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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA DIVISION**

K.M.K, by and through her mother,
guardian, and next friend,
STEPHANIE LYNNE BROWN;
STEPHANIE LYNNE BROWN,

Plaintiffs,

No.:

v.

**VERIFIED COMPLAINT
JURY TRIAL DEMANDED**

WASHINGTON INTERSCHOLASTIC
ACTIVITIES ASSOCIATION;
WASHINGTON OFFICE OF
SUPERINTENDENT OF PUBLIC
INSTRUCTION;
WASHINGTON SUPERINTENDENT
OF PUBLIC INSTRUCTION CHRIS
REYKDAL in his official and
individual capacities;
PUYALLUP SCHOOL DISTRICT;
PUYALLUP SCHOOL DISTRICT
TITLE IX COORDINATOR DR.
GORDON BROBBEY in his official
and individual capacities;
ROGERS HIGH SCHOOL
PRINCIPAL JASON SMITH in his
official and individual capacities; and
EMERALD RIDGE HIGH SCHOOL
COACH JOHN MORRISON in his
official and individual capacities,

Defendants.

INTRODUCTION

1
2 1. Lies hurt people—in this case, girls. Enforcing the lie that boys can be
3 girls, Washington lets boys take girls’ sports and privacy, and, in this case, sexually
4 assault a girl during her own wrestling match—as her mother watched in disbelief.

5 2. On December 6, 2025, K.M.K., a 15-year-old girl, competed in a
6 Washington Interscholastic Athletic Association-sponsored girls wrestling
7 tournament. Unknown to her and her mother—but known to WIAA and school
8 officials—one of the wrestlers she faced was a male. Had K.M.K. and her mother
9 known, K.M.K. would not have taken the mat.

10 3. But because she didn’t know, she wrestled. And during the match, the
11 male athlete sexually assaulted K.M.K., shoving his fingers through her spandex
12 clothing, digitally penetrating her vagina, and holding the position for several
13 seconds. Visibly distressed, K.M.K. shouted to her mother, who was videorecording
14 the match, that the opponent’s fingers are “in my c***hie!”

15 4. To stop this, K.M.K. allowed the male wrestler to pin her. Shortly
16 afterward, she found out the athlete was male—and felt violated all over again.

17 5. K.M.K.’s mom swiftly informed K.M.K.’s coaches in writing of the assault
18 and the unfairness of wrestling a male. She even gave them a video of the match.¹

19 6. But nothing happened. Despite mandatory reporter laws, officials ignored
20 the incident until it became a national news story weeks later. Even now, they
21 refuse to take it seriously—to deal with the assault, to reserve girls sports for girls,
22 or even to give parents the necessary notice so they can keep their daughters safe.

23 7. K.M.K. and her mother are bringing this action to hold WIAA, state, and
24 school officials responsible for their refusal to protect girls and to ensure that they
25 restore common sense to girls athletics. So no one else has to go through this.

26
¹ *K.M.K. v. WIAA Wrestling Match*, YouTube, https://youtu.be/_7wwsjZBntU (match video); Exhibits 1 to 4 (emails and texts to school district).

Jurisdiction and Venue

1 8. This action arises under Title IX of the Education Amendments of 1972,
2 20 U.S.C. § 1681, et seq., and Title IX’s applicable regulations.

3 9. This action arises under 42 U.S.C. § 1983 for violations of the U.S.
4 Constitution’s Fourteenth Amendment.

5 10. This Court has jurisdiction under 28 U.S.C. §§ 1331, 1343(a).

6 11. This Court has authority to award (1) declaratory relief under 28 U.S.C.
7 § 2201–02 and Fed. R. Civ. P. 57; (2) injunctive relief under 28 U.S.C. § 1343 and
8 Fed. R. Civ. P. 65; (3) damages under 20 U.S.C. § 1681 and 42 U.S.C. § 1983;
9 (4) costs and attorneys’ fees under 42 U.S.C. § 1988.

10 12. Venue is proper in this Court under 28 U.S.C. § 1391(b) because the
11 events and omissions giving rise to the claims substantially occurred and continue
12 to occur within the Western District of Washington; the effects of the challenged
13 laws are felt here; Defendants perform official duties here; and Plaintiffs and
14 Defendants reside here.

15 13. Plaintiffs demand a jury trial.

PLAINTIFFS

16 14. K.M.K. is a girl. She is a sophomore at Rogers High School in the
17 Puyallup School District in Puyallup, Washington. She recently turned 16 years old.
18 She competes in wrestling and soccer.

19 15. Stephanie Brown is K.M.K.’s mother, custodian, and general guardian.
20 She brings this suit on K.M.K.’s behalf as K.M.K.’s mother, general guardian, and
21 next friend. Ms. Brown also sues individually on her own behalf.

DEFENDANTS

22 16. Defendant **Washington Interscholastic Activities Association**
23 (WIAA) is a Washington non-profit corporation delegated authority under state law
24
25
26

1 and by local school districts, including Puyallup School District, to regulate and
2 conduct interscholastic athletics.

3 17. WIAA is the primary regulator of interscholastic athletics in Washington.
4 It maintains policies permitting male athletes to compete in girls sports, including
5 girls wrestling.

6 18. Its handbook is online and attached as Exhibit 5.² Its “gender-diverse
7 inclusivity” toolkit is online and attached as Exhibit 6.³

8 19. WIAA sets rules and eligibility standards for student athletes, and it
9 determines each sport’s season and tournament schedules. WIAA hosts state
10 championship events for many sports, including wrestling. It hosts tournaments for
11 wrestling and other sports. Its members are high schools and middle schools,
12 including public and private schools in the state.

13 20. Defendant **Washington Office of Superintendent of Public**
14 **Instruction** (OSPI) is an arm of the State of Washington. The office is responsible
15 for many aspects of state education policy and funding. It receives federal education
16 funding and disburses funds to local school districts, including Puyallup School
17 District.⁴ OSPI waived sovereign immunity for suits under Title IX by accepting
18 federal education funding.

19 21. Defendant **Chris Reykdal** is the Washington Superintendent of Public
20 Instruction. He runs OSPI. He sets education and athletics regulations and
21 mandatory guidelines for school districts including policies on Title IX, sex
22 discrimination, sexual assault, and “gender inclusive schools.” He enforces

23 ² Exhibit 5, WIAA, *WIAA Handbook (2025-2026)*, <https://www.wiaa.com/wiaa-handbook/>.

24 ³ Exhibit 6, WIAA, *Gender Diverse Youth Sport Inclusivity Toolkit* (first published 2021),
https://assets-rst7.rschoolday.com/rst7files/uploads/sites/652/2024/05/29125133/Gender-Diversity-Toolkit_2024.pdf.

25 ⁴ Wash. Off. of Superintendent of Pub. Instruction, *Federal Allocations (2025)*,
26 <https://perma.cc/G2SP-3LPS> (identifying various federal funding streams with tens of thousands of
dollars to OSPI for funding various local school districts); *Subaward results*, USASpending.gov,
<https://perma.cc/U79W-2E6X> (results for OSPI and Puyallup School District that yields detailed
grant-by-grant figures).

1 regulations and guidelines under which WIAA and school districts must allow
2 males to compete in girls school sports if the male identifies as female.

3 22. OSPI's relevant policies on sex and gender are online and are attached as
4 Exhibits 7 to 11.⁵

5 23. Defendant **Puyallup School District** (the District) is a municipal
6 corporation organized under Washington law that receives federal funding,
7 including a budgeted \$19,585,100 in federal funds in 2024–25.⁶ At all relevant
8 times, both the male athlete and K.M.K. have attended high schools in the District
9 and participated in District-sponsored athletics. It has three high schools: Rogers
10 High School (K.M.K.'s school), Emerald Ridge High School (the male wrestler's
11 school), and Puyallup High School (which neither attend).

12 24. The District's policies are online,⁷ and excerpts of its policies on athletics,
13 nondiscrimination, sexual harassment, parental involvement, absences, and
14 "gender-inclusive schools" are attached as Exhibits 12 to 27.⁸

15 ⁵ Exhibit 7, OSPI, *Guidelines for Schools to Implement Chapters 28A.640 and 28A.642 RCW and*
16 *Chapter 392-190 WAC* (2012) (OSPI 2012 Guidelines), [https://ospi.k12.wa.us/sites/default/files/2023-](https://ospi.k12.wa.us/sites/default/files/2023-08/prohibiting_discrimination_in_washington_public_schools_february2012revisedsep2019disclaimer_1.pdf?utm_source=chatgpt.com)
17 [08/prohibiting_discrimination_in_washington_public_schools_february2012revisedsep2019disclaime](https://ospi.k12.wa.us/sites/default/files/2023-08/prohibiting_discrimination_in_washington_public_schools_february2012revisedsep2019disclaimer_1.pdf?utm_source=chatgpt.com)
18 [r_1.pdf?utm_source=chatgpt.com](https://ospi.k12.wa.us/sites/default/files/2023-08/prohibiting_discrimination_in_washington_public_schools_february2012revisedsep2019disclaimer_1.pdf?utm_source=chatgpt.com); see also Exhibit 8, OSPI, *Gender-Inclusive Schools* (last visited
19 April 13, 2026), [https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/information-families-](https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/information-families-civil-rights-washington-schools/gender-inclusive-schools)
20 [civil-rights-washington-schools/gender-inclusive-schools](https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/information-families-civil-rights-washington-schools/gender-inclusive-schools) (OSPI Gender-Inclusive Schools Webpage
21 1); Exhibit 9, OSPI, *Gender-Inclusive Schools* (last visited May 29, 2026),
22 [https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/resources-school-districts-civil-rights-](https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/resources-school-districts-civil-rights-washington-schools/gender-inclusive-schools)
23 [washington-schools/gender-inclusive-schools](https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/resources-school-districts-civil-rights-washington-schools/gender-inclusive-schools) (OSPI Gender-Inclusive Schools Webpage 2); Exhibit
24 10, OSPI, *Supporting LGBTQ+ Students* (last visited May 29, 2026), [https://ospi.k12.wa.us/student-](https://ospi.k12.wa.us/student-success/support-programs/supporting-lgbtq-students)
25 [success/support-programs/supporting-lgbtq-students](https://ospi.k12.wa.us/student-success/support-programs/supporting-lgbtq-students); Exhibit 11, OSPI, *Error* (last visited May 29,
26 2026) <https://ospi.k12.wa.us/error>.

⁶ Puyallup School District, *Budget Information*, <https://perma.cc/26FE-PYH8> (last visited May 29, 2026).

⁷ Puyallup School District, *Policies*, <https://perma.cc/EZ5K-CL35> (last visited May 29, 2026).

⁸ Exhibit 12, Puyallup School District, Policy 2151 (athletics and activities eligibility); Exhibit 13, Policy 2151R (athletics and activities eligibility); Exhibit 14, Puyallup School District, Policy 3112 (social emotional climate); Exhibit 15, Puyallup School District, Policy 3112R (social emotional climate); Exhibit 16, Puyallup School District, Policy 3122 (excused and unexcused absences); Exhibit 17, Puyallup School District, Policy 3122R (excused and unexcused absences); Exhibit 18, Puyallup School District, Policy 3205 (sexual harassment); Exhibit 19, Puyallup School District, Policy 3205R (sexual harassment); Exhibit 20, Puyallup School District, Policy 3207 (prohibition of harassment, intimidation and bullying of students); Exhibit 21, Puyallup School District, Policy 3207F (prohibition of harassment, intimidation and bullying of students); Exhibit 21, Puyallup

1 25. Defendant **Dr. Gordon Brobbey** is the Title IX Coordinator for the
2 District. He is tasked with implementing the school board’s policies on Title IX, sex
3 discrimination, sexual assault, sexual harassment, and other forms of staff or
4 student misconduct, including by addressing violations of these policies at all
5 schools.

6 26. Defendant **Jason Smith** is the Principal at Rogers High School, where
7 he oversees its educational and athletic programs, including girls wrestling, and
8 where he supervises the Athletic Coordinator.

9 27. Defendant **John Morrison** is a girls wrestling coach at Emerald Ridge
10 High School. He is the male athlete’s coach. He directed the male to take the mat
11 against K.M.K., and, among other things, he witnessed the assault and failed to
12 take appropriate action.

13 28. Other District employees involved in this matter include:

- 14 • Richard Lasso, Interim Superintendent of Puyallup School District,
15 the chief official responsible for the operation of the District, the
16 implementation of all policies, and the supervision of the Title IX
17 Coordinator and all school principals.
- 18 • Lucia Scott, Daniel Carlson, and Thomas Tripple: girls wrestling
19 coaches at Rogers High School who coached K.M.K. this year. Among
20 other things, they all witnessed the assault, received K.M.K.’s reports
21 of her assault, and failed to take appropriate action to report it to law
22 enforcement.

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24 _____
25 School District, Policy 3207R (prohibition of harassment, intimidation and bullying of students);
26 Exhibit 22, Puyallup School District, Policy 3207R (prohibition of harassment, intimidation and
bullying of students); Exhibit 23, Puyallup School District, Policy 3210 (nondiscrimination); Exhibit
24, Puyallup School District, Policy 3210R (nondiscrimination); Exhibit 25, Policy 3211 (gender-
inclusive schools); Exhibit 26, Puyallup School District, Policy 3211R (gender-inclusive schools);
Exhibit 27, Puyallup School District, Policy 4130 (parental involvement).

