.

5 121. Having competed with A.H. on volleyball, Plaintiffs have observed A.H.'s rapid
 6 athletic development, which they attribute to inherent biological advantages stemming from male
 7 physiology, including height, muscle mass, and vertical jumping ability.

8 122. Plaintiffs also observed noticeable changes in A.H.'s physicality. Throughout 2023-
 9 2024, A.H. appeared to have undergone significant physical development and growth consistent
 10 with male puberty, including increased musculature, strength, and facial features becoming more
 11 defined.

12 123. Plaintiffs observed that A.H. has progressed athletically far more quickly in
 13 volleyball than every other female athlete on the girls' varsity volleyball team, including Plaintiffs.

14 124. Despite Plaintiffs' own year-round training, gym work, club volleyball participation,
 15 and nutritional supplements, they could not overcome the apparent biological advantages of A.H.

16 125. Plaintiffs reasonably feared that their season's accomplishments would be devalued
 17 and invalidated because they were compelled to compete with a male athlete in girls' volleyball.

18 126. Since the commencement of the 2025-2026 volleyball season, at least six schools
 19 have forfeited or canceled their matches against the JVHS girls' varsity volleyball team.

20 127. Specifically, girls' varsity volleyball teams from Riverside Poly High School
 21 (August 15, 2025), Rim of the World High School (August 25, 2025), Aquinas High School (August
 22 19, 2025), San Jacinto High School (August 21, 2025), Orange Vista High School (August 29,
 23
 24
 25
 26

27 ⁸ *Rancho Cucamonga Kickoff Classic Track and field Meet Results*, ATHLETIC.NET,
 28 <https://www.athletic.net/TrackAndField/meet/586649/results/all> (last visited Sept. 4, 2025).

1 2025), and A.B. Miller High School (September 10, 2025) all canceled or forfeited their matches
 2 against JVHS girls' varsity volleyball team.⁹

3 128. It was widely reported that each of these six schools forfeited or canceled their
 4 matches against the JVHS girls' varsity volleyball team because they refused to compete against the
 5 male athlete, A.H.

6 129. On August 20, 2025, Volleyball Coach Liana Manu gathered the girls' varsity team
 7 and informed the players, including Plaintiffs A.M. and H.H., that the game cancellations and further
 8 cancellations were likely because of A.H.'s participation, and that the continuation of the season
 9 depended on whether A.H. chose to step down.

10 130. Plaintiffs A.M. and H.H. expressed that while they respected A.H. as a person, they
 11 wanted to preserve their right to compete and complete their senior season. Nonetheless, the school
 12 administration gave the decision to A.H. on whether to step down, instead of taking action to protect
 13 the female athletes.

14 131. On August 22, 2025, A.H. informed teammates S.F. and C.O. that Principal Nancy
 15 Reyna had instructed him not to step down from the girls' volleyball team. That same day, C.O. told
 16 A.M. the same information during 4th-period.

17 132. In a response given to a media outlet regarding the game forfeitures and
 18 cancellations, JVHS stated:

19 We understand and acknowledge the disappointment of our Jurupa
 20 Valley High School athletes who are ready and prepared to play.
 Decisions to cancel matches were made by teams in other districts.

21 As a public school district in California, JUSD is compelled to follow
 22 the law, which protects students from discrimination based on gender
 23 identity and requires that students be permitted to participate on
 24 athletic teams that are consistent with their gender identity (California
 25 Education Code 221.5 (f)). This is consistent with the guidance
 26 provided by California Attorney General Rob Bonta and California
 27 State Superintendent of Public Instruction Tony Thurmond.

28
 29 ⁹ MaxPreps, *Jurupa Valley Jaguars Volleyball – Schedule*, 2025–26 Season, <https://www.maxpreps.com/ca/jurupa-valley/jurupa-valley-jaguars/volleyball/schedule/> (last visited Sept. 2, 2025).

1 We are proud of our JVHS Jaguars and their willingness to play any
 2 team and represent their school and our district with pride. We are
 3 currently working to find additional matches to give them that
 4 opportunity.

5 Jackson Thompson, More California Girls' High School Volleyball Teams Forfeit to Squad with
 6 Trans Athlete, Fox News (Aug. 24, 2025), <https://www.foxnews.com/sports/more-california-girls-volleyball-teams-forfeit-squad-trans-athlete>.

7 133. In further response to these forfeitures, JVHS, without advance notice to the athletes
 8 or their families, arranged internal scrimmages among its own volleyball teams, including requiring
 9 the girls' varsity volleyball team to compete against the boys' varsity volleyball team.

10 134. The inclusion of a male athlete on the girls' volleyball team and the subsequent game
 11 cancellations in response to his inclusion, deprive Plaintiffs and their teammates of meaningful
 12 athletic opportunities.

13 ii. **Invasion of Intimate Spaces**

14 135. Additionally, Defendants have allowed A.H. to access intimate female spaces,
 15 including locker rooms and bathrooms.

16 136. All Plaintiffs have at various times while students at JVHS, shared a locker room
 17 with A.H., which made them feel unsafe and uncomfortable.

18 137. Plaintiffs experienced repeated discomfort when A.H. entered and lingered in the
 19 girls' locker room, often remaining inside after changing and making eye contact with female
 20 athletes and Plaintiffs while they were changing, which Plaintiffs found invasive and intimidating.

21 138. During H.H.'s freshman year, H.H. and A.H. both enrolled in a 5th-period volleyball
 22 class to prepare for team tryouts. On occasion, A.H. entered the girls' locker room to change clothes
 23 while H.H. was present in the locker room.

24 139. Because of her religious obligations and her own discomfort with sharing an intimate
 25 space with a male, H.H. attempted to avoid changing in A.H.'s presence by waiting until A.H. left
 26 the locker room, using the nurse's bathroom, or changing in the volleyball storage room.

27 140. H.H. eventually had to expressly ask A.H. not to enter the area when she was
 28 changing.

1 141. Similarly, McPherson and A.M. have experienced discomfort sharing the locker
2 room with A.H. McPherson and A.M. have on multiple occasions chosen to use the nurse's
3 bathroom or the individual stalls within the locker room rather than share space with A.H., because
4 they felt uncomfortable with A.H.'s presence while changing.

5 142. Using the individual stalls in the locker room was not a workable solution, as the
6 gaps between stalls allowed visibility from the outside.

7 143. Similarly, using the nurse's bathroom was not feasible because it separated Plaintiffs
8 from their team, depriving them of the comradery, instruction, and discussion that often takes place
9 in the locker room. Further, the nurse's bathroom was located a considerable distance from the girls'
10 locker room. This arrangement also created difficulties during away games as the girls did not
11 always have access to the nurse's bathroom.