- Peter Collins, the Athletic Coordinator at Rogers High School. He oversees athletic programs at Rogers, including girls wrestling, and supervises the coaches.

29. Each individual defendant acted in the scope of employment.

Factual Background

I. The success of girls wrestling after Title IX

30. In 1972, Congress passed Title IX, a landmark law intended to level the playing field for women and girls to access the benefits of school athletics as men and boys had done for decades.

31. Since then, opportunities for female students to participate in school sports have burgeoned. In the first half-century of Title IX, girls participation in high school sports went from 300,000 to 3.4 million—a growth of more than 1000% percent. During the same period, boys’ participation in high school sports rose from 3.6 million to 4.5 million—a growth of about 125%.⁹

32. Wrestling has historically been a male-dominated sport.

33. As recounted by the National Federation of State High School Athletic Associations (NFHS), even after Title IX was enacted, wrestling participation by girls “stayed low for years, as most girls were forced to practice and compete on boys teams—if they were even allowed to join at all.”¹⁰ The first girls-only state wrestling championship was held in Texas in 1998. *Id.*

34. But since then, wrestling has been a Title IX success story. Girls wrestling was added to the Olympic Games in 2004. *Id.* In 2007, girls wrestling became an official high school sport in Washington. Washington held its first girls-only state championship in 2013. *Id.*

⁹ Brenda Alvarez, *Title IX At 50: Where We’ve Been, Where We’re Headed, and Why It Still Matters*, NEA Today (July 7, 2022), <https://perma.cc/AFD7-QLSZ>.

¹⁰ Jordan Morey, *High School Wrestling’s Comeback: Participation, Opportunity Reach All-time Highs*, NFHS High School Today (Nov. 5, 2025), <https://perma.cc/F3TX-BGFM>.

1 35. Wrestling is a no-cut sport in every weight class. *Id.*

2 36. In past years, WIAA officials acknowledged the importance of developing
3 girls wrestling as its own sport, separate from boys wrestling. As high school girls
4 began to join the sport, they sometimes agreed to wrestle boys because there
5 weren't sufficient girls events.¹¹ In these instances, girls and their parents *knew*
6 they would be wrestling against boys and voluntarily agreed to assume the
7 associated risks.

8 37. WIAA Assistant Executive Director Jim Meyerhoff said in 2011 that the
9 goal was to "grow girls wrestling" so that girls would not be wrestling against boys.
10 *Id.* "We need to have girls wrestling girls and guys wrestling guys." *See id.* The
11 media noted that "by doing so Washington avoids situations where a boy or girl is
12 placed in an awkward situation if he or she doesn't feel comfortable wrestling
13 someone of the opposite gender." *Id.* "The WIAA has gotten it right by making it so
14 no one will have to face such a dilemma. And even better, they have created an
15 athletic outlet for over 1,000 girls and growing." *Id.*

16 38. Wrestling experienced marked growth nationwide in the 2020s, largely
17 due to "the rapid growth of girls wrestling programs."¹² Rich Bender, Executive
18 Director of USA Wrestling, says wrestling has a "unique ability to welcome anyone
19 willing to work hard and build character, confidence and community." *Id.*

20 39. Wrestling is now one of the most popular high school girls sports. *Id.* In
21 Washington, about 10,000 athletes compete in boys wrestling, and about 3,500
22 athletes compete in girls wrestling.¹³

23 40. According to the 2024-25 NFHS High School Athletics Participation
24 Survey, wrestling is the sixth-most-popular sport for boys with 300,214 participants

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26 ¹¹ John Boyle, *Washington isn't Iowa*, HeraldNet.com (Feb. 19, 2011), <https://perma.cc/7JBM-WER5>.

¹² *See supra* note 10.

¹³ *See* Nat'l Fed'n of State High Sch. Ass'ns, *High School Athletics Participation Survey (2024-2025)* at 62, 72, <https://perma.cc/FVL6-JZA2> (last visited May 29, 2026).

1 in 11,526 schools nationwide. For girls, it ranks 12th with 74,064 participants in
2 8,100 schools.¹⁴

3 41. Forty-six states now sanction an official interscholastic state
4 championship for girls.¹⁵

5 42. In recent years, intercollegiate girls wrestling programs have also
6 increased. In 2022, the National Association of Intercollegiate Athletics (NAIA)
7 adopted girls wrestling as its 28th championship sport. *Id.* In March 2026, the
8 National Collegiate Athletic Association (NCAA) held its first-ever girls wrestling
9 championship.¹⁶ As the athletic director at McKendree University said,
10 intercollegiate girls wrestling programs have “allow[ed] institutions to expand
11 participation opportunities for female student-athletes, while increasing enrollment
12 and visibility.” *Id.*

13 43. This growth and increased visibility for girls wrestling has provided an
14 opportunity for many young women, including K.M.K., to fall in love with the sport.

15 **II. K.M.K. unknowingly wrestled a male, who sexually assaulted her**
16 **during the match.**

17 44. K.M.K. started wrestling when she was four. Her three older brothers
18 wrestled. Seeing them compete, and their passion for wrestling, she wanted to learn
19 too.

20 45. Wrestling season generally runs from late November to mid-February.
21 K.M.K. also plays soccer, but wrestling is her favorite sport. She’s also good at it.

22 46. In high school, wrestlers do an inter-team competition at the beginning of
23 the season to determine who will compete on varsity in each weight class. Only one

24 ¹⁴ Press Release, Nat’l Fed’n of State High Sch. Ass’ns, *Adjustment in Minimum Body Fat Percentage*
25 *for Females Highlights High School Wrestling Rules Changes* (April 16, 2026),
<https://perma.cc/4WA9-BFRD>.

26 ¹⁵ Nat’l Wrestling Coaches Ass’n (NWCA), *Growing Women’s Wrestling*, <https://perma.cc/E8K5-QP78>
(last visited May 202, 2026).

¹⁶ Olivia Brown, *The first NCAA women’s wrestling champions are crowned. How bright is the sport’s future?*, NCAA Media Center (March 9, 2026), <https://perma.cc/86UW-XWCV>.

1 member of each weight class competes on varsity for each team. The rest of the
2 players are ranked within junior varsity and by their weight class.

3 47. This year (2025-2026), as a sophomore, K.M.K. was ranked first for the
4 junior varsity team for her weight class (190 lb.). This ranking means that she was
5 one spot away from holding the varsity place for her weight division. K.M.K. was in
6 this same position (first in her weight division for JV) last year as a freshman.

7 48. When she returned to the team this year as a sophomore, she was excited
8 to improve her skills during practice and competitions and to get to spend time with
9 her teammates.

10 49. Matches are determined collaboratively by the coaches for the initial
11 match. After the first match, a wrestler's competitor depends on who won in
12 previous matches, through bracket-style pairings.

13 50. In wrestling matches, there are three periods of 1.5 to 2 minutes each.
14 Whoever scores the most points during these matches wins, unless a wrestler gets
15 pinned. If a wrestler gets pinned, the match ends immediately, even if not all three
16 periods have been completed. The wrestler who got pinned loses.

17 51. At the beginning of a wrestling match, the players shake hands. They
18 shake hands again after the match and also shake hands with their coaches and the
19 opponent's coaches at the end of the match.

20 52. Once a match has been set, there are several ways it can end before time
21 expires: pre-match forfeiture, tapping out, getting pinned, or point margin.

22 53. K.M.K. has never seen anyone tap out and does not know how it is done.

23 54. K.M.K.'s first wrestling tournament for her sophomore season was on
24 Saturday, December 6, 2025—the Lady Jag Kickoff wrestling tournament at
25 Emerald Ridge High School. It was a WIAA-sponsored and Puyallup School
26

1 55. District-sponsored tournament specifically sanctioned and advertised for
2 the sport of girls (and not boys) wrestling.

3 56. K.M.K. competed in the JV 190B weight-class bracket.

4 57. At the end of the day, K.M.K. was scheduled to compete in a fifth and
5 final match. The winner of this match would receive third place overall in the
6 weight class at the tournament, and the wrestler who did not win this match would
7 receive fourth place.

8 58. K.M.K.'s opponent in the fifth match was a wrestler from Emerald Ridge
9 High School, who K.M.K. and Ms. Brown did not know ahead of the match, but they
10 understood this wrestler to be a girl.

11 59. K.M.K.'s coach and the WIAA tournament official confirmed that this was
12 her match, and they directed her to take the mat against this opponent.

13 60. Emerald Ridge Coach John Morrison directed K.M.K.'s competitor to take
14 the mat.

15 61. Ms. Brown watched and videorecorded the match.

16 62. K.M.K.'s three coaches and her opponent's coach observed the match, too.

17 63. A videographer recorded the match for WIAA and transmitted the video
18 to District and WIAA officials afterward, as is standard practice.

19 64. Before the match started, K.M.K. and her opponent shook hands.

20 65. K.M.K. thought that her technical skill was better than her opponent's,
21 but she observed that her opponent was stronger and more powerful.

22 66. K.M.K. began the second period of this match physically on top of her
23 opponent, which is a favorable position.

24 67. During the second period, the opponent reached between K.M.K.'s legs
25 with his left hand, and pushed fingers hard, through her singlet, her Nike pro
26

1 68. spandex shorts, and her underwear. The opponent’s fingers penetrated
2 her vagina for several seconds, causing great pain.

3 69. K.M.K. was horrified and shocked and felt deeply violated. As this was
4 happening, she first tried to push the wrestler off her, but she wasn’t able to. She
5 cried to her mom that her opponents’ fingers are “in my c***hie!”

6 70. Her reaction is visible in the video of the match. It was an incredibly
7 offensive act and caused intense physical discomfort that persisted following the
8 assault.

9 71. Her mom was on the opposite side of the mat, so she couldn’t see exactly
10 what this wrestler was doing to K.M.K. “I don’t know what she said or why her face
11 looked like that,” her mom can be heard saying to someone off camera.

12 72. While she couldn’t see what was happening, Ms. Brown recognized
13 immediately that something was wrong with K.M.K.

14 73. K.M.K. wanted the assault to end, so she began trying to give up and try
15 to lose the match. Close to a minute after she had stopped trying to win, the male
16 was behind her. The male’s right forearm pressed against her in the crack between
17 her butt cheeks, while his right hand groped her again forcefully in the pelvic region
18 between her legs and toward the front of her pelvis. He did not penetrate her vagina
19 at that time. K.M.K. found this second touching deeply offensive and humiliating,
20 especially as he was still wrestling her and pinning her down less than a minute
21 after he had sexually assaulted her—all while she was no longer trying to win the
22 match. Seconds later, she allowed herself to be pinned completely, losing the match.

23 74. This result meant that the male was named the winner. He became a top-
24 three finisher, and K.M.K. was knocked to fourth place.

25 75. If K.M.K. had placed third in the tournament, she would have been
26 honored at any awards ceremonies at the end of the tournament, where, if held, she

1 would have stood on a podium and she would have received a medal on a ribbon for
2 her neck.

3 76. Instead, the male athlete was entitled to be honored at any awards
4 ceremonies, the male athlete was entitled to take K.M.K.'s podium spot, and the
5 male athlete was entitled to receive K.M.K.'s medal on a ribbon for his neck.

6 77. If K.M.K. had placed third, it would have helped her qualify for league
7 and then state.

8 78. Instead this placement helped the boy qualify for league and then state.

9 79. At the end of the match, K.M.K. had to shake her opponent's hand and
10 the hand of this wrestler's coach. She did. But she was so distraught she did not
11 shake hands with her own coaches like usual.

12 80. Rather than investigate, her coaches walked away.

13 81. So K.M.K. ran to her mother sobbing.

14 82. She intended to tell her mom that her opponent had sexually assaulted
15 her, but she couldn't get the words out clearly—the feeling of shock and violation
16 was so strong.

17 83. In her twelve years of wrestling, nothing like this has ever happened to
18 her or anyone she knows. This is not a legal wrestling move, and it is not something
19 that could easily happen accidentally. Wrestling singlets are very tight spandex and
20 so the fabric resists pressure, and K.M.K was wearing three layers of fabric.

21 84. There is no legal move in wrestling that requires putting a hand in the
22 area between an opponent's legs. And her opponent not only put a hand there, but
23 kept it there for several seconds, pressing fingers through her clothes, penetrating
24 her and causing pain. And then, almost a minute later, after she had given up
25 trying to win, he groped her again.

26

1 85. There is an expression in wrestling called an “oil check,” which generally
2 refers to a form of flagrant misconduct that involves one wrestler digitally
3 penetrating an opponent’s anus or vagina to cause shock and so gain an advantage.
4 This flagrant misconduct can result in penalties, disqualification, and criminal
5 charges.

6 86. In its criminal statutes, Washington defines “sexual intercourse” to
7 include “any penetration of the vagina or anus however slight, by an object,” with
8 exceptions only for “medically recognized treatment or diagnostic purposes.” RCW
9 9A.44.010(14).

10 87. Under RCW 9A.44.060(1), a person is guilty of rape in the third degree, a
11 class C felony, where the victim did not consent as defined in RCW 9A.44.010(2), to
12 sexual intercourse. See RCW 9A.44.010(2) (“[C]onsent’ means that at the time of
13 the act of sexual intercourse or sexual contact there are actual words or conduct
14 indicating freely given agreement to have sexual intercourse or sexual contact.”).

15 88. No athletic tradition or any claimed absence of sexual motivation justifies
16 digital penetration during a wrestling match. Digital penetration falls outside the
17 scope of implied consent to participating in athletics because, under normal
18 circumstances of girls wrestling, it is not a reasonably foreseeable hazard from the
19 perspective of a girl wrestler. Nor is sexual assault or groping generally accepted by
20 society as part of any lawful athletic contest.

21 89. As K.M.K. was trying to talk to her mom about what had happened, a
22 coach from another District team came up and told her that her opponent in that
23 match was a male.

24 90. This deepened her feeling of violation and shock. She felt betrayed that
25 she’d been forced to wrestle a male opponent without her knowledge or consent.
26

1 91. K.M.K. had planned to report the assault before she knew her opponent
2 was a male. She then resolved to report both the assault and the lack of notice that
3 she was wrestling a male.

4 **III. K.M.K.'s family reported everything to the school.**

5 92. On Monday morning, December 8, 2025, Ms. Brown sent a written
6 complaint to the school by email stating that K.M.K. had unknowingly wrestled a
7 male during her fifth match and that K.M.K. had been sexually assaulted.

8 Exhibit 1.

9 93. Under state law, “professional school personnel” must report assault
10 complaints to law enforcement “at the first opportunity, but in no case longer than
11 48 hours.” RCW 26.44.030 (a) & (h). Each school official must also immediately
12 inform Dr. Brobbey, the Title IX Coordinator. Exhibit 7, OSPI 2012 Guidelines at
13 62–66.

14 94. Because Ms. Brown knew these rules, including that officials must report
15 assault complaints both internally within the District’s reporting channels and to
16 law enforcement on these strict timelines, K.M.K. and Ms. Brown relied on K.M.K.’s
17 coaches and the District to report the assault right away, both internally within the
18 District and to law enforcement.

19 95. That same morning, Coach Lucia Scott responded that she did not know
20 K.M.K.’s opponent was male and that she would not have put K.M.K. on the mat
21 had she known. Coach Scott said she would get back with K.M.K.’s mom later that
22 day or the next. Because of this email, K.M.K. and Ms. Brown relied on Coach Scott
23 to ensure that this complaint was properly reported.

24 96. At 6:23 p.m., Coach Scott asked for the video of the match. Ms. Brown
25 texted the video to Coach Scott and shared the words that K.M.K. can be seen
26 mouthing during the video. Coach Scott responded, “Thank you.” This message gave

1 K.M.K. and Ms. Brown additional reason to rely on Coach Scott to ensure that this
2 complaint was properly reported. Exhibit 2.

3 97. As a result of the assault, K.M.K. suffered physical pain, discomfort, and
4 soreness in her pelvic area, as well as emotional distress that continues to this day.

5 98. The incident also caused K.M.K. substantial anxiety.

6 99. Ms. Brown texted Coach Scott an update from K.M.K.'s orthopedic
7 appointment on December 9, sharing that K.M.K. would need to take some time off
8 for a leg injury. Coach Scott did not respond.

9 100. K.M.K.'s anxiety continued and increased, which caused her to miss
10 school in January and February.

11 101. K.M.K. also became ill, keeping her away from school for additional time.
12 During this time, K.M.K. and Ms. Brown trusted Coach Scott that the school was
13 investigating and reporting her complaint.

14 102. On January 2, 2026, at the conclusion of winter break, K.M.K. was
15 cleared to return to wrestling after her leg injury. This would have given her six
16 weeks to continue practicing and competing because the state championship was
17 not until February 19-20, 2026.

18 103. There had still been no action on K.M.K.'s reported assault or her report
19 that she had been unknowingly directed to wrestle against a male. It was terrifying
20 to realize that the coaches K.M.K. had trusted had so little regard for her safety.

21 104. Realizing that K.M.K. was not safe in the hands of the state, WIAA, and
22 school officials in charge of girls wrestling, K.M.K. and her mother made the
23 difficult decision that she would not return to the wrestling team during the 2025-
24 2026 school year until the officials protected her. But for the officials' failure to
25 protect her rights, she would have returned.
26

1 **IV. The District and WIAA did nothing—while letting males endanger**
2 **other female wrestlers.**

3 105. The coaches witnessed the assault, and the coaches knew the details of
4 K.M.K.'s complaint by no later than December 8, 2025. The District was required to
5 report this complaint to Dr. Brobbey, the Title IX Coordinator, immediately and to
6 law enforcement within 48 hours. RCW 26.44.030 (a) & (h); Exhibit 7, OSPI 2012
7 Guidelines at 62–66.

8 106. Under OSPI's policies, by December 28, 2025 (20 days after the December
9 8 report), the District should have issued an investigative report, and by January 7,
10 2026 (30 days after the report), it should have issued a written determination.
11 Between December 28 and January 7, the parties should have received the
12 opportunity to submit written questions to any party or witness and been allowed
13 time for follow-up questions.

14 107. Alternatively, under the operative policies, the District should have
15 requested an extension of time in December or January, and it should have given a
16 reason for the extension as well as the anticipated date of response. But none of
17 that happened.

18 108. K.M.K. and Ms. Brown began to grow increasingly concerned as they
19 continued to hear nothing from the District after winter break.

20 109. On January 25, 2026, K.M.K. saw a video from local journalist Brandi
21 Kruse, reporting that thirteen girls had expressed discomfort to their school
22 administrators because two males were competing in girls wrestling and that they
23 had been allowed in the girls bathroom and locker room.¹⁷ The video said one of the
24 male students was in the 190 lb. division on the girls wrestling team at Emerald
25 Ridge. K.M.K. realized this was likely the same male athlete she had wrestled.

26

¹⁷ unDivided with Brandi Kruse, *Girls forced to wrestle, share locker rooms with biological males*, YouTube (Jan. 23, 2026), <https://perma.cc/KT7U-HFHJ>.

1 110. Based on the information in the video and K.M.K.'s and Ms. Brown's own
2 experiences, they determined that the male athlete in the 190 lb. weight class
3 discussed in Ms. Kruse's video is the same person who had assaulted K.M.K. on
4 December 6, 2025.

5 111. The other male wrestler at Emerald Ridge is in the next higher JV
6 division, the 235 lb. division.

7 112. According to information in the video, Emerald Ridge girls reported to
8 District officials that they were uncomfortable with the males' presence and
9 behavior in the girls locker room no later than Monday, December 15, 2025—exactly
10 a week after Ms. Brown reported the assault on K.M.K. Yet, District officials failed
11 to address their concerns.

12 113. The video further states that, after the girls' report, the two male
13 wrestlers at Emerald Ridge said they would change clothes in another area. But
14 this solution, according to the reporting, lasted for "one day." Then, the males
15 returned to the girls locker room. When the girls brought this to the school's
16 attention, according to the video, they were given handouts from the OSPI on
17 gender inclusion and gender identity, expression, and sexual orientation, and told
18 that nothing more would be done.

19 114. The Title IX Coordinator for K.M.K.'s school is Dr. Gordon Brobbey, the
20 same as the Title IX Coordinator for Emerald Ridge, because the schools are in the
21 same school district. If proper reporting had occurred, Dr. Brobbey would have been
22 aware of not only the assault K.M.K. suffered at the December 6 match but also the
23 girls' complaint about privacy in their locker room. Yet he allowed these same male
24 students to continue to compete on the girls wrestling team and access the girls
25 locker room.

26

1 115. Based on the information in the video and Plaintiffs' own experiences,
2 K.M.K. and Ms. Brown determined that Emerald Ridge's Coach John Morrison had
3 full knowledge of the sex of the male athlete who wrestled against K.M.K., and he
4 witnessed the assault on K.M.K. that had occurred the week before, but Mr.
5 Morrison continued to allow the athlete to compete with the girls wrestling team
6 and access the girls locker room.

7 116. K.M.K. didn't want what had happened to her to happen to anyone else.
8 Because she realized that the school was intentionally not taking action, K.M.K.
9 decided to share what had happened to her—to prevent other girls from being
10 violated as she had been. She submitted her story to Ms. Kruse's tip line for the
11 UnDivided podcast.

12 117. On January 28, K.M.K. messaged Coach Scott asking for an update on
13 the school's investigation and response to the reported incident. Coach Scott wrote:
14 "Hi [K.M.K.], unfortunately they will not tell me any information about the
15 situation. I spoke with admin (Mr. Smith) [Rogers High School Principal Jason
16 Smith] but they will not provide any information to me." Exhibit 3 (text exchange).

17 118. K.M.K. replied, "My mom want[s] to know if since the district is
18 dismissing the issue she should file sexual assault charges[.]" Coach Scott
19 responded: "As of right now, they have shut me out on the situation. If that is
20 something you want to pursue, I would most certainly speak to [Rogers HS Athletic
21 Coordinator Peter] Collins and admin. I'm sorry I can't be much help on the
22 situation."

23 119. Plaintiffs understood "admin" to refer to Mr. Smith as well as Dr.
24 Brobbey and Puyallup School District Interim Superintendent Richard Lasso.
25
26

1 120. Coach Scott's message conveyed that these officials had been informed of
2 the situation, were responsible for future actions, and had excluded her (Coach
3 Scott) from decision making.

4 121. But these officials were taking no substantive or meaningful action
5 despite their knowledge of the reported assault.

6 122. Up to that point, the District had done nothing.

7 123. Early on January 29, 2026, K.M.K. went to find Rogers High School
8 Principal Smith to see if anything was being done.

9 124. K.M.K. found Assistant Principal Conor Collins in a school hallway near
10 a security guard by the security office.

11 125. K.M.K. told him that she was looking for Mr. Smith, and she asked if
12 Assistant Principal Collins knew where Mr. Smith was, so she could have a
13 conversation with Mr. Smith.

14 126. Assistant Principal Collins insisted that she tell him what about.

15 127. Because Assistant Principal Collins pressed her to know why she needed
16 to talk to Mr. Smith, K.M.K. felt forced to reply and to disclose her sexual assault in
17 a very public open setting.

18 128. K.M.K. said that she wanted to talk to Mr. Smith about the sexual
19 assault that happened to her.

20 129. The assistant principal did not respond with alarm, curiosity, or
21 compassion.

22 130. Instead, he brusquely said that he would see if Mr. Smith could take time
23 that day and that he would take a message to Mr. Smith, if K.M.K. liked.

24 131. Later that day, Rogers High School Principal Smith spoke with K.M.K.
25 for about five minutes. Mr. Smith told her that the school takes sexual assaults very
26 seriously, but he did not say that anything had been done to investigate the assault,

1 report it to law enforcement on time, or ensure that other girls were protected from
2 similar situations. Instead, he told her that he had reported the incident to the
3 Emerald Ridge athletic director.

4 132. Nicole Thompson, Ms. Kruse’s producer, reached out to Rogers High
5 School for comment later that same day.

6 133. The next day, January 30—the day after the media contacted the District
7 about K.M.K.’s assault by a male athlete and the District knew it couldn’t keep its
8 failure to act quiet—Principal Smith called Ms. Brown. He told Ms. Brown he had
9 no updates, but that the school takes these things “very seriously.”

10 134. Later that day at 3:10 p.m., the District responded to Ms. Thompson
11 declining comment.

12 135. At some point that day, the District also—for the first time and nearly
13 two months after ignoring the 48-hour deadline imposed by Washington law—
14 reported K.M.K.’s allegations to the Pierce County Sheriff’s Office. The Pierce
15 County Sheriff’s Office then opened an investigation.

16 136. On February 3, Principal Smith again called Ms. Brown to say he had no
17 updates but repeated that the District takes the matter seriously.

18 137. The same day, a school resource officer (an employee of the Pierce County
19 Sheriff’s Department) for the first time asked for statements from K.M.K. and Ms.
20 Brown, which they provided. Both also gave him video of the match.

21 138. Ms. Brown and K.M.K. still heard nothing over the next several days
22 from the District about taking any action to protect or support K.M.K., and they
23 were not apprised of the District or either school opening any kind of investigation.

1 **V. K.M.K. turned to the media to hold Defendants accountable—but**
 2 **Defendants still ignored her.**

3 139. On February 9, 2026, Ms. Kruse published an article and video interview
 4 sharing K.M.K.’s story.¹⁸

5 140. The video went viral and became a national news story, prompting the
 6 U.S. Department of Education to announce—through its Secretary—its intent to
 7 investigate.¹⁹

8 141. Despite national outcry, the District still didn’t adequately respond or
 9 take steps to keep K.M.K. safe from future harm. Nearly 2.5 months after the
 10 incident was reported, and after both the Pierce County Sheriff’s Office and the
 11 federal government had opened investigations, the District opened a District
 12 investigation—but that investigation still remains ongoing, and no change has
 13 occurred.

14 142. Upon information and belief, by February 9, 2026, whether from internal
 15 reports or media reports, WIAA had learned of K.M.K.’s assault by a male in a
 16 WIAA-sponsored wrestling match. But WIAA also did nothing.

17 143. Over a week later, on February 17, WIAA confirmed that the male
 18 wrestler who assaulted K.M.K. had withdrawn from the girls wrestling state
 19 championship set to start that weekend.²⁰ News reports indicated that the athlete

21 _____
 22 ¹⁸ unDivided with Brandi Kruse, *Teen wrestler claims school ignored assault by trans opponent*,
 23 YouTube (Feb. 9, 2026), <https://perma.cc/UKM3-FZG2>; unDivided with Brandi Kruse, *Teen athlete*
 24 *says she was sexually violated by trans wrestler – and the school district did nothing*, Patreon (Feb. 9,
 25 2026), <https://www.patreon.com/posts/teen-athlete-she-150338658>.