12 144. These measures taken by Plaintiffs to preserve their privacy and comply with their
13 religious beliefs have created a stressful and uncomfortable environment. The need to avoid A.H.
14 while changing has interfered with their ability to fully and comfortably participate in athletic
15 activities.

16 145. The circumstances in the locker room demonstrate the impact of the shared space on
17 Plaintiffs, creating hostile conditions that require them to take extraordinary measures to protect
18 their religious practices, personal dignity, and sense of safety while participating in school athletics.

iii. Sexual Harassment

20 146. Beyond the locker room, A.H. engaged in unwelcomed and offensive contact,
21 including slapping and/or placing his hands on female players' buttocks, including Plaintiffs, during
22 practices, games, and huddles.

1 147. On or about August 16, 2024, during a match against Hillcrest High School, Plaintiff
2 Munoz, who routinely filmed games, observed and recorded that A.H. regularly placed his hands
3 on Plaintiffs and their teammates' buttocks during play and team huddles. Attached is a true and
4 correct image of A.H. (No. 4) with his hands on A.M.'s and H.H.'s buttocks:



18 148. Plaintiffs felt violated and objectified by A.H.'s repeated inappropriate touching.

19 149. In addition to experiencing physical discomfort in the locker room and during team
20 activities, Plaintiffs have been subjected to repeated and unwelcome sexual comments and remarks
21 in the athletic environment, creating an offensive atmosphere.

22 150. In August 2023, during a summer practice, A.M. dove for a ball and landed on her
23 chest. When she remarked about the pain, A.H. interjected, "Right, it hurts my boobs too when I
24 land on them." This comment, made by a male, mocked A.M.'s anatomy and left her embarrassed
25 and uncomfortable.

26 151. In October 2023, before a home volleyball game, A.H. complained to Plaintiff A.M.
27 that he was having "cramps" and "on his period." This statement caused shock and discomfort to
28 A.M. because A.H.'s statement is a mere fantasy and marginalizes the pain shared by most women.

1 152. On or about July 15, 2024, Plaintiffs McPherson and A.M. hosted a team bonding
 2 event for the girls' varsity volleyball team at their home.

3 153. During the gathering, several girls engaged in casual conversation regarding their
 4 menstrual cycles.

5 154. At that time, A.H. interjected and stated, "I don't have to worry about that, I have a
 6 custom coochie."

7 155. This remark was sexual in nature and made Plaintiff McPherson and Plaintiff A.M.,
 8 who were both present, uncomfortable.

9 156. A.H.'s comment contributed to McPherson's growing sense that it would be difficult
 10 for her to enjoy her senior year under the circumstances created by A.H.'s continued presence on
 11 the girls' teams.

12 **iv. Physical Harm**

13 157. A.H.'s inclusion in JVHS's girls' athletic program creates a dangerous environment
 14 that has resulted in physical harm to Plaintiffs and other female athletes.

15 158. In addition to competitive inequity, A.H.'s presence creates ongoing safety concerns.
 16 A.H. has the strength to hit balls at a force greater than most female athletes yet lacks the skill to
 17 consistently control his strikes. On multiple occasions, A.H. struck opposing players' heads with
 18 the ball.

19 159. Rather than expressing remorse when the players were injured, A.H. laughed, tapped
 20 his own head, and celebrated the point, even when it resulted in humiliating or injuring another
 21 player.

22 160. In or around September 2024, during fifth period, A.H. boasted to A.M. and another
 23 student that he had recently caused three female volleyball players to suffer possible concussions.

24 161. These incidents were unsafe, inappropriate, and damaging to the integrity of
 25 competition.

26 162. In response, Coach Fernando Centeno restricted A.H. to hitting only from the back
 27 row. However, A.H. often ignored these instructions and attacked from the front row with force far
 28 exceeding female standards of play, endangering Plaintiffs and their teammates.

1 163. In September 2024, while warming up before a home game, A.M. was paired with
2 A.H. for drills. A.H., lacking control but wielding male strength, spiked a ball directly into A.M.'s
3 face, striking her right side and leaving visible redness and causing her pain.

4 164. Crying and holding her face, A.M. immediately went to her mother, Plaintiff Munoz,
5 who was working in the snack bar, and reported that A.H. had spiked a ball directly into her face.
6 Assistant Principal Zamora, who was standing next to Plaintiff Munoz, did not initiate concussion
7 protocol, arrange for medical evaluation, or prepare an incident report. Instead, he merely asked if
8 A.M. needed ice. A.M. held a cold soda can to her face, continued playing in the game, and later
9 developed a headache.

10 165. Assistant Principal Zamora's failure – along with that of other school
11 administrators—to respond appropriately left A.M. feeling disregarded, unsafe, and unsupported in
12 her athletic environment.

v. Failure of Administrators To Address Plaintiffs' Concerns

14 166. Plaintiffs have raised concerns with various school administrators about safety,
15 fairness, discomfort, and fear resulting from A.H.'s inclusion on the girls' team, yet the school has
16 taken no remedial action.

17 167. From 2022-2024, on a nearly weekly basis during the volleyball pre-season and
18 season, McPherson engaged in conversations with Coach Manu about her discomfort with A.H.'s
19 presence on the volleyball team and in the locker room and the unfair nature of having a male on
20 the girls' team.

168. In response, Coach Manu repeatedly told McPherson to “focus on herself” and
“control what she could control.”

169. However, McPherson could not control the fact that A.H. was permitted on the girls' sports teams or permitted in the girls' locker room.

25 170. McPherson's concerns and complaints regarding A.H.'s participation on the girls'
26 sports teams and permission to be in the girls' locker room were ignored and left unaddressed.

1 171. In or around September 2022, Plaintiff McPherson, and her mother, Plaintiff Munoz,
 2 met with a school counselor to address the unfairness of allowing a male student, A.H., to participate
 3 on the girls' volleyball team.

4 172. Plaintiffs McPherson and Munoz also raised concerns about privacy within the
 5 locker room due to A.H. lingering in the locker room and watching the girls. Plaintiffs McPherson
 6 and Munoz explained to the school counselor that McPherson and A.M. were uncomfortable
 7 changing in the presence of a male student.

8 173. Plaintiff McPherson described the experience as feeling "like changing in the street"
 9 and "exposing herself for all to see."

10 174. Plaintiff McPherson also reported to the school counselor that A.H. touched her and
 11 Plaintiff A.M.'s buttocks during volleyball activities. Plaintiff McPherson emphasized that this
 12 contact was inappropriate and made her feel uncomfortable.

13 175. McPherson raised additional concerns regarding A.H.'s participation, including
 14 athletic advantages due to male physiology and puberty.

15 176. In response, the school counselor advised McPherson and A.M. that they could use
 16 the nurse's restroom to change. She further stated that the school was "following state law." She
 17 indicated that McPherson's and Munoz's other concerns would be addressed at a "later time."