24 ¹⁹ unDivided with Brandi Kruse, *Federal government to investigate alleged assault of female wrestler*
 25 *by trans opponent*, YouTube (Feb. 16, 2026), <https://perma.cc/A26S-KR23>; Press Release, U.S. Dep’t
 26 of Education, *U.S. Department of Education Investigates Washington State School District Over*
 27 *Alleged Sexual Assault of Female Wrestler by Male Competitor* (Feb. 13, 2026),
 28 <https://perma.cc/KA9C-WQ97>.

26 ²⁰ unDivided with Brandi Kruse, *Male wrestler drops out of girls’ state championship*, YouTube (Feb.
 27 17, 2026), <https://perma.cc/3RXB-ZPPP>; Isabela Lund, *Teen wrestler accused of assault in Puyallup*
 28 *drops out of state championship*, The News Tribune (Feb. 17, 2026), <https://perma.cc/S55R-YHK3>.

1 voluntarily withdrew and is able to compete in WIAA girls wrestling next year,
2 during the 2026-2027 season.

3 144. The other male wrestler at Emerald Ridge competes in the 235 lb.
4 division—the next class up from K.M.K. He is believed to still be at that school and
5 on the girls wrestling team.

6 145. In general, the goal for wrestlers is to be at the top of a weight class but
7 not over—in order to maximize muscle mass for each competition. This leads to
8 athletes hovering around the cusp of going up a weight class.

9 146. K.M.K., like most wrestlers, follows this strategy. She manages her
10 weight to consistently be at the top of her weight class but not over. Sometimes,
11 K.M.K. has weighed in a pound or two over and had to lose weight before a match.
12 This is likely to happen again, and she might not be able to lose enough weight to
13 maintain her weight class before a new competition. The 235-pound weight class is
14 the weight-class directly above K.M.K.'s current weight class. So she will likely be
15 required to compete in the 235-pound weight class in some tournaments. If she
16 weighs in at that 235-pound level, she wants to compete in that weight class rather
17 than miss the competition entirely. Both the male wrestlers could easily weigh in at
18 either the 190-pound or the 235-pound class.

19 147. K.M.K. competes against wrestlers from all over the state, especially
20 wrestlers in her local district. Upon returning to competition, she would be likely to
21 wrestle one or more males at Emerald Ridge or male wrestlers from other schools.

22 **VI. The District ignored public complaints about how it treated K.M.K.**

23 148. By February 17, 2026—if not sooner—the school district superintendent
24 and the school board members also learned of K.M.K.'s assault by a male in a
25 wrestling match. They too failed to take meaningful action.

26

1 149. The same day the male athlete withdrew, a number of parents who had
2 learned of K.M.K.'s story complained about K.M.K.'s treatment at the Puyallup
3 School Board meeting.

4 150. Present at the meeting were Board President Gretchen Miles and Board
5 members Melissa Bedford, David Berg, Shannon Burch, and Joseph Romero, as well
6 as Interim Superintendent Richard Lasso.²¹

7 151. The public made specific complaints at this meeting about fairness in
8 girls wrestling, parental rights, sports safety, and the District's inadequate
9 response to K.M.K.'s complaint.²² The following members of the public spoke at the
10 meeting:

- 11 • Ivana Rotari, who said: "This girl complained to the school about it.
12 She is brave enough to do that. If anyone knows what it's like to be
13 told to keep quiet and sweep it under the rug, you'd feel pretty
14 unworthy ... Her voice, along with many other girls' voices, aren't
15 being heard by the authority that they trust. Why was it that this was
16 reported weeks later to law enforcement?"
- 17 • Sherry Tayoff, who said: "Why was the sexual assault accusation
18 minimized, ignored, and dismissed for 53 days until the incident
19 became ... public knowledge? How are your employees being held
20 accountable for shirking their legal responsibilities as mandatory
21 reporters? ... How do you intend to facilitate justice for the young
22 woman who endured this crime and protect her and all the girls
23 participating not only in sports?"

24
25
26 ²¹ unDivided with Brandi Kruse, *Parents pack school board meeting to demand protections for girls' sports*, YouTube (Feb. 21, 2026), <https://perma.cc/9Y9P-9HWL>.

²² Puyallup School District, *Regular Board Meeting at Kessler Center and livestreamed via Zoom Tuesday, February 17, 2026*, <https://perma.cc/7TCG-Y84Q> (link to video and minutes).

- 1 • Dawn Land, who said: “When girls at Emerald Ridge asked school
2 officials to protect them by keeping boys out of the girls locker rooms,
3 the girls were patronized and ignored. ... Our daughters deserve
4 better. Allowing boys into the girls locker rooms and onto the girls
5 wrestling team has escalated into ... a federal investigation into
6 Puyallup’s flagrant disregard for Title IX. The Puyallup School
7 District needs to stop treating parents as the enemy.”
- 8 • Joe Savage, who said: “What are you as a school board going to do to
9 ensure the safety of girls that you are responsible for? And why was
10 this not reported? Why did the staff not report this to the police when
11 they [were] initially informed?”
- 12 • An unnamed mother of a female athlete, who said: “I’m deeply
13 concerned with how the Puyallup School District handled the incident
14 involving a male in girls sports and competing in the wrestling event,
15 and the subsequent allegations of sexual assault. Regardless of
16 differing opinions on athletic participation policies, any allegation of
17 misconduct should be treated with the utmost seriousness,
18 transparency, and adherence to mandatory reporting laws. The safety
19 and well-being of our students must always be the District’s highest
20 priority, which is what we keep being told by your staff when
21 confronted with concerns. . . .When a student comes forward with such
22 a serious claim as the female wrestler did it’s not optional, nor is it
23 your job to evaluate whether it should be reported. But it’s your
24 obligation to ensure that proper authorities are notified so that the
25 matter can be investigated appropriately ... Can you imagine how this
26 girl and her family felt after reporting her concern and waiting

1 months before anything was done? Parents entrust this board and
2 District leaders with the protection of their children. That trust
3 requires clear protocols, consistent enforcement of reporting
4 requirements, and transparency when incidents occur.”

5 152. But despite hearing these public complaints, the District chose not to
6 remedy the situation for K.M.K.—choosing to be deliberately indifferent to her.

7 **VII. K.M.K. experiences a hostile environment at school.**

8 153. Throughout this time, K.M.K. experienced hostility at school.
9 Immediately after she went public with her complaint, the school security officers
10 would no longer acknowledge her. She felt uncomfortable and afraid, and even
11 asked her mom if she could bring mace to school.

12 154. Coach Scott does not look K.M.K.’s way when K.M.K. sees her in the
13 hallway. When K.M.K. was walking with another member of the team and they saw
14 Coach Scott, that team member greeted the coach, and Coach Scott acted as if she
15 didn’t hear. Coach Scott similarly ignored K.M.K. on another occasion when K.M.K.
16 was walking in the school parking lot with her mother, Ms. Brown.

17 155. One of K.M.K.’s friends on the team told her that Coach Tripple had met
18 with the team when the article came out and asked them if they had seen the
19 article or video. The friend told K.M.K. that Coach Tripple then said that there was
20 no need to discuss it at practice.

21 156. Girls on K.M.K.’s wrestling team have made hostile comments to K.M.K.,
22 telling her it was her fault that the coach was “in trouble.” This suggests the
23 District and its employees have blamed K.M.K. for the situation rather than taking
24 responsibility for their acts and omissions.

25 157. K.M.K.’s assault was a widespread topic of conversation, and many
26 students made negative and hurtful comments about K.M.K.

1 158. In class, for example, a student told K.M.K., “You shouldn’t even be on
2 the wrestling team if you can’t handle an oil check.”

3 159. Another student, for instance, offensively said, “Just because you were
4 fingered by a tranny doesn’t mean you should be on the news.”

5 160. These words cut deeply. It has already been an incredibly trying time,
6 and the verbal attacks by students and inaction of those who work at the school
7 have been very hurtful, offensive, difficult, and traumatic for K.M.K.

8 161. No coach or other school official offered help or encouragement. Nor did
9 they do anything to alleviate the negative comments other students directed at
10 K.M.K.

11 162. It has been incredibly difficult and hurtful for K.M.K. that school officials
12 have treated her with coldness and distance. This has made her feel anxiety at
13 school and like she couldn’t return to the wrestling team without experiencing
14 hostility from both her teammates and coaches.

15 163. The change in treatment started right after Ms. Kruse’s article was
16 published.

17 164. Because of the way she was treated by District employees and fellow
18 students whose behavior the District didn’t stop, all of which was caused by WIAA’s
19 and the District’s own failure to properly investigate and remedy the situation when
20 Ms. Brown first complained about it, K.M.K. was emotionally unable to attend or
21 remain at school on certain days following the article’s publication.

22 **VIII. The District belatedly opens an investigation—but it doesn’t prompt**
23 **action.**

24 165. It was not until February 20, 2026—presumably prompted by the public
25 outcry at the school board meeting—that Gordon Brobbey, the District’s Title IX
26 Coordinator, provided Ms. Brown a copy of the school policy and regulation on

1 166. handling Title IX complaints of sexual harassment and sexual assault.
2 Attaching the policy to an email to Ms. Brown, he stated that he is aware of
3 allegations of misconduct by the male and complaint mishandling by the District.
4 He also stated that the District had opened an investigation and that the
5 investigation would conclude within 30 days. The email instructed Ms. Brown to
6 inform Brobbey if K.M.K. would like “supportive measures.” More than two months
7 after the report of sexual assault, this was the first time that the District mentioned
8 any investigation and the first time that the District offered K.M.K. any support.

9 167. On February 21, Amie Brandmire, Assistant Superintendent of Human
10 Resources and Employee Relations for the District, introduced Ms. Brown by email
11 to the assigned Title IX investigator, attorney Nate Schmutz.

12 168. On March 26, Ms. Brandmire informed Ms. Brown that the District
13 anticipated the investigation would go for another 30 days with a projected end by
14 April 21.

15 169. On April 21, Ms. Brandmire informed Ms. Brown that the District
16 anticipated the investigation would go for another 30 days with a projected end by
17 May 21.

18 170. On May 20, Ms. Brandmire informed Ms. Brown that the District
19 anticipated the investigation would go for another 30 days with a projected end by
20 June 22.

21 171. The investigator has the material that K.M.K. provided to the school.
22 K.M.K. has also provided information to the investigator directly in response to
23 follow-up questions that he sent to her in April 2026. The investigator also has
24 K.M.K.’s statement given to the Pierce County Sheriff’s Department school resource
25 officer.
26

1 172. The investigation has yet to conclude. And K.M.K has yet to receive any
2 resolution.

3 173. K.M.K. is unable to access athletic opportunities without fear of
4 encountering her assailant, other male competitors, and staff who are hostile and
5 indifferent to her safety and her report of sexual assault. Because of this, K.M.K.
6 has not played any WIAA or District-sponsored sports, including wrestling, since
7 the December 6, 2025, sexual assault and deliberately indifferent response.
8 Defendants' policies and actions exclude her from soccer and other sports as well, as
9 the lack of notice and safety concerns apply to competing against males in soccer,
10 too.

11 174. Had the defendants prevented the incident or properly responded to it,
12 she would have continued participating in wrestling and other sports. If defendants
13 adequately respond in the future, she would continue participating in wrestling and
14 other sports.

15 **IX. The District declines to rectify the situation.**

16 175. While awaiting news on the investigation, Ms. Brown sought supportive
17 measures for K.M.K. in three areas. She sent these requests through her counsel to
18 Dr. Brobbey on March 27. Exhibit 4 (email exchange).

19 176. First, K.M.K. found out in late March that she was assigned for state
20 testing to a room where Coach Carlson would proctor. Because of Coach Carlson's
21 role in the December 6 match and the aftermath, K.M.K. felt uncomfortable and
22 believed that testing in Coach Carlson's room would negatively impact her
23 performance on the test.

24 177. So Ms. Brown requested, as a supportive measure, that K.M.K. be
25 reassigned to a different state testing room.

26

1 178. Second, Ms. Brown requested supportive measures so that K.M.K. could
2 return to girls wrestling. The request explained that despite K.M.K.'s fears of going
3 back to wrestling, she would love to return to competition if it were truly a girls-
4 only sport. Even without that, she would return with assurances that she would not
5 unknowingly be made to wrestle a male competitor—and could opt out of any such
6 match without penalty—and that she could return to an environment where she
7 wouldn't be treated with hostility for being assaulted or discriminated against, or
8 for reporting the assault and discrimination.

9 179. To these ends, Ms. Brown requested a policy change so that K.M.K. would
10 not compete against males or would not need to forfeit matches or lose rankings for
11 not competing against males. But even if the school would not change its policy, Ms.
12 Brown asked for at least (1) an assurance that Ms. Brown would receive notice and
13 the opportunity for her daughter to opt out of any matches against males without
14 penalty or adverse consequences and (2) permission for K.M.K. to wrestle for a team
15 (preferably Puyallup High School, given its convenience) whose players and coaches
16 had not already demonstrated hostility and retaliatory intent.

17 180. Third, Ms. Brown explained that due to anxiety from this situation,
18 K.M.K. had to miss school, and she asked that these be excused absences.

19 181. On April 3, Dr. Gordon Brobbey agreed to move K.M.K.'s state testing
20 room and classified her absences as excused.

21 182. He denied the remaining requests.

22 183. The District refused to change any policy, allow K.M.K. to change teams,
23 or even promise to give her mother notice whenever her daughter is matched
24 against a male athlete so that she could forfeit the match. The District's policies and
25 actions thus excluded K.M.K. from girls wrestling—while her assailant and other
26 males could continue to compete.

1 184. The District's actions exclude K.M.K. from wrestling and other
2 educational opportunities, deny her educational benefits, discriminate on the basis
3 of sex, and show deliberate indifference.

4 **X. Defendants failed to follow the policies they adopted to prevent and**
5 **remedy sexual assault and a hostile environment.**

6 185. WIAA policies require member schools to adopt "step-by-step protocols for
7 responding to an incident of inappropriate or discriminatory behavior or
8 harassment that takes place at ... WIAA-sanctioned events." Exhibit 5, WIAA
9 Handbook Policy 17.28.2.1, at p.31.

10 186. The District has sex nondiscrimination, sexual harassment, and hostile
11 environment policies that mirror mandatory OSPI policies. RCW 28A.600.200(1);
12 Exhibit 18-19, Policy 3205, 3205R. These policies require the school to take prompt
13 and effective steps reasonably calculated to end discrimination and harassment
14 when a District employee knows, or reasonably should know, that such
15 discriminatory harassment is occurring or has occurred. Exhibit 23-24, Policy 3210,
16 3210R. The District has a formal complaint procedure and requires its compliance
17 officer (believed to be the same person as its Title IX coordinator) to investigate
18 complaints. *Id.*

19 187. The policies mandate detailed complaint procedures for a report of sexual
20 assault. Exhibit 18-19, 3205, 3205R. All staff have a duty to take immediate action,
21 to promptly intervene, to notify the principal and Title IX Coordinator, and to report
22 criminal misconduct to law enforcement. *Id.* The District pledges to "take prompt,
23 equitable and remedial action within its authority on all reports, complaints and
24 grievances alleging sexual harassment that come to the attention of the district,
25 either formally or informally." Exhibit 18, 3205, at 3.

1 188. K.M.K.'s assault and the hostile environment she experienced (and
2 continues to experience) fall under all these policies and should have triggered
3 Defendants' investigations and complaint procedures.

4 189. By their inaction, Defendants did not in fact follow their sex
5 discrimination, sexual harassment, and hostile environment policies.

6 190. WIAA, OSPI, and the District have also adopted as their own Title IX and
7 its implementing regulations and guidance, which require that if an entity subject
8 to Title IX offers athletic programs or opportunities separated by sex, it must do so
9 in a manner that "provide[s] equal athletic opportunity for members of both sexes."
10 34 C.F.R. § 106.41(c); *see* WAC 392-190-025; Exhibit 7, OSPI 2012 Guidelines at 40-
11 54; Exhibit 12-13 Policy 2151, 2151R; Exhibit 5, WIAA Handbook, App. 2, at pp. 90-
12 91.

13 191. They did not follow these policies, nor did they investigate K.M.K.'s
14 complaint that she was improperly forced to wrestle against a male without her
15 knowledge.

16 **XI. The District adopted OSPI- and WIAA-required athletic policies that**
17 **harm K.M.K.**

18 192. The District has adopted other policies required by OSPI and WIAA that
19 put K.M.K. in danger and that led to her unknowingly wrestling against a male.

20 193. The District has adopted a gender-identity nondiscrimination policy, last
21 revised in September 2025. Exhibit 23, Policy 3210.

22 194. The District's policy on interscholastic athletic and activities eligibility
23 incorporates its gender-identity nondiscrimination policy into interscholastic
24 athletics. Exhibits 12-13, Policy 2151, 2151R.

25 195. The District's policy on "Gender Inclusive Schools," last revised in
26 January 2025, details how these nondiscrimination policies apply in sports,

1 facilities, overnight accommodations, pronouns, and concealing a student's
2 "transition" from parents, peers, and others. Exhibits 25-26, Policy 3211, 3211R.

3 196. The policies require males who identify as females to be allowed to
4 compete in girls sports.

5 197. Under this policy, the District also maintains official records showing
6 when a student seeks to identify at school contrary to sex.

7 198. As Dr. Brobbey wrote, the District interprets these policies to prohibit
8 staff from informing parents or students when girls are set to compete against
9 males in sports or from allowing parental opt-out rights in these situations. Its
10 position is to conceal when males compete against girls in sports.

11 199. The District also has harassment policies that impede students from
12 objecting to competing against and/or using sex-designated facilities with a student
13 of the opposite sex. Exhibits 20-21, Policy 3207, 3207R.

14 **XII. OSPI requires schools and WIAA to have athletic policies that harm**
15 **K.M.K.**

16 200. Despite accepting federal funding and thus voluntarily acceding to Title
17 IX, OSPI contends that Washington law requires allowing males who identify as
18 female to compete in girls sports. RCW 49.60.030, RCW 49.60.040(28), RCW
19 28A.642.010, RCW 28A.642.012(3).

20 201. Under RCW 28A.642.020, OSPI has created regulations with gender-
21 identity nondiscrimination provisions that Defendants interpret as requiring girls
22 to compete against males who identify as girls in sports. WAC 392-190-005; WAC
23 392-190-025(1).

24 202. OSPI issued mandatory guidance further requiring that school districts
25 allow males who identify as female to compete in girls sports. Exhibit 7, OSPI 2012
26 Guidelines at 30.

1 203. Under RCW 28A.642.080, school districts must adopt OSPI’s “model
2 transgender student policy and procedure,” and this model policy that must
3 incorporate OSPI’s “rules and guidelines developed under RCW 28A.642.020 to
4 eliminate discrimination in Washington public schools on the basis of gender
5 identity and expression.” RCW 28A.642.080(1), (3).

6 204. OSPI monitors and enforces school district compliance with this law.
7 RCW 28A.642.030. By statute, OSPI must create “a compliance timetable, rules,
8 and guidelines for enforcement,” and OSPI has the power to issue orders against
9 local school districts in order to enforce this law. RCW 28A.642.005, RCW
10 28A.642.030, RCW 28A.642.050. Such an enforcement order against a local school
11 district “may include, but is not limited to, termination of all or part of state
12 apportionment or categorical moneys to the offending school district, termination of
13 specified programs in which violations may be flagrant within the offending school
14 district, institution of corrective action, and the placement of the offending school
15 district on probation with appropriate sanctions until compliance is achieved.” RCW
16 28A.642.050.

17 205. OSPI has no process for providing notice and opt-out opportunities to
18 girls competing against males, and no such policy or process has been adopted to
19 date despite the Supreme Court’s decision in *Mirabelli v. Bonta*, 146 S. Ct. 797
20 (2026).

21 206. Implementing these policies, OSPI wrote to WIAA, directed it to follow
22 OSPI’s policies, and told WIAA that WIAA and member schools must allow males
23 who identify as female to compete in girls sports.
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1 **XIII. WIAA runs high-school sports under authority delegated by school**
2 **districts.**

3 207. Although organized as a private entity, WIAA is Washington’s statutorily
4 authorized regulatory body for interscholastic sports. RCW 28A.600.200.

5 Washington statutes provide that WIAA’s actions are treated as the actions of each
6 member school’s school board. *E.g.*, RCW 28A.600.200(3)(d).

7 208. Approximately 90% of WIAA’s members are public schools. The vast
8 majority of WIAA’s member schools are recipients of federal financial assistance
9 administered by the U.S. Department of Education and other federal agencies.

10 209. Rogers High School and Emerald Ridge High School are WIAA members
11 and recipients of federal funding subject to Title IX.

12 210. WIAA controls interscholastic athletic programs for the District.

13 211. WIAA members pay annual dues and are required to comply with WIAA
14 rules and regulations. Exhibit 5, Handbook 3.3.0, at p.6.

15 212. WIAA sets standards for athlete eligibility and rules governing
16 competition in each sport. Member schools, including Puyallup schools, must adopt
17 and follow these rules for their interscholastic athletic programs. Exhibit 5,
18 Handbook 3.3.0, 3.3.4, 3.3.5, at p.6.

19 213. WIAA exercises pervasive and controlling authority over its member
20 schools’ federally funded athletic programs.

21 214. WIAA is an indirect recipient of federal funds administered by the U.S.
22 Department of Education.

23 215. WIAA is governed by a 13-member Executive Board, most of whom are
24 representative of public schools or public school districts.

1 216. WIAA is a state actor for purposes of § 1983 and, because it exercises the
2 authority of school boards, WIAA is also a political subdivision (and not an arm of
3 the state) for purposes of *Monell* liability.

4 **XIV. Following OSPI policy, WIAA requires schools to allow males to**
5 **compete against females if those males identify as female.**

6 217. WIAA policies ostensibly require “separate and equal programs for boys
7 and girls” because, WIAA says, it “is committed to strong athletic programs for all of
8 its students.” Exhibit 5, Handbook App. 2, at p.90 (Position Statement). Schools
9 must “designate the sex of students allowed to participate on a team for each sport.”
10 Exhibit 5, Handbook App. 2, at p.90 (Participation – Limitation Based on Gender).

11 218. Recognizing the historically limited opportunities for girls, WIAA also
12 sets standards that differ for boys and for girls. *Id.*

13 219. But in 2007, WIAA began redefining “boys” and “girls” categories based
14 on an individual’s gender identity rather than the individual’s sex. Thus, in that
15 year and continuing since, sports that WIAA had previously designated for the
16 female sex became partially mixed-sex in that boys who identified as girls could
17 play against girls (but boys who identified as boys could not).

18 220. WIAA requires member schools to follow its policy on gender identity
19 participation: “Athletes will participate in programs consistent with their gender
20 identity or the gender most consistently expressed.” Exhibit 5, Handbook 18.16.0,
21 pp.40–41; *see also id.*, Handbook 19.6.2 at p.46 (policy for determining eligibility
22 based on gender identity), App. 3 at p.91: Gender Identity—Definitions.

23 221. WIAA controls how schools determine a student’s eligibility to participate
24 “consistent with their gender identity,” Exhibit 5, Handbook 18.16.0, at 40. WIAA
25 policies set specific procedures and forms for reviewing a school’s decisions on
26

1 student eligibility, including eligibility based on “gender identity.” Exhibit 5,
2 Handbook 19.6.2, at p.46.

3 222. WIAA instructs schools not to ask a student for “proof of gender, like a
4 birth certificate or doctor’s statement.” Exhibit 6, Gender Diverse Inclusivity
5 Toolkit, at 11. To do so would be, according to WIAA, an “arbitrary and
6 discriminatory practice.” *Id.* And it says “nonbinary” students should be free to
7 “select the gendered team on which they feel most comfortable participating.” *Id.* at
8 16.

9 223. WIAA’s policy requiring schools not to verify sex (or even verify a stated
10 gender identity) is a separately adopted policy that independently caused harm, on
11 top of all its other policies allowing males in girls sports.

12 224. WIAA’s rules do not provide for notice to other students, their parents, or
13 opposing teams when a student of the opposite sex is competing based on gender
14 identity. And no such notice is given.

15 **XV. Defendants’ policies discriminate based on sex and create known**
16 **harms for girls by making them compete against males.**

17 225. OSPI, WIAA, and District policies force girls to compete against males.

18 226. These policies result in programs and policies that exclude female
19 students from fair and safe interscholastic athletics, deprive female athletes of the
20 benefits of interscholastic athletics, and otherwise discriminate against female
21 student athletes on the basis of sex in violation of Title IX. 20 U.S.C. § 1681(a).

22 227. Before 1967, WIAA did not sponsor any girls sports.

23 228. In 1967, WIAA added its first regulations for girls athletics.

24 229. This was an intentionally sex-based decision to create a protected
25 category for girls, intentionally and knowingly based on the physiological
26 differences between males and females as relevant to athletics.

1 230. Meanwhile, in 1975, the Title IX athletics regulations blessed WIAA's
2 approach by creating a safe harbor—34 C.F.R. § 106.41(b)—for girls-only teams in
3 sports involving competitive skill or contact.

4 231. Following the adoption of the Title IX athletics regulations, WIAA
5 intentionally maintained a program of women's sports designed and intended to
6 qualify for the § 106.41(b) safe harbor, all based on WIAA's knowledge of the
7 physiological differences between males and females.

8 232. In 2007, Defendants carried through this intentional choice by separating
9 wrestling teams by sex, again based on the physiological differences between the
10 sexes and the understandable and intentional desire not to force girls to wrestle
11 against boys.

12 233. By this decision, WIAA deliberately chose not to have co-ed teams—
13 where all athletes compete in a single sport—for interscholastic wrestling.

14 234. Co-ed teams—both in wrestling and more generally—historically resulted
15 in the exclusion of girls from competition, denying them meaningful athletic
16 opportunity, because females are at a physiological disadvantage.

17 235. Creating meaningful athletic opportunities for girls is why Washington
18 and many states intentionally abandoned co-ed wrestling teams and made the sex-
19 based choice to create separate wrestling teams for girls. Taking the eligibility
20 requirements together as a holistic set of rules, Washington's wrestling teams were
21 intentionally created as sex-based teams, with sex-based distinctions.

22 236. But now, Washington's wrestling teams do not serve that original sex-
23 based purpose of creating meaningful athletic opportunity for girls. Instead, they
24 depart from the physiological justifications that undergirded sex-designation, now
25 allowing some (but not all) males may compete on girls teams, based on reasons
26 that have nothing to do with biological differences or disadvantages.