18 177. The school counselor's suggestion that the girls use the nurse's bathroom appeared
 19 to favor A.H. at the expense of the other girls, requiring them to adjust their schedules to avoid the
 20 girls' locker room.

21 178. Using the nurse's bathroom was not feasible because it separated Plaintiffs from their
 22 team, depriving them of the comradery, instruction, and discussion that often takes place in the
 23 locker room. Further, the nurse's bathroom was located a considerable distance from the girls'
 24 locker room. This arrangement also created difficulties during away games as the girls did not
 25 always have access to the nurse's bathroom.

26 179. Days later, McPherson and her mother, Plaintiff Munoz, met with Assistant Principal
 27 Zamora to raise the same concerns brought before the school counselor. Plaintiff Munoz asked about
 28 how the school was protecting her daughters' privacy, safety, and space. Assistant Principal Zamora

1 stated that the school was “following state law” and again reiterated that the girls could use the
 2 nurse’s bathroom. He further stated that the “butt touching” was a “difficult situation” but that he
 3 would discuss boundaries with the coach.

4 180. After these meetings, McPherson felt that she was forced to sacrifice her privacy and
 5 safety in order to continue participating in a sport she loved and to continue accessing female spaces.

6 181. Given the school’s lack of support, she told her mother she feared retaliation from
 7 teammates for speaking up. A.M. similarly feared backlash and questioned why the school would
 8 not protect the rights of the female athletes.

9 182. As a result of these events and ongoing concerns regarding the male athlete’s
 10 participation in the girls’ volleyball program, McPherson and A.M.’s parents advised the girls to
 11 step away from participation in the volleyball team. The girls expressed frustration, stating, “Why
 12 should we have to step down? It should be A.H.”

13 183. On or about August 2023, Coach Manu came to Plaintiffs McPherson and A.M.’s
 14 home to pick up tie-dye shirts made for a fundraiser. During this visit, Plaintiffs’ parents, including
 15 Plaintiff Munoz, expressed concerns about A.H. participating on the girls’ volleyball team and using
 16 the locker rooms, again raising issues of safety, fairness, privacy, and the “butt tapping.”

17 184. Plaintiffs’ parents, including Plaintiff Munoz, noted that A.H. appeared to be going
 18 through puberty, with increased strength and male physical characteristics, and raised safety
 19 concerns about the female athletes sharing both the court and locker room with A.H.

20 185. In response, Coach Manu stated that she would tell them the same thing she told
 21 McPherson when she raised similar concerns about A.H.: “Focus on yourself and let the
 22 administration deal with that.”

23 186. Plaintiffs’ parents, including Plaintiff Munoz, were confused and angered by this
 24 response, as they understood Coach Manu to be part of the school staff and directly involved with
 25 the team.

26 187. After Coach Manu left, McPherson and A.M. told their parents, “We told you, they
 27 don’t care.”

1 188. In or around September 2023, McPherson, continuing to feel uneasy about having to
 2 compete with A.H. and share the locker room with him, met with Assistant Principal Zamora, along
 3 with Plaintiff Munoz, to express her ongoing concerns regarding A.H.'s participation on the girls'
 4 volleyball team. McPherson and Munoz specifically raised issues of athletes being required to share
 5 a locker room with a male, the repeated "butt tapping" by A.H. after every point, and the unfairness
 6 of the situation.

7 189. Assistant Principal Zamora responded that the school was following state law but
 8 stated that the concerns would be brought to Principal Morris and Coach Manu.

9 190. When McPherson returned home, she told her mother and A.M. that the school
 10 continued to repeat the same response about following state law. McPherson expressed
 11 disappointment, asking, "How could they allow a biological male to touch my behind and I have to
 12 pretend it's okay?"

13 191. A.M. responded that raising concerns was a waste of time because "they don't care."

14 192. On October 25, 2023, McPherson and her mother, Plaintiff Munoz, were summoned
 15 to a meeting with Principal Morris and Assistant Principal Zamora.

16 193. During the meeting, McPherson was confronted with accusations allegedly raised by
 17 A.H. and his mother. A.H.'s mother had complained that McPherson told teammates what to do and
 18 that A.H. did not like being directed by her. A.H. further complained that McPherson was
 19 "slanderizing the transgender community" and expressed personal dislike toward her.

20 194. McPherson explained that, as captain, she regularly directed teammates during
 21 games and practices but always did so respectfully and with the intent of improving team
 22 performance.

23 195. McPherson further explained that the only statement she had ever made regarding
 24 transgender participation in athletics occurred the prior year, when she expressed her belief to a
 25 friend that it was unfair for biological males to compete in girls' sports. McPherson emphasized that
 26 she had never referred to A.H. by name.

27

28

1 196. McPherson also told school administrators that, rather than A.H. being held
 2 accountable, she felt she was the one being punished, forced to sacrifice her own safety and comfort
 3 on the court and in the locker room.

4 197. School administrators did not provide any support or response to McPherson's
 5 concerns.

6 198. In or around April 2024, McPherson, A.M. and their mother, Plaintiff Munoz,
 7 attended a boys' volleyball game. After the game, Coach Makini Manu ("Coach Mak"), Coach
 8 Manu's husband, approached Plaintiff Munoz and stated, "My wife and I told [A.H.], you should
 9 try out for the boys' program. [A.H.] would have the strongest hit out of all the boys."

10 199. Coach Mak further explained to Plaintiff Munoz that A.H. sometimes attended boys'
 11 practices.

12 200. These statements reinforced Plaintiffs' belief that school administrators prioritized
 13 accommodating A.H.'s interests and celebrating his skills over protecting the rights and interests of
 14 the female athletes, including Plaintiffs.

15 201. Throughout July and August 2024, McPherson repeatedly complained to Coach
 16 Manu – on a weekly basis – about the significant increase in A.H.'s strength and male physical
 17 characteristics.

18 202. McPherson expressed concern that A.H.'s presence would tarnish the athletic records
 19 of female athletes, as A.H.'s male strength and lack of ball control created a risk of physical injury
 20 to herself and other players and disadvantaged the other female teams. McPherson further noted that
 21 A.H.'s jumping ability and power gave him an unfair advantage.

22 203. McPherson reported that the situation with A.H. was dangerous, but Coach Manu
 23 repeatedly told her that it was "out of her control" and advised her to "focus on yourself."

24 204. McPherson felt increasingly dismissed by these responses, and A.M. began to feel
 25 hopeless as well, questioning how she could raise concerns if her older sister, McPherson, as team
 26 captain, could not.

27 205. Plaintiff H.H. was likewise compelled to refrain from raising objections or
 28 expressing safety and fairness concerns regarding A.H.'s inclusion on her volleyball team, having

1 observed that McPherson's prior complaints were disregarded by school administrators and
 2 reasonably fearing retaliation from teammates and/or school officials.