1 237. This was intentional: by permitting some males to compete on girls teams
2 and thereby intentionally removing itself from the § 106.41(b) safe harbor, WIAA
3 made the intentional, sex-conscious choice not to have true sex-designation, and
4 instead to prioritize the subjective desires of some males over the interests of female
5 athletes. That is intentional sex discrimination.

6 238. At the same time, Washington's wrestling teams did not return to being
7 true coed teams. Wrestling still has a male and female category, and any athletes
8 whose stated gender identity matches their sex cannot join the team of the other
9 sex.

10 239. By allowing participation on teams by members of either sex on grounds
11 unrelated to sex, these policies undo the reason for sex-based teams in the first
12 place: enabling girls to have meaningful athletic opportunities.

13 240. Defendants knew this would harm girls: WIAA's own statements about
14 the importance of sex-designation in wrestling make that plain. But WIAA was
15 deliberately indifferent to that harm and intentionally chose to treat males who
16 identify as female better than biological females by giving the former access to
17 sports where they have a biological advantage and concomitantly disadvantaging
18 the latter.

19 241. The WIAA, OSPI, and District athletic policies lead to obvious
20 exclusionary harms because the biology-based differences between girls and boys
21 are what justify sex-designated categories in sports. Without female-only teams,
22 equal opportunity in athletics is illusory. Male advantages are such that even
23 "isolated instances of male participation upon girls' teams creat[es] an advantage
24 for those teams." *Petrie v. Ill. High Sch. Ass'n*, 394 N.E.2d 855, 861 (Ill. App. Ct.
25 1979). And this has been documented as male athletes across the country are
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1 winning state titles in girls athletic competitions. *E.g.*, *Soule v. Connecticut Ass'n of*
 2 *Sch.*, 755 F. Supp. 3d 172 (D. Conn. 2024).

3 **XVI. Females face a heightened risk of physical injury when males**
 4 **compete in female sports because of the biological differences**
 5 **between males and females.**

6 242. Genuine physiological differences are the premise for having sex-
 7 designated sports. When males compete in girls sports, these differences generate
 8 risks to safety and fairness due to males' physiological competitive advantage.

9 243. On average, male athletes outperform female athletes of comparable
 10 talent and training in nearly every sport. Sex-designated categories for female
 11 athletes are necessary to provide fair competitive opportunities for girls and to
 12 avoid eliminating girls from competitive athletics.

13 244. Even before puberty, boys consistently outperform girls on average by a
 14 measurable degree. After puberty, male advantage vastly increases due to the wide
 15 range of changes during puberty.

16 245. Male puberty brings with it stronger bones, greater efficiency in blood
 17 oxygenation, taller height, broader wingspan, and increased lean body mass.²³
 18 These attributes translate to males' ability to jump higher, throw farther, run
 19 faster, and hit harder.

20 246. Broadly, the male athletic advantage is conferred by males having
 21 athletically superior skeletal, muscular, and cardiovascular systems, including

- 22 • Larger lungs and denser alveoli in the lungs, enabling faster oxygen uptake;

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 26 ²³ See Alison M. McManus & Neil Armstrong, *Physiology of elite young female athletes*, 56 J. Med. & Sport Sci. 23 (2010), <https://pubmed.ncbi.nlm.nih.gov/21178365/>; Benjamin D. Levine et al., *The Role of Testosterone in Athletic Performance*, Duke Ctr. For Sports L. & Poly's 1 (Jan. 2019), <https://bit.ly/3YPTEYE>.

- 1 • Larger hearts and per-stroke pumping volume, and more hemoglobin per unit of
- 2 blood, all enabling higher short-term and sustained levels of oxygen transport to
- 3 the muscles;
- 4 • An increased number of muscle fibers and increased muscle mass;
- 5 • Higher myoglobin concentration within muscle fibers, enabling faster transfer
- 6 and cellular respiration of oxygen within the muscle to unleash power;
- 7 • Larger bones, enabling greater volumes of muscle fiber;
- 8 • Longer bones, enabling greater mechanical leverage and thus enabling males to
- 9 unleash more power; and
- 10 • Increased mineral density in bones, resulting in stronger bones, providing
- 11 superior protection against both stress fractures and fractures from collisions.

12 247. Female puberty, meanwhile, brings distinctive changes to girls' bodies
 13 that—while critical for healthy development—measurably impede training and
 14 athletic performance. These changes include increased body fat, wider hips and
 15 different hip joint orientation, and menstruation.²⁴

16 248. Because of these inherent physiological differences, male athletes
 17 consistently achieve performance records 10–50% higher than comparably fit and
 18 trained females of the same age.

19 249. By comparison, females are more susceptible to injury than males—
 20 especially when competing against males. Emerging scientific evidence shows that
 21 females are more prone to concussions (with more severe outcomes) than are males;
 22 and that females are at a higher risk of Anterior Cruciate Ligament (ACL) injuries.

23 250. In March 2026, after reviewing the scientific evidence, the International
 24 Olympic Committee concluded that “male sex confers performance advantage in all
 25 sports and events that rely on strength, power, and/or endurance,” so “[t]o protect
 26 fairness in such sports and events, as well as safety particularly in contact sports

²⁴ See Alice Meignié et al., *The Effects of Menstrual Cycle Phase on Elite Athlete Performance: A Critical and Systematic Review*, 12 *Frontiers in Physiol.* 1 (May 19, 2021), <https://perma.cc/JM53-DSUX>.

1 (e.g. combat, collision, projectile sports), it is necessary and adequate to base
2 eligibility for competition on biological sex.”²⁵

3 251. Males retain performance advantages, including greater strength and
4 lean body mass, even when engaging in testosterone suppression.²⁶ Nor is there
5 evidence that puberty blockers eliminate male advantage, including advantages
6 that predate puberty.

7 252. WIAA, OSPI, and the District are aware of these and similar facts about
8 male physiological advantage.

9 253. By denying female student athletes female-only athletic teams and
10 competition, Defendants substantially increase the risk to female athletes of
11 physical injury, sexual harassment, and assault.

12 254. Because officials know the sex of all athletes in a competition, it is
13 possible for all Defendants to respect all students and parents but avoid harming
14 girls like K.M.K. For example, Defendants could let parents direct officials to assign
15 daughters only to wrestling matches against other girls. Or officials could issue
16 disqualifications and forfeits (with or without penalty) as appropriate in particular
17 matches or events without making public any individual student names, attributes,
18 or reasons. There are doubtless other ways to respect and protect all athletes—but
19 Defendants have chosen none of them, and instead they have chosen to harm girls
20 like K.M.K.

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25 ²⁵ International Olympic Committee, *IOC Policy on the Protection of the Female (Women’s) Category
in Olympic Sport and Guiding Considerations for International Federations and Sports Governing
Bodies* (Mar.26, 2026), <https://perma.cc/3YQJ-XTV2>.

26 ²⁶ Emma N. Hilton & Tommy R. Lundberg, *Transgender Women in The Female Category of Sport:
Perspectives on Testosterone Suppression and Performance Advantage*, 51 *Sports Medicine* 200, 211
(2021).

1 **XVII. Defendant’s adoption and retention of their sex-discriminatory**
2 **policies show intentional discrimination against girls and deliberate**
3 **indifference to the known harms that their policies create for girls.**

4 255. OSPI, WIAA, and the District adopted and maintain policies allowing
5 males who identify as female to compete in girls sports. And their respective
6 officials adopted, maintain, retain, and enforce those policies.

7 256. These policies first call for sex-designated sports. That’s an intentionally
8 sex-based decision. They then permit some, but not all, boys to play sports
9 otherwise designated for girls, removing girls sports from the § 106.41(b) safe
10 harbor. That too is an intentionally sex-based decision to flout the safe harbor.

11 257. Their policies treat girls differently from males because co-ed teams in
12 practice exclude girls from participation and deny them of meaningful competitive
13 athletic opportunities, as girls are at a physiological disadvantage when forced to
14 compete against the opposite sex. Males do not suffer this group-wide exclusion and
15 denial of rights when girls seek to compete in male sports, as males are at a
16 physiological advantage when forced to compete against the opposite sex.

17 258. Defendants have had a reasonable opportunity to rectify the situation.

18 259. Through their leadership officials, OSPI, WIAA, and the District have
19 received—and disregarded—complaints outlining the exclusionary harms of male
20 participation on female athletes, including the harms of the male athlete who
21 wrestled and assaulted K.M.K.

22 260. But, despite these complaints, they have chosen to retain their policies
23 and practices.

1 **A. OSPI and Reykdal have received and ignored complaints about the**
 2 **harm of its athletic policies to girls.**

3 261. OSPI is aware of the physical differences between male and female
 4 student athletes and how it harms girls by forcing them to compete against males.
 5 But it has deliberately, intentionally, and knowingly chosen to disregard the
 6 interests of female athletes and instead chosen to prioritize the interests of males
 7 who identify as female.

8 262. The state legislature and Governor Bob Ferguson are aware of complaints
 9 against the harms to girls, but refuse to hold hearings or pass legislation, and they
 10 oppose a citizen initiative that would restore fairness in girls sports.²⁷

11 263. When asked about his own daughter competing against males in sports,
 12 the Governor doubled down on current policy.²⁸ The Governor said that state policy
 13 on any gender-related issue “won’t change as long as I am governor.”²⁹

14 264. The state filed an amicus brief in *Female Athletes United (FAU) v. Keith*
 15 *Ellison et al.*, supporting Minnesota’s ongoing fight to make girls compete against
 16 males in Minnesota high school athletics.³⁰ The attorney general noted that, “our
 17 state has long sought to abolish” policies that would protect girls from having to
 18 compete against males. *Id.*

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 21 ²⁷ Jake Goldstein-Street, *WA Democrats won’t hold hearings on parental rights, trans athlete*
 22 *initiatives*, Wash. State Standard (Jan. 9, 2026),
 23 <https://washingtonstatestandard.com/2026/01/09/wa-democrats-wont-hold-hearings-on-parental-rights-trans-athlete-initiatives/#:~:text=Bob%20Ferguson%2C%20a%20Democrat%2C%20said%20he%20hasn't,a%20vote%2C%20I%20tend%20in%20general%2C%20as.>

24 ²⁸ Joe Hutchinson, *Woke Washington governor sneers at journalist for voicing concern about*
 25 *biological males competing in women’s sports*, Daily Mail (Jan. 14, 2026), <https://perma.cc/7R4M-CLNR>.

26 ²⁹ Governor Bob Ferguson (@GovBobFerguson), X (June 18, 2025, 1:01 PM), <https://perma.cc/T5HZ-YRC4>.

³⁰ Press Release, Washington State Office of the Attorney General Nick Brown, *AG Brown leads coalition supporting Minnesota’s trans-inclusive policy for youth sports* (Oct. 31, 2025), <https://perma.cc/D7YN-TU8Y>.

1 265. OSPI and the governor have received complaints from school districts and
 2 female athletes about how these policies harm girls (complaints that also were filed
 3 with the U.S. Department of Education).

4 266. The Kennewick School Board filed a Title IX Complaint against
 5 Superintendent Reykdal, OSPI, and WIAA about sports and the harm to girls.³¹
 6 Superintendent Reykdal acknowledged this complaint. In response, he said
 7 Kennewick's sex-based policies violate state law and civil rights guidelines for
 8 public schools.³²

9 267. Central Valley School Board filed a complaint about sports and the harm
 10 to girls under OSPI policies.³³ Eastmont School District and Warden Joint
 11 Consolidated School District also filed similar complaints (and the U.S. Department
 12 of Education has informed OSPI of all these complaints.)³⁴

13 268. Female athletes Soleil Hoefer and K.L.—both of whom were forced to race
 14 against a male athlete from East Valley High School—filed a Title IX complaint
 15 against OSPI. Their complaint detailed the unfairness of having to compete against
 16 a male.³⁵

17 269. In February 2025, a parents' network filed a complaint detailing the
 18 harms experienced by an 8th-grade girl named A.W. from Sterling Junior High
 19 School in the Eastmont School District in Washington state. A.W. was forced to race
 20 against a biological male from Liberty High School at the Cashmere Junior
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 23 ³¹ Letter from Kennewick Sch. Bd. to U.S. Dep't of Educ. Office of Civil Rights (Mar. 26, 2025),
<https://perma.cc/D3GG-FLTB>.

24 ³² Tim Clouser (The Center Square), *Title IX, trans athletes and \$31M: Washington state school
 board files civil rights complaint*, The Chronicle (Mar. 28, 2025), <https://perma.cc/4LK6-S3XD>.

25 ³³ Connor McEvoy, *Central Valley School Board votes to file federal civil rights complaint over Title
 IX conflicts*, KREM2 (May 5, 2025), <https://perma.cc/K4TF-L3TX>.

26 ³⁴ Letter from U.S. Dep't of Educ. to Superintendent Chris Reykdal (Apr. 30, 2025),
<https://perma.cc/4K2U-Z2AR>.

³⁵ Letter from Katherine L. Anderson, et. al to U.S. Dep't of Educ. Office for Civil Rights (Apr. 2,
 2025), <https://adlegal.org/wp-content/uploads/2025/04/ocr-2025-04-02-complaint-title-ix-1.pdf>.