3 206. During the 2024-2025 season, A.M., who played libero, was regularly required to
 4 receive A.H.'s hits. She complained on multiple occasions to Coach Manu and Coach Mak that
 5 A.H.'s hits were stronger than those of all the players in the boys' volleyball program.

6 207. Neither coach provided any remedial measures to Plaintiffs' concerns.

7 208. In or around September 2024, McPherson met with Assistant Principal Denise Lopez
 8 to report that the issues with A.H. were ongoing. McPherson explained that she felt uncomfortable
 9 because A.H. lingered in the locker room after changing and stared at other female athletes. She told
 10 Dr. Lopez this was unfair and uncomfortable.

11 209. McPherson further reported that, as captain of the varsity team, several freshmen and
 12 other teammates, including Plaintiff H.H., had confided in her that they also felt uncomfortable
 13 changing in the locker room with A.H. These players stated they did not feel safe raising concerns
 14 with Coach Manu, whom they perceived as unapproachable, and feared retaliation.

15 210. McPherson again raised the issue of A.H. "butt tapping," stating it was inappropriate
 16 and made her uncomfortable. She also reported A.H.'s July 2024 sexually explicit comment and
 17 other inappropriate comments made by A.H mocking female anatomy.

18 211. McPherson emphasized that even her Muslim teammate, Plaintiff H.H., along with
 19 the other female athletes, should not be forced to sacrifice privacy and comfort in order to
 20 participate.

21 212. Assistant Principal Lopez told McPherson that the school was required to follow state
 22 law. Assistant Principal Lopez advised that if other teammates did not feel safe, they should come
 23 speak to her directly. She further acknowledged that "butt tapping" was not acceptable and stated
 24 she would address it with the coach.

25 213. McPherson, having heard similar "promises" with no resolution, felt that no
 26 meaningful changes would be made. She encouraged younger teammates to report concerns to
 27 Assistant Principal, and once again the administration responded only that they would "investigate"
 28 the issue of butt touching.

1 214. School administrators continued to not address, respond, or resolve, Plaintiffs
2 concerns regarding A.H.’s inclusion on the girls’ volleyball team.

3 215. On or about October 2024, McPherson and her mother, Plaintiff Munoz were called
4 into a meeting with Principal Reyna, during which McPherson was again accused of “slanderizing the
5 transgender community.”

6 216. Plaintiff Munoz explained to Principal Reyna that there had been multiple ongoing
7 issues with A.H., including privacy concerns in the locker room, A.H. lingering in the locker room
8 after changing in a stall, and inappropriate comments mocking female anatomy. McPherson also
9 reiterated how uncomfortable A.H.’s comments and actions made her and also how unfair it was for
10 a male to compete on the girls’ team.

11 217. Rather than addressing these concerns, Principal Reyna immediately warned Plaintiff
12 McPherson that if she made any comments to her peers about transgender students or about A.H., it
13 would result in suspension.

14 218. Plaintiff McPherson explained that she was merely describing her own experiences
15 and further clarified that the only comment she had made publicly was when she stated to a friend
16 that playing with a transgender student was unfair because “biology is a proven fact that males don’t
17 belong in women’s sports.” She never mentioned A.H. by name in those comments.

18 219. Despite this, Principal Reyna warned Plaintiff McPherson again that any remarks
19 about transgender students or A.H. would be deemed bullying and grounds for suspension.

20 220. Plaintiff McPherson cried during the meeting, questioning why she was being
21 punished for expressing her discomfort, asking: “How is this possible? I have to change in the locker
22 room with a male, and I have to compete with a male that doesn’t belong on the girls’ team. How is
23 this legal?” No response was given to this question.

24 221. Principal Reyna also stated, “I don’t know what happened in the past. This is my first
25 year here, and I can only go from here,” before again warning that any such remarks would lead to
26 suspension.

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1 222. Plaintiff Munoz asked how this could be fair to her daughters when staff members –
 2 including Assistant Principal Zamora, teachers, counselors, and other coaches – were already aware
 3 of the issues Plaintiffs had endured.

4 223. Principal Reyna responded by telling Plaintiff McPherson that she knew she had the
 5 opportunity to play in college and should remain quiet because she had “too much to lose.”

6 224. McPherson left the meeting in tears, feeling that the school had again taken A.H.’s
 7 side and dismissed her valid concerns. She and Plaintiff Munoz cried afterward, feeling that they
 8 had been treated as though they were the problem.

9 225. At home, the family discussed the meeting. Plaintiff A.M. responded: “It’s like the
 10 school is pushing us to allow being seen nearly naked by a male, being touched inappropriately, and
 11 we’re the problem! I’m done! This school is awful and won’t protect us.”

12 226. On July 28, 2025, during a team practice, A.M. raised safety and fairness concerns
 13 with Coach Manu about A.H.’s continued participation on the team. Coach Manu told A.M. that, as
 14 team captain, she needed to “be friends with A.H. and the group that supported A.H.,” both on and
 15 off the court.

16 227. Coach Manu’s comments placed coercive pressure on A.M. to adopt a certain
 17 viewpoint regarding male participation on girls’ sports team, to associate socially with A.H. as a
 18 condition of leadership, and to keep her views and concerns to herself.

19 228. On August 22, 2025, Plaintiff Munoz called Assistant Principal Todd Moerer to
 20 object to the unfairness A.M. was experiencing as a result of A.H.’s inclusion on the girls’ volleyball
 21 team and to raise Title IX concerns. Assistant Principal Todd Moerer responded that the school was
 22 “following state law” and dismissed concerns about Title IX and federal protections as “over my
 23 pay grade.”

24 229. On August 25, 2025, Plaintiff Munoz and her daughter, A.M., met with the District’s
 25 Title IX Coordinator, Olga Alferez, and raised concerns about locker room privacy, safety, game
 26 cancellations caused by A.H., retaliation, and unfair practice and game conditions. She also reiterated
 27 her objection to A.H. touching her daughter’s buttocks. A.M.’s mother was told that an investigation
 28 would be “initiated.”

1 230. Plaintiffs Munoz and A.M. again reported A.H.’s sexualized comments to school
 2 administrators, including Principal Reyna and Title IX Coordinator Olga, but their concerns were
 3 ignored, and no remedial action was taken.

4 231. Since at least 2022, JVHS has not provided any remedies for Plaintiffs, and JUSD
 5 has continued to allow A.H. to compete in JVHS’s girls’ athletic program.

6 232. On September 4, 2025, despite the ongoing lack of support from school
 7 administrators, Plaintiff Munoz and A.M. met with Principal Reyna to raise their ongoing concerns
 8 regarding A.H.’s involvement in the girls’ athletic program.

9 233. Plaintiffs Munoz and A.M. again reiterated to Principal Reyna their safety, privacy,
 10 and fairness concerns regarding A.H.’s presence in the locker room, his participation on the girls’
 11 volleyball team, his inappropriate sexual comments, and his offensive touching of Plaintiffs’ A.M.
 12 and H.H.’s buttocks.

13 234. Principal Reyna represented that she would “investigate” but emphasized that “the
 14 school was following state law.”

15 235. On September 4, 2025, Plaintiffs A.M. and H.H. separately informed Coach Manu
 16 that they were uncomfortable sharing the court or locker room with a male athlete and stated that
 17 they could no longer participate in games or practices that included a male athlete. Coach Manu did
 18 not address their concerns and simply responded, “Ok thank you for letting me know.”

19 236. On September 5, 2025, Plaintiffs A.M. and H.H. discovered they had been removed
 20 from the varsity volleyball group chats. This was shocking and hurtful to them as Coach Manu had
 21 neither informed them of this action nor followed up with them regarding their September 4
 22 messages.

23 237. On September 5, 2025, Plaintiff A.M. and Coach Manu engaged in the following text
 24 thread:

25 **Plaintiff A.M.:** hey coach i just noticed i have been kicked off the
 26 varsity group chat, does this mean you’re kicking me off the team?

27 **Coach Manu:** Hey, no, no one kicked you off the team. But my
 28 question to you is – if you’re stepping back and not participating with
 our team, do you even want to be in the group chat? I’m not sure what
 you’re looking for moving forward as far as me and the team goes.

Plaintiff A.M.: but why take me off without asking me?

I'm waiting to hear from principal reyna.

Coach Manu: Well, I don't have to ask you; I don't have to run my decisions by you or any player. Any time someone has chosen not to participate any longer, I remove them from the group chats they're in or even Band as a whole. That's not abnormal because there's no point in them being in the chats if they're not participating.

You're wait [sic] to hear from principal Reyna about . . .? Participating?

Plaintiff A.M.: as a captain and a member of the team, i should not be removed from the team chats. i'm still a part of the team, never did i ever state that i quit.

Coach Manu: If you want to be a captain and a member of our team, then be one.

Show up, be a team member. Lead, be a captain to your team. Also, I did not remove you from the group chat.

This is an extremely confusing situation, which is why I said I'm not sure what you're looking for as far as continuing the season goes.. you are not quitting, but you're quitting practicing and playing? So with the team being how it is, what would you like to do moving forward? What are you looking to participate in?

15 238. After Plaintiff H.H. asked why she had been removed from the varsity team chats,
16 Coach Manu responded by posing similar questions to her as those directed at A.M.

17 239. Plaintiff A.M. was injured last volleyball season and did not "participate" in games
18 or practices. At that time, she was never removed from the team chats.

19 240. These statements and actions were hurtful and confusing to A.M. and H.H. and
20 confirmed their fears that speaking up about their concerns regarding sharing a court and locker
21 room with a male athlete would result in retaliation and negative treatment.

22 241. Coach Manu retaliated against A.M. and H.H. for expressing their views by
23 removing them from the team chats, and further reprimanded A.M. regarding how she should
24 conduct herself as team captain.

242. The cumulative effect of A.H.'s sexual comments, combined with the offensive physical contact and sexual harassment, dangerous athletic incidents, and failure of school administrators to provide any remedial action, has further exacerbated the sex-discrimination faced by Plaintiffs.

1 243. From now until the end of the season, Plaintiffs' A.M. and H.H. will be forced to sit
2 out of their volleyball season or be required to compete and practice alongside A.H. and share
3 intimate spaces with A.H. Additionally, H.H. plans to participate in the upcoming track and field
4 season, and Plaintiffs anticipate that A.H. will also compete in that season under the same conditions
5 that Defendants have required for volleyball.

FIRST CAUSE OF ACTION

(Violation of Title IX – Sex Discrimination)

20 U.S.C. § 1681 et seq.

9 244. Plaintiffs re-allege and incorporate herein, as though fully set forth, Paragraphs 1
10 through 243 of this Complaint.

245. Title IX provides that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. § 1681(a).

14 246. At all relevant times, Defendants CDE and JUSD have been recipients of federal
15 financial assistance within the meaning of Title IX and are therefore subject to its provisions. Under
16 the California Education Code, Defendant CDE has authority over interscholastic athletic policies
17 of Defendant CIF and local school districts, including JUSD. Cal. Educ. Code § 33354(a)(1).

18 247. AB 1266, CIF Bylaw 300.D, and AR 6145.2, on their face and as applied, have
19 subjected Plaintiffs to discrimination and unequal opportunity on the basis of sex, in violation of
20 Title IX.

A. Sex Discrimination - Sexual Harassment

22 248. Plaintiffs were subjected to sexual harassment that was severe, pervasive, and
23 objectively offensive, including repeated incidents in which A.H., a male student, slapped their
24 buttocks after scoring points during volleyball matches and inappropriately touched their buttocks
25 during team huddles. *Davis Next Friend LaShonda D. v. Monroe Cnty. Bd. of Educ.*, 526 U.S. 629,
26 652 (1999).

1 249. Plaintiffs were also subjected to sexual harassment that was severe, pervasive, and
 2 objectively offensive, including repeated sexualized remarks by A.H., a male student, in which he
 3 mocked and demeaned female anatomy.

4 250. Plaintiffs, as young women, experienced repeated discomfort and stress, each time
 5 A.H., a male, accessed and lingered in their shared locker rooms.

6 251. Plaintiffs were forced to take extraordinary measures to protect their privacy and
 7 comply with their religious practices, including using the nurse's restroom, waiting until A.H. left
 8 the locker room, and modifying participation in athletic activities.

9 252. Defendants fostered an environment that permitted A.H. to engage in such harassing
 10 conduct through enforcement of AB 1266, CIF Bylaw 300.D, and AR 6145.2.

11 253. Despite complaints made by Plaintiffs Munoz, McPherson, and A.M. to Coach
 12 Manu, Principal Reya, Principal Morris, Assistant Principal Lopez, and Title IX Coordinator Olga
 13 regarding A.H.'s offensive touching and comments, Defendants acted with deliberate indifference
 14 by failing to take prompt and appropriate corrective action.

15 254. As a result, the harassment so undermined and detracted from Plaintiffs' educational
 16 experience that they were effectively denied equal access to Defendants' resources and
 17 opportunities.

18 255. Plaintiffs reasonably felt unsafe, disrespected, and humiliated because of A.H.'s
 19 conduct, which created an offensive educational and athletic environment.

20 **B. Sex Discrimination – Failing to Provide Effective Accommodation**

21 256. Defendants provide athletic opportunities in volleyball and track and field that are
 22 separated by sex.

23 257. Under Title IX, Defendants are obligated to provide competitive opportunities for
 24 female athletes that accommodate their physical abilities, ensuring that female athletes have access
 25 to competition based on biological differences between males and females that reflects their abilities
 26 and provides equal opportunity in levels of competition comparable to those available to male
 27 athletes.