1 Olympics in the 1600-meter race.³⁶ The parents' complaint also described the
2 reasons why some school board members have sought to change WIAA policies to
3 protect girls sports. *Id.* The complaint also mentioned that OSPI is auditing school
4 districts for whether they have adopted OSPI policies on this issue and is finding
5 schools to be non-complaint and deficient if they limit girls sports to females. *Id.*

6 270. When a journalist contacted OSPI for comment on the parents' complaint,
7 OSPI responded in an email: "We have continued to advise school districts to stay in
8 compliance with state law, which prohibits discrimination on the basis of gender
9 identity."³⁷

10 271. On April 1, 2026, female athlete A.W. and another girl, F.S. (a female
11 athlete who refused to play basketball with a male at Tumwater School District),
12 met with Superintendent Reykdal to share their complaints about how OSPI and
13 WIAA policies harm girls who have to compete against males in sports.³⁸ One girl
14 said, "I'd like to see what they have to say to me and listen to my story and listen to
15 other girls stories and still tell me that it isn't happening." *Id.* The girls also
16 brought many letters from girls and parents on the subject for him to read. *Id.*

17 272. The girls reported that "[w]e were going to [Superintendent Reykdal]
18 with our concerns and our feelings over things and the truth." *Id.* "He was able to
19 hear us." *Id.* "He could definitely tell that me and [F.S.] are extremely passionate
20 about this and that it's not just us in this struggle, it's a lot of other women and
21 girls across Washington. And I think in that moment, he definitely felt my struggle.
22 Like I think he could tell that this is an issue." *Id.*

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25 ³⁶ Washington Parents Network, *Washington Parents Network Title IX Complaint* (Feb. 28, 2025),
<https://perma.cc/Z9EB-2FVM>.

26 ³⁷ Carleen Johnson, *Washington Parents Network files Title IX complaint against Reykdal, Ferguson,*
The Center Square (Feb. 28, 2025), <https://perma.cc/7MXF-32DC>.

³⁸ unDivided with Brandi Kruse, *Another meaningless EO?*, YouTube, at 3:13 to 18:00 (Apr. 1, 2026),
<https://perma.cc/5BZ8-JH8B>.

1 273. In other interviews, Superintendent Reykdal confirmed that he has heard
2 “the conversation” on this issue.³⁹ “These are all sincerely held beliefs on both sides
3 of these issues,” he acknowledged.

4 274. Superintendent Reykdal has acknowledged that the controversy over
5 males in girls sports “[is] a big issue.”⁴⁰ He has also acknowledged his awareness of
6 the ballot initiative to save girls sports. *Id.* He is also aware of the U.S. Department
7 of Education’s ongoing investigation into OSPI over its policies under Title IX. *Id.*

8 275. Superintendent Reykdal said Washington policy has “held up for decades
9 and decades, so we feel really good about that.”⁴¹ He made this remark during an
10 interview after the U.S. Department of Education launched a Title IX investigation
11 into the Tumwater School District over claims that it allowed a male athlete to
12 participate in a girls basketball game in a way that harmed girls. *Id.*

13 276. On his campaign website, Superintendent Reykdal states that he is
14 “absolutely committed” to ensuring “gender-inclusive bathroom access and inclusion
15 in sports and other activities,” which is to say that he is committed to ensuring that
16 males who identify as female can compete in girls sports.⁴²

17 277. He has also said in a media video that it would be “inaccurate” to say
18 there are only two genders.⁴³ Based on this theory, “Our state laws make clear that
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22 ³⁹ Carleen Johnson, *WATCH: Reykdal tells school districts to 'abide by the law' on trans athletes*, The
Center Square (Jan. 8, 2026), <https://perma.cc/GAX7-Q32B>.

23 ⁴⁰ Inside Olympia, *Inside Olympia - May 22, 2025*, YouTube, at 12:00 to 22:00 (May 22, 2025),
<https://perma.cc/9L5W-HP8P>.

24 ⁴¹ Freddy Monares, *Washington's top school official on protections for trans students and access to
federal funds*, KNKX Pub. Radio (Mar 7, 2025), <https://perma.cc/H3GW-ZDSY>.

25 ⁴² Chris Reykdal, *Priorities*, Chris Reykdal.org, <https://perma.cc/4ZBQ-J4QH> (last visited May 29,
2026).

26 ⁴³ Ryan Morik, *Washington state school district votes to keep biological males out of girls sports
despite state pushback*, Fox News (May 23, 2025), <https://perma.cc/RAN4-HNNJ>; waOSPI, *State
Superintendent Chris Reykdal Update on Federal Actions and Guidance*, YouTube (Feb. 20, 2025),
https://youtu.be/ouTkWtTTMxg?si=lji6-NeD6Po_bAE2.

1 students get to identify and participate in activities based on the gender in which
2 they identify. We're going to uphold that law.”⁴⁴

3 **B. OSPI and Reykdal have enforced OSPI policies against school**
4 **districts despite the harm to girls.**

5 278. In 2025, under Superintendent Reykdal’s direction, OSPI investigated
6 and audited every school district in the state to check if they had adopted OSPI’s
7 mandatory policies that school districts allow males to compete in girls sports.

8 279. OSPI found that 71% (224) had implemented OSPI’s mandatory “gender-
9 inclusive” policies but that 29% (92) had not, and so OSPI reported that OSPI had
10 issued letters to all of them requiring “corrective actions.”⁴⁵

11 280. When the Tumwater School District voted to reject the mandatory OSPI
12 model policy and to petition WIAA to change its sports policy in 2025, OSPI wrote a
13 letter to the Tumwater School District threatening enforcement action under RCW
14 28A.642.050 and stating that the Tumwater School District was violating state
15 law.⁴⁶ (The U.S. Department of Education then opened an investigation into OSPI
16 for this and similar letters,⁴⁷ and in response OSPI again stood by its position that
17 it could force school districts to adopt its policy under which males have a right to
18 compete in girls sports.⁴⁸)

19 281. When the Mead School District did not adopt OSPI’s policies in 2025,
20 OSPI wrote a letter to the Mead School District in 2025 threatening enforcement
21 action under RCW 28A.642.050 and stating that it too was violating state law by

22 ⁴⁴ waOSPI, *State Superintendent Chris Reykdal Update on Federal Actions and Guidance* (Feb. 20,
23 2025), <https://perma.cc/2458-LTU4> (starting at 4:00).

24 ⁴⁵ Washington Office of Superintendent of Public Instruction, *Report To The Legislature: 2024–25*
25 *Statewide Civil Rights Review* at 11–12 (2025), <https://perma.cc/W6HP-YW5Y>.

26 ⁴⁶ Source ONE News Staff, *OSPI Clashes with Tumwater School Board Over Girls' Sports Protection*
Vote, Cites Discrimination Concerns, Source One News (Mar. 12, 2025), <https://perma.cc/PY2Z-3GW4>.

⁴⁷ See *supra* note 34.

⁴⁸ Press Release, Washington Office of Superintendent of Public Instruction, *State Superintendent*
Chris Reykdal's Statement on U.S. Department of Education's Investigation into Washington State's
Gender-Inclusive Schools Law (Apr. 30, 2025), <https://perma.cc/KE9P-S6X7>.

1 protecting girls sports.⁴⁹ From the letter, the Mead School District realized that if
 2 the Mead School District were to violate “OSPI’s interpretation of state law,” it
 3 “would jeopardize essential state funding for our schools” that flow from state
 4 taxpayers through OSPI. *Id.* (The U.S. Department of Education also opened an
 5 investigation into OSPI for this letter.⁵⁰)

6 282. When the Kennewick School District did not adopt the mandatory OSPI
 7 model policy in 2025—because it declined to ignore parental rights and sought to
 8 protect female athletes—OSPI wrote a letter to the Kennewick School District
 9 finding it in violation of state law.⁵¹ The Kennewick School District recognized that
 10 its refusal to comply with OSPI’s demand “surely will result in the state retaliating
 11 in the form of withholding state funding, further threatening our ability to serve
 12 students in need.” *Id.* (The Kennewick School District also filed a Title IX complaint
 13 with the U.S. Department of Education. *Id.*)

14 283. The Moses Lake School District received a similar email from OSPI as
 15 well about its non-compliance with OSPI’s mandatory policies.⁵² (It too filed a
 16 federal Title IX complaint. *Id.*) In a letter that the Moses Lake School District wrote
 17 to Superintendent Reykdal, the Moses Lake School District noted the harm to girls
 18 that come from OSPI policies.⁵³

19 284. In response, OSPI wrote back to the Moses Lake School District, copying
 20 WIAA.⁵⁴ OSPI stated that the Moses Lake School District decision to protect girls
 21 sports violated state law. *Id.* OSPI also said that OSPI expected district employees

22 _____
 23 ⁴⁹ Letter from Mead Sch. Dist. to U.S. Dep’t of Educ. (Mar. 11, 2025), <https://perma.cc/82TX-LBFQ>.

⁵⁰ Tim Clouser, *Title IX fight escalates as WA districts push back on gender identity policies*, The Center Square (May 1, 2025), <https://perma.cc/3LUR-KSRK>.

⁵¹ See *supra* note 31.

⁵² Letter from Moses Lake Sch. Dist. to U.S. Dep’t of Justice & U.S. Dep’t of Educ. Office for Civil Rights (Mar. 20, 2025), <https://perma.cc/S77V-5CXS>.

⁵³ Letter from Moses Lake Sch. Dist. to Governor Bob Ferguson & Superintendent Chris Reykdal (Feb. 25, 2025), <https://perma.cc/7XBM-CXAB>.

⁵⁴ Letter from Sarah Albertson, Managing Attorney, Washington Office of Superintendent of Public Instruction, to Moses Lake Sch. Dist. (Mar. 6, 2025), <https://perma.cc/JEW9-8RAA>.

1 to refuse to comply with board policy, suggested the Moses Lake School District
 2 athletic directors' professional certifications would now be "at risk," and threatened
 3 "corrective action" against the Moses Lake School District's state funding under
 4 RCW 28A.642.050 and WAC 392-190-080. *Id.* at 2.

5 285. In response to OSPI's demands for corrective actions—sent to every non-
 6 compliant school district in the state—60% (55) of the non-compliant schools
 7 districts adopted OSPI's policy, while 40% (37) of the non-compliant school districts
 8 did not.⁵⁵

9 286. In December 2025, OSPI concluded its review and sent a report to the
 10 legislature listing these remaining non-compliant school districts. *Id.*

11 287. One of OSPI's corrective action orders against a school district is now
 12 pending before a state administrative hearing commission.⁵⁶ OSPI ordered the La
 13 Center School District to comply with OSPI policies but the La Center School
 14 District refused to adopt OSPI's gender-inclusive policy in full (refusing, for
 15 example, to affirmatively ask each child his or her preferred pronouns).⁵⁷ OSPI had
 16 earlier warned the La Center School District that its failure to agree to take on
 17 OSPI's "corrective actions" (including adopting the full OSPI gender-inclusive
 18 policy) would result in compliance orders "or the initiation of sanctions." *Id.* The
 19 Washington Office of Administrative Hearings is now considering the La Center
 20 School District's appeal. (The U.S. Department of Education also opened an
 21 investigation into OSPI over this matter.⁵⁸)

22
 23
 24 ⁵⁵See *supra* note 45.

25 ⁵⁶Third Prehearing Order, *In re La Center Sch. Dist.*, Docket No. 03-2025-OSPI-02502 (Wash. Off. of
 Admin. Hr'gs Dec. 2, 2025), <https://perma.cc/VWH3-GLZ4>.

26 ⁵⁷Letter from Washington Office of Superintendent of Public Instruction to La Center School District
 (Feb. 26, 2025), <https://perma.cc/JVV8-W4DT>.

⁵⁸Press Release, U.S. Dep't of Educ., *Title IX Special Investigations Team Launches Directed
 Investigation into Washington State Superintendent's Office* (Apr. 30, 2025), [https://perma.cc/S72X-
 ZEYJ](https://perma.cc/S72X-ZEYJ).

1 288. When asked about federal efforts to restore fairness in girls sports by
 2 reserving girls sports for female athletes, Superintendent Reykdal said, “State law
 3 prohibits discrimination on the basis of gender identity, and we will not back down
 4 from that.”⁵⁹ He later added: “Our guidance to districts is pretty simple. It’s on our
 5 website. We’ve sent them communication. They need to follow state law.”⁶⁰

6 289. In a related statement, he said: “Since 2006, Washington state law has
 7 prohibited discrimination on the basis of gender identity, and the state has allowed
 8 students to participate in school-based athletics in alignment with their gender
 9 identity since 2007. These protections fit within the scope of what is allowed by
 10 federal law and have been successfully established and implemented for nearly two
 11 decades.”⁶¹

12 290. As to the “districts in Washington where school boards are willfully out of
 13 compliance, he said, “We’ll be continuing to pursue those investigations as we move
 14 forward.”⁶²

15 **C. OSPI and Reykdal recognize that OSPI policies do not allow girls’**
 16 **parents to protect them from competing against males.**

17 291. OSPI is aware that its gender policies do not account for the Fourteenth
 18 Amendment’s protections for parental rights. OSPI policies do not allow parents to
 19 protect girls by giving them notice of matches against males or by allowing parents
 20 to opt girls out of matches against males.

21 292. On its website for its gender rules and guidelines, OSPI acknowledges the
 22 problem: “We are reviewing the guidance and resources we offer to school districts

23 _____
 24 ⁵⁹ Washington Office of Superintendent of Public Instruction, *State Superintendent Chris Reykdal’s*
 25 *Statement on President Trump’s Order to Discriminate Against Trans Female Athletes* (Feb. 6, 2025),
 26 <https://perma.cc/BTF4-ZP38>.