1 258. Due to inherent biological differences between the sexes, the athletic performance of
2 female athletes is not equivalent to that of comparably trained and fit male athletes.

3 259. By permitting a male student with the physiological advantages conferred by male
4 biology to participate in female athletic programs, Defendants have failed to provide competitive
5 opportunities for female athletes that accommodate their abilities, in violation of their Title IX
6 obligations.

7 260. As a direct result of Defendants' actions, Plaintiffs McPherson and H.H. consistently
8 lost higher placements in track and field due to A.H.'s participation in JVHS's girls' athletic
9 program.

10 261. Plaintiffs H.H. and A.M. have also been denied competitive opportunities because
11 this season, opposing teams have refused to compete against Plaintiffs' volleyball team due to the
12 substantial risks posed by A.H.'s presence on the girls' volleyball team. This has deprived Plaintiffs
13 of the opportunity to compete against other female teams, whereas male teams face no comparable
14 restrictions.

15 262. Additionally, Plaintiffs A.M. and H.H. have refused to participate in games and
16 practices due to concerns for their safety, privacy, and fairness, resulting in lost athletic opportunities
17 and diminished participation in the girls' athletic program because of A.H.'s inclusion on the team.

18 263. The participation of a male athlete in female athletic programs also exposes Plaintiffs
19 to unsafe athletic conditions, as evidenced by A.H.'s powerful strikes against A.M. and other female
20 athletes, which have resulted in injury.

21 **C. Sex Discrimination – Failing to Provide Equal Treatment**

22 264. Defendants have an obligation under Title IX to ensure that female athletes receive
23 treatment, benefits, and opportunities in athletic competition that are equivalent to those provided
24 to male athletes.

25 265. Equivalent treatment and opportunities include not only equal access to sex-
26 segregated competition, but also protection from policies or practices that are discriminatory in
27 language or effect, or that have the effect of denying female athletes' equality in athletic opportunity.

1 266. Defendants' policies and practices deprive female athletes, including Plaintiffs, of
2 equal opportunities to participate in competition, are discriminatory in effect, and deny female
3 athletes equality in athletic opportunities, including the opportunity to achieve and be recognized
4 for competitive success.

5 267. Plaintiffs McPherson and H.H. consistently lost higher placements in track and field
6 due to A.H.'s participation in JVHS's girls' athletic program.

7 268. Plaintiffs H.H. and A.M. have lost competitive opportunities because
8 understandably, competitors have refused to compete against Plaintiffs' volleyball team because of
9 the substantial risks posed by A.H. playing on Plaintiffs' team. This has resulted in Plaintiffs losing
10 the right to compete against female teams from other schools while male teams have no such
11 challenge.

12 269. Additionally, Plaintiffs A.M. and H.H. have refused to participate in games and
13 practices due to concerns for their safety, privacy, and fairness, resulting in lost athletic opportunities
14 and diminished participation in the girls' athletic program because of A.H.'s inclusion on the team.

15 270. Defendants have ignored Plaintiffs repeated complaints and concerns, instead
16 subjecting Plaintiffs to ongoing sexual harassment and sexual discrimination.

17 271. Defendants have threatened suspension, reprimanded Plaintiffs, and have removed
18 them from team activities for voicing concerns with A.H.'s behavior and continued participation on
19 the girls' team.

20 272. As a direct and proximate result of Defendants' conduct, Plaintiffs have suffered
21 harm, including emotional distress, humiliation, loss of personal dignity, and interference with their
22 ability to fully participate in athletics and educational programs.

23 273. Plaintiffs are therefore entitled to declaratory and injunctive relief, compensatory and
24 punitive damages to the extent permitted by law, attorneys' fees, costs, and any other relief the Court
25 deems just and proper.

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SECOND CAUSE OF ACTION

(Violation of the Equal Protection Clause of the Fourteenth Amendment – Sex Discrimination)

42 U.S.C. § 1983.

274. Plaintiffs re-allege and incorporate herein, as though fully set forth, Paragraphs 1 through 273 of this Complaint.

275. The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution guarantees that no state shall “deny to any person within its jurisdiction the equal protection of the laws.”

10 276. AB 1266, CIF Bylaw 300.D, and AR 6145.2, on their face and as applied, have
11 subjected Plaintiffs to discrimination and unequal opportunity based on sex, in violation of the Equal
12 Protection Clause of the Fourteenth Amendment.

13 277. Defendant, through its policies, practices, or actions, intentionally discriminated
14 against Plaintiffs based on sex.

15 278. Specifically, female athletes, including Plaintiffs, were subjected to harassment,
16 unsafe conditions, and unfair competition due to the inclusion of a male, A.H., on girls' athletic
17 teams.

18 279. A.H. engaged in repeated inappropriate and offensive contact with female athletes,
19 including touching Plaintiffs' buttocks during practices, games, and team activities, conduct that
20 male athletes were not subjected to in comparable circumstances.

21 280. A.H. also made repeated sexualized comments, including references to female
22 anatomy and menstruation, during team activities, creating embarrassment, discomfort, and
23 intimidation for Plaintiffs that male athletes were not subjected to in comparable circumstances.

24 281. Plaintiffs reasonably experienced fear, humiliation, and distress because of these
25 actions, which interfered with their ability to participate safely and fully in school athletics and
26 deprived them of educational and athletic opportunities available to their male peers.

27 282. Defendants, acting under color of state law, had actual knowledge of the
28 discriminatory treatment and harassment including through complaints from Plaintiffs but

1 responded with deliberate indifference, failing to take prompt, effective, or equitable remedial
2 measures.

3 283. Due to inherent biological differences between boys and girls which give boys and
4 overwhelming sport performance advantage over girls, by implementing AB 1266, CIF Bylaw
5 300.D, and AR 6145.2 Defendants are discriminating against girls by knowingly allowing boys to
6 deprive girls of equal competitive sport opportunities.

7 284. Defendants knew that they had purposeful policies, namely AB 1266, CIF Bylaw
8 300.D and AR 6145.2, that discriminated against girls by allowing boys to access girls' competitive
9 athletic opportunities to the detriment of girls.

10 285. Plaintiffs have further been forced to alter their routines to preserve their safety,
11 privacy, and religious practices, including Plaintiffs' need to use the nurse's bathroom or isolated
12 stalls to change, and H.H.'s need to shield herself while removing her hijab.

13 286. Administrators and staff have failed to provide aid, intervene, or take corrective
14 measures, even when notified of incidents such as A.M. being struck in the face with a ball or A.H.
15 making inappropriate sexual remarks during practice and games.

16 287. The Defendants' failure to act, coupled with their tolerance of this conduct, has
17 deprived Plaintiffs of equal access to the educational opportunities and benefits of participation in
18 athletics on the same terms as their peers.

19 288. Defendants have threatened suspension, reprimanded Plaintiffs, and have removed
20 them from team activities for voicing concerns with A.H.'s behavior and continued participation in
21 the girls' team.

22 289. As a direct and proximate result of Defendants' conduct, Plaintiffs have suffered
23 harm, including emotional distress, humiliation, loss of personal dignity, and interference with their
24 ability to fully participate in athletics and educational programs.

25 290. Defendants' acts and omissions constitute intentional discrimination and a violation
26 of Plaintiffs' rights under the Equal Protection Clause of the Fourteenth Amendment to the United
27 States Constitution, actionable under 42 U.S.C. § 1983.

1 291. Plaintiffs are therefore entitled to declaratory and injunctive relief, nominal damages,
2 compensatory and punitive damages to the extent permitted by law, attorneys' fees, costs, and any
3 other relief the Court deems just and proper.

THIRD CAUSE OF ACTION

(Violation of the Free Exercise Clause of the First Amendment)

42 U.S.C. § 1983

(Against Defendant JUSD)

8 292. Plaintiffs re-allege and incorporate herein, as though fully set forth, Paragraphs 1
9 through 291 of this Complaint.

10 293. The First Amendment to the United States Constitution, applicable to state and local
11 governments through the Fourteenth Amendment, guarantees that “Congress shall make no law . . .
12 prohibiting the free exercise” of religion.

13 294. Plaintiffs Munoz, McPherson, and A.M. are practicing Catholics who's sincerely
14 held religious beliefs teach that God created human beings as male and female, that gender is a fixed
15 characteristic, and that distinctions between male and female are to be honored as part of God's
16 created order.

17 295. Plaintiffs Hazameh and H.H. are practicing Muslims who's sincerely held religious
18 beliefs teach that men and women have distinct biological differences, roles, and responsibilities,
19 and that modesty—including the obligation for H.H. to cover her hair and body in the presence of
20 biological males—is a core tenet of their faith.

21 296. Based on their sincerely held religious beliefs, Plaintiffs object to being compelled
22 to share locker rooms with members of the opposite sex, to being compelled to participate on athletic
23 teams with members of the opposite sex, and to being subjected to inappropriate physical contact
24 from males.

25 297. Plaintiffs' religious objections are substantial, central to their practice of their faith,
26 and sincerely held.

27 298. Defendants, acting under color of state law, have implemented and enforced policies
28 and practices that compel Plaintiffs and similarly situated students to:

- 1 a. share locker rooms and changing facilities with males;
- 2 b. compete on athletic teams with males;
- 3 c. endure inappropriate physical contact and sexualized comments by male athletes;
- 4 and
- 5 d. forego their religious practices of modesty, privacy, and gender distinction.

6 299. On September 4, 2025, Plaintiffs A.M. and H.H. separately informed Coach Manu
 7 that they were uncomfortable sharing the court or locker room with a male athlete and stated that
 8 they could no longer participate in games or practices while A.H. remained on the court.

9 300. On September 5, 2025, Plaintiffs A.M. and H.H. discovered they had been removed
 10 from the varsity volleyball group chats. Coach Manu had neither informed them of this action nor
 11 followed up with them regarding their September 4 messages.

12 301. Plaintiff A.M. and Coach Manu exchanged messages in which Coach Manu told
 13 A.M. that the decision to remove Plaintiffs from the group chats was hers alone, stating, “I don’t
 14 have to ask you; I don’t have to run my decisions by you or any player.”

15 302. After A.M. and H.H. shared their concerns about A.H., Coach Manu separately
 16 messaged each of them, stating: “I’m not sure what you’re looking for moving forward as far as me
 17 and the team goes.”

18 303. Coach Manu retaliated against A.M. and H.H. for expressing their views regarding
 19 their discomfort with sharing a court and a locker room with a male athlete by removing them from
 20 the team chats, and further reprimanded A.M. regarding how she should conduct herself as team
 21 captain.

22 304. School administrators also told Plaintiff McPherson that she had “too much to lose”
 23 and threatened her with suspension for speaking up about her concerns regarding A.H.’s
 24 participation on the girls’ volleyball and track and field teams.

25 305. By conditioning continued participation in athletics on abandoning their religious
 26 convictions, Defendants forced Plaintiffs to choose between practicing their faith and accessing
 27 equal educational and extracurricular opportunities.

1 306. Such statements and actions demonstrate hostility toward Plaintiffs' religious beliefs
2 and confirm that Defendants did not seek to accommodate Plaintiffs' faith but instead penalized
3 them for adhering to it.

4 307. Defendants have further exacerbated the burden on Plaintiffs' religious exercise by
5 refusing to require the male student to use an alternative facility such as the nurse's restroom.
6 Instead, Defendants singled out Plaintiffs for disfavored treatment by forcing them to use the nurse's
7 restroom or storage closet if they wished to preserve their modesty and adhere to their faith.

8 308. Defendants' policies stigmatized Plaintiffs, imposed practical hardships such as the
9 inability to change during away games, and failed to address the underlying violation of their
10 religious and privacy rights. Rather than accommodating Plaintiffs' religious beliefs, Defendants
11 imposed the entire burden of accommodation on them while privileging the preferences of the male
12 student.

13 309. Defendants' policies and actions are not neutral or generally applicable. By allowing
14 the male student to access the girls' locker room while relegating Plaintiffs to the nurse's restroom,
15 Defendants have made a value judgment that elevates one set of beliefs and preferences over
16 Plaintiffs' religious convictions.

17 310. A policy that requires only religious objectors to alter their conduct, while exempting
18 others who create the conflict, is neither neutral nor generally applicable. Defendants' enforcement
19 scheme intentionally burdens religious exercise while accommodating nonreligious conduct.

20 311. Defendants have threatened suspension, reprimanded Plaintiffs, and have removed
21 them from team activities for voicing concerns with A.H.'s behavior and continued participation on
22 the girls' team.

23 312. As a direct and proximate result of Defendants' unconstitutional policies and actions,
24 Plaintiffs have suffered and continue to suffer irreparable harm, including violation of their
25 constitutional rights, emotional distress and stigmatization.

26 313. As a result of the actions of the Defendants, Plaintiffs were deprived of their
27 constitutional right to free exercise of religion and suffered severe emotional distress and injuries

1 for which Plaintiffs are entitled to declaratory and injunctive relief, compensation, nominal
 2 damages, punitive damages and attorneys' fees pursuant to 42 U.S.C. §§ 1983 and 1988.

3 **FOURTH CAUSE OF ACTION**

4 **(Violation of the Free Speech Clause of the First Amendment)**

5 **42 U.S.C. § 1983**

6 **(Against Defendant JUSD)**

7 314. Plaintiffs re-allege and incorporate herein, as though fully set forth, Paragraphs 1
 8 through 313 of this Complaint.