⁶⁰ Maryssa Rillo, *State Law vs. Federal Rules: How Washington schools are dealing with transgender athlete participation*, KXLY.com (Mar. 5, 2025), <https://perma.cc/875F-WJJY>.

⁶¹ See *supra* note 48.

⁶² Carleen Johnson, *OSPI remains defiant as federal funding for Washington state schools is at risk*, The Center Square (June 26, 2025), <https://perma.cc/3ERT-GMT9>.

1 to ensure their consistency with the Supreme Court’s recent order in *Mirabelli v.*
2 *Bonta* and to provide a safe and supportive environment for all children.”

3 293. But, whatever the scope of its parental-rights review, OSPI has not yet
4 changed any OSPI rules or guidance since *Mirabelli*. The website still includes the
5 same regulations and mandatory guidance. And OSPI’s website still says, “All
6 students have the right to be treated consistent with their gender identity at
7 school.”⁶³

8 294. In a recent interview after the Supreme Court’s interim order in
9 *Mirabelli*, Superintendent Reykdal explained that he did not think the decision
10 meant anything more than sharing complete written records about a child with the
11 child’s parents.⁶⁴ So he would not be changing OSPI rules or guidance after
12 *Mirabelli* except to account for sharing complete written records about a child with
13 the child’s parents, and he likely would not even make that change until after the
14 *Mirabelli* case concludes. *Id.*

15 **D. WIAA has received but ignored complaints about how its policies**
16 **harm girls by allowing males to compete against them.**

17 295. WIAA is aware of the physical differences between male and female
18 student athletes but has chosen to be deliberately indifferent to the harms to girls
19 and to prioritize the interests of males who identify as female.

20 296. WIAA knows that males have inherent physical advantages over female
21 athletes. That is why the rules it promulgates for interscholastic sports use
22 different equipment (e.g., hurdle heights) and standards (e.g., race distance) in
23 sports designated for girls and boys.

24 ⁶³ Exhibit 9, <https://ospi.k12.wa.us/policy-funding/equity-and-civil-rights/resources-school-districts-civil-rights-washington-schools/gender-inclusive-schools> (emphasis in original).

25 ⁶⁴ Inside Olympia, *Inside Olympia - Chris Reykdal, OSPI*, YouTube, at 42:00 to 50:00 (Apr. 9, 2026),
26 <https://perma.cc/E4NT-KVTL>; Exhibit 11, OSPI, *Error*, <https://ospi.k12.wa.us/error> (“OSPI and Washington public schools respect the First Amendment right of parents and guardians to freely exercise their religion and their Fourteenth Amendment right to direct the health care of their children.”).

1 297. In wrestling, weight classes for boys and girls differ, and weigh-ins are
 2 based on different body-fat percentages, all because of the physical differences
 3 between males and females. WIAA's wrestling rules adopt standards for boys and
 4 girls weight classes set out by NFHS. Exhibit 5, Handbook 48.5.0 at p.87-88; *see*
 5 *also* Press Release, NFHS, *Adjustment in Minimum Body Fat Percentage for*
 6 *Females Highlights High School Wrestling Rules Changes* (April 16, 2026).

7 298. For 2025-2026, WIAA set girls weight classes at 100, 105, 110, 115, 120,
 8 125, 130, 135, 140, 145, 155, 170, 190, and 235.

9 299. For 2025-2026, WIAA set boys weight classes at 106, 113, 120, 126, 132,
 10 138, 144, 150, 157, 165, 175, 190, 215, and 285.⁶⁵

11 300. WIAA refuses to change its policies even though it knows they deprive
 12 female students of fair competition and prevent their full participation in athletics.

13 301. Defendants know that male athletes competing in girls sports have led to
 14 controversy and concern about harm to girls.

15 302. For example, a male athlete named V.G. was named state champion in
 16 WIAA girls track and field events in 2024 and 2025.⁶⁶

17 303. Media coverage was significant.⁶⁷

18 304. Tumwater High School girls protested V.G.'s championship award the
 19 next day. WIAA was aware of their protest, as it acknowledged in a statement to at
 20 least one media outlet.⁶⁸ WIAA refused to disqualify V.G. from girls sports or
 21 otherwise change its policies.

22 ⁶⁵ See Wash. Interscholastic Activities Ass'n (WIAA), *Washington Wrestling Weight Management*
 23 *Program* (Sept. 29, 2025), <https://perma.cc/WN6M-BSR7>.

24 ⁶⁶ Elena Perry, *Defending state track champion, transgender athlete Verónica Garcia wins second*
 25 *state title*, The Spokesman-Review (May 31, 2025), [https://perma.cc/822Q-](https://perma.cc/822Q-VGDA)
 26 [VGDAwww.spokesman.com/stories/2025/may/31/defending-state-track-champion-transgender-](https://www.spokesman.com/stories/2025/may/31/defending-state-track-champion-transgender-athlete/)
[athlete/](https://www.spokesman.com/stories/2025/may/31/defending-state-track-champion-transgender-athlete/); Ryan Morik, *High school girls stage protest after trans athlete wins 2nd straight state track*
championship, Fox News (June 2, 2025), <https://perma.cc/74JR-8827>; 2A-3A-4A-Wash. State Track &
 Field Meet, *Results* (May 26, 2024), <https://perma.cc/LZ65-XFUD> ; *see* 2025 State 2A-3A-4A-Track &
 Field Championships, *Results* (Dec. 11, 2025), <https://perma.cc/VU9P-BQS3> .

⁶⁷ See *supra* note 66.

⁶⁸ See *supra* note 66.

1 305. WIAA member Shelton High School fielded a girls basketball team
2 during the 2025 season that included a male athlete identifying as a girl. At a game
3 in February 2025, at least two girls on the opposing team, Tumwater High School,
4 refused to play out of concern for their safety. (And then one of them faced an
5 investigation and retaliation from the school district for “misgendering” the male
6 student.)

7 306. It was reported that opposing players protested and one girl on an
8 opposing team was injured when the male player tackled her to the ground and fell
9 on top of her (and the U.S. Department of Education opened a Title IX investigation
10 into the school district). WIAA knew about these events, but it refused to change its
11 policies.⁶⁹

12 307. In 2025, at least 13 WIAA-member school boards tried to amend WIAA
13 policies so that girls sports would be reserved for females. One proposal, Proposed
14 Amendment #7, would have limited designated girls teams to “students whose
15 biological sex is female,” and replaced boys’ teams with an “open” category for any
16 student-athlete who wants to participate. Another, Proposed Amendment #8, would
17 have created a new “open” category for students of either sex, while limiting boys’
18 and girls teams by biological sex.

19 308. The State, OSPI, and Superintendent Reykdal applied pressure and
20 threats to WIAA against WIAA changing its policies, demonstrating their
21 awareness of and deliberate indifference to the harm to girls.

22 309. Because WIAA chose to accept OSPI’s position, WIAA announced that the
23 proposals would violate state law, so the Representative Assembly’s votes on
24 Proposed Amendments #7 and #8 would be treated as “advisory.”
25
26

⁶⁹ See *supra* note 36; Press Release, U.S. Dep’t of Educ., *Office for Civil Rights Launches Title IX Investigation into Washington State School District* (Mar. 3, 2025), <https://perma.cc/RMV2-UJ7D>.

1 310. In so doing, the Executive Board overrode the votes of member school
2 administrators to preserve the policy as “advisory only.”

3 311. Sean Bessette, director of communications for WIAA, explained: “The
4 WIAA has been told by the Attorney General’s office, the Office for Civil Rights, and
5 the Office of Superintendent of Public Instruction that (the) proposed amendments
6 would be a violation under current Washington state law, affirming our attorney’s
7 legal review.”⁷⁰ “The WIAA remains committed to following state law, and those
8 amendments focused on gender-identity participation would not be implemented on
9 August 1 if they were to pass under current state law.”

10 312. Commenting on the failure of the advisory amendments that would
11 protect girls from competing against males, WIAA Executive Director Mick Hoffman
12 said WIAA does not “debate the issue because as an association, they are obligated
13 to follow the law.”⁷¹

14 313. He then acknowledged—but dismissed—complaints to WIAA on the
15 subject, saying: “We would hope that people would spend that time and energy
16 where they can make a real impact on it rather than just complaining.” *Id.*

17 314. Now, WIAA has refused to change its gender-identity policies even in
18 light of the well-documented harm to K.M.K. and other female athletes caused by
19 males competing in girls sports.

20 315. In 2026, many school districts sought to amend WIAA policies to limit
21 girls teams to biological females. Still, nothing has changed.

22 316. The media reported how school districts across the state made their
23 positions known on the issue to WIAA in support of Proposed Amendment #7 and
24 #8. Colville School District Superintendent Kevin Knight said his district supported

25 _____
26 ⁷⁰ Frank Sumrall, *WIAA says vote on member amendments banning transgender athletes violates state law*, MyNorthwest.com (Apr. 3, 2025), <https://perma.cc/2KZB-B5K4>.

⁷¹ Denise Whitaker, *Proposals to ban transgender student-athletes from girls' sports in Washington fail*, KOMO News (Apr. 22, 2025), <https://perma.cc/V47V-AN6Y>.

1 the amendments based on community concerns that it “is inherently not safe or not
2 fair for female athletes to compete against” males.⁷²

3 317. Once again, WIAA refused to accept a vote on this issue. The WIAA
4 Executive Board overrode a majority vote of member school administrators to
5 preserve the policy as “advisory only.”

6 318. Despite a majority of the school-administrator delegates in the WIAA
7 Representative Assembly voting for those amendments,⁷³ WIAA said it “remains
8 consistent: The WIAA remains committed to following Washington state law and
9 will continue to do so moving forward.” *Id.* Media reported that a WIAA
10 spokesperson commented that WIAA officials “aren't concerned that
11 Washingtonians may be upset by their rejection.”⁷⁴

12 319. By refusing to change its gender-identity-based policies, WIAA has been
13 deliberately indifferent to the heightened risk of harm to female student-athletes
14 caused by its gender-identity-based participation requirements.

15 320. WIAA knows that its gender-identity-based policies deprived girls of
16 benefits, excluded girls, and discriminated against girls in interscholastic athletics
17 programs. Its deliberate indifference to these harms heightened the risk of injury to
18 and discrimination against girls, who, like K.M.K., have reasonably concluded that
19 WIAA will do nothing to support them if they protest, suffer an injury, or seek
20 policy change.

21
22
23 ⁷² Daniel Pursell, *WIAA transgender athlete amendment fails to pass*, KXLY.com (Apr. 21, 2026),
<https://perma.cc/685L-WK7P>.

24 ⁷³ According to WIAA, “The Representative Assembly is comprised of 53 school administrators—35
25 from high schools and 18 from middle-level schools—representing each of the six WIAA districts. The
26 Assembly votes on proposed amendments, with voting delegates typically casting proxy votes aligned
with the opinions of their league and WIAA District.” Wash. Interscholastic Activities Ass’n (WIAA),
WIAA Representative Assembly Approves 22 Amendments (Apr. 20, 2026), <https://perma.cc/ZRZ6-MMZK>.

⁷⁴ The Chronicle, *Let's Go Washington releases statement on WIAA blocking amendment restricting
trans athletes*, Yahoo!Sports.com (Apr. 24, 2026), <https://perma.cc/W5TV-8B2E>.

1 321. School sports offer girls the opportunity for development and growth, but
2 these years are limited. When biological girls are sidelined in their own sports,
3 rather than receive lessons of empowerment and strength, the girls hear a message
4 of discouragement and exclusion.

5 **E. The District received but ignored complaints about how its policies**
6 **harm girls by allowing males to compete against them.**

7 322. By delegating authority to WIAA and remaining a member of WIAA—
8 and by mirroring WIAA policies in its own policies—the District has ratified WIAA’s
9 decisions and made them its own.

10 323. The District is aware of the physical differences between male and female
11 student athletes but is deliberately indifferent to that risk.

12 324. By retaining and failing to change its gender-identity-based policies and
13 customs, even after complaints and opportunities for reconsideration, the District
14 has been deliberately indifferent to the heightened risk of harm to female student-
15 athletes caused by its gender-identity-based participation requirements.

16 325. As discussed above, the District was informed of the harms of its policies
17 at the school board meeting and in K.M.K.’s complaints. But it has chosen to retain
18 its policies, despite its harm to K.M.K. and girls like her.

19 **XVIII. Defendants’ policies harm K.M.K.**

20 326. K.M.K. has two years of high school left. She wants to be able to compete
21 again. But under Defendants’ policies and actions, she cannot do so because
22 competing against a male would deprive her of a fair and safe opportunity to
23 compete. She cannot sign up for wrestling at all given the safety risks caused by
24 these policies, the lack of notice to her of when she might wrestle a male, and the
25 current hostile environment, all of which reflect Defendants’ deliberate indifference.
26 Therefore, Defendants have excluded K.M.K. from wrestling and other sports.

1 327. OSPI, WIAA, and District athletic policies and conduct do not provide
2 girls a similar quality of experience as males, and the benefits, opportunities, and
3 treatment of each sex are not equal or equal in effect. Their policies and conduct of
4 allowing sports to be separate not by sex but based on gender identity deny benefits
5 for female athletes compared with benefits or services available to male athletes.

6 328. Until the female category is protected from male entrants, K.M.K. will
7 continue to be excluded from sports, denied the benefits of sports, and discriminated
8 against because of her sex. She has lost