9 315. The First Amendment to the United States Constitution, applicable to state and local
 10 governments through the Fourteenth Amendment, protects the right of students to speak freely on
 11 matters of public concern without fear of retaliation or censorship by school officials.

12 316. Plaintiffs' objections to being compelled to compete with and against a male athlete
 13 in girls' sports, and to share locker rooms with a male, constitute speech on matters of profound
 14 public concern, including fairness in athletics, safety, privacy, and the integrity of girls' sports.

15 317. Defendants, acting under color of state law, created and maintained an intentionally
 16 hostile environment designed to suppress Plaintiffs' views. Plaintiffs were intimidated, threatened,
 17 and pressured to self-censor their objections to competing with and against a male athlete.

18 318. School administrators warned Plaintiff McPherson that if she made any comments
 19 regarding A.H. or transgender athletes, she would face immediate suspension.

20 319. McPherson explained that she had only once expressed her views the prior year –
 21 that she believed it was unfair for biological males to compete in girls' sports – and that she had
 22 never referred to A.H. by name. Despite this clarification, Defendants reiterated that any remarks
 23 on the subject would be treated as bullying and grounds for discipline.

24 320. During this meeting, Principal Reyna told McPherson to "keep quiet" because she
 25 "had too much to lose" given her opportunities to play collegiate volleyball. These comments were
 26 intended to and did intimidate McPherson into silence, coercing her to abandon her speech rights in
 27 order to avoid suspension and protect her future.

1 321. McPherson left the meeting in tears, feeling silenced, unsupported, and retaliated
2 against for expressing her views. The threats from administrators caused her to refrain from speaking
3 further about their objections.

4 322. Plaintiff Munoz felt helpless and felt compelled to self-censor given the lack of
5 support given to her family when they did raise concerns regarding A.H.'s participation in female
6 sports to numerous school administrators.

7 323. A.M. and H.H. were also informed by what was said to McPherson and felt
8 compelled to self-censor out of fear of retaliation or lack of support from school administrators.

9 324. On July 28, 2025, Volleyball Coach Manu told Plaintiff A.M. that, as team captain,
10 she needed to "be friends with A.H. and the group that supported A.H.," both on and off the court.
11 This directive coerced A.M. to conform her associations and speech to Defendants' preferred
12 viewpoint as a condition of team leadership.

13 325. On September 4, 2025, Plaintiffs A.M. and H.H. separately informed Coach Manu
14 that they were uncomfortable sharing the court or locker room with a male athlete and stated that
15 they could no longer participate in games or practices while A.H. remained on the court. Coach
16 Manu responded, "Ok thank you for letting me know."

17 326. On September 5, 2025, Plaintiffs A.M. and H.H. discovered they had been removed
18 from the varsity volleyball group chats. Coach Manu had neither informed them of this action nor
19 followed up with them regarding their September 4 messages.

20 327. Plaintiff A.M. and Coach Manu exchanged messages in which Coach Manu told
21 A.M. that the decision to remove Plaintiffs from the group chats was hers alone, stating, "I don't
22 have to ask you; I don't have to run my decisions by you or any player."

23 328. Coach Manu retaliated against A.M. and H.H. for expressing their views regarding
24 their discomfort with sharing a court and a locker room with a male athlete by removing them from
25 the team chats, and further reprimanded A.M. regarding how she should conduct herself as team
26 captain.

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1 329. Defendants' actions – including threats of suspension, removal from team chats,
2 warnings to remain silent, and coercive pressure to associate – constitute viewpoint discrimination,
3 retaliation, and prior restraint on Plaintiffs' protected speech.

4 330. The restrictions Defendants imposed were not reasonably related to legitimate
5 pedagogical concerns or the maintenance of school order. Instead, Defendants targeted Plaintiffs'
6 speech because of its viewpoint, silencing disfavored perspectives on a matter of public concern
7 while permitting opposing views to be expressed.

8 331. As a result of the actions of the Defendants, Plaintiffs were deprived of their
9 constitutional right to free speech and suffered severe emotional distress and injuries for which
10 Plaintiffs are entitled to declaratory and injunctive relief, compensation, nominal damages, punitive
11 damages and attorneys' fees pursuant to 42 U.S.C. §§ 1983 and 1988.

PRAYER FOR RELIEF

13 | **WHEREFORE**, Plaintiffs pray for relief against defendants as follows:

1. Declaratory Relief:

- A declaration that Defendants' actions and omissions violated Plaintiffs' rights under Title IX of the Education Amendments of 1972, the First Amendment (Free Exercise and Free Speech Clauses), and the Equal Protection Clause of the Fourteenth Amendment;
- A declaration that AB 1266, as applied and on its face, violates Title IX and the Equal Protection Clause of the Fourteenth Amendment;
- A declaration that CIF Bylaw 300.D, as applied and on its face, violates Title IX and the Equal Protection Clause of the Fourteenth Amendment;
- A declaration that AR 6145.2, as applied and on its face, violates Title IX and the Equal Protection Clause of the Fourteenth Amendment;

2. Injunctive Relief:

- Permanently enjoin JUSD from allowing any male student to participate or compete in any female sports at JUSD or access or use JUSD female bathrooms and locker rooms;

- Permanently enjoin Defendant JUSD from retaliating against, censoring, or otherwise punishing Plaintiffs for expressing their sincerely held religious beliefs or views on matters of public concern, including fairness in athletics, safety, privacy, and gender distinctions;
- Permanently enjoin Defendants from enforcing AB 1266, CIF Bylaw 300.D, and AR 6145.2;

3. An award of nominal, compensatory damages, punitive damages, and other monetary relief as permitted by law;

4. For costs, attorneys' fees and interest, as allowed by law; and

5. For such other relief the Court determines is proper.

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand trial by jury.

14 | DATED: September 9, 2025 ADVOCATES FOR FAITH & FREEDOM

By: /s/ Julianne Fleischer
Julianne Fleischer, Esq.
Attorneys for Plaintiffs

1 **VERIFICATION**

2 I have read the foregoing **VERIFIED COMPLAINT FOR INJUNCTIVE AND**
3 **DECLARATORY RELIEF AND DAMAGES** and know its contents.

4 I am a party to this action. The matters stated in the foregoing document are true of my own
5 knowledge except as to those matters which are stated on information and belief, and as to those
6 matters, I believe them to be true.

7 I declare under penalty of perjury under the laws of the State of California that the foregoing
8 is true and correct.

9 Executed September 9, 2025, at Jurupa Valley, California.

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12 Madison McPherson (Sep 9, 2025 11:38:10 PDT)
13 MADISON MCPHERSON

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9 Executed on September 9, 2025, at Jurupa Valley, California.

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11 *Maribel Munoz*
12 MARIBEL MUNOZ
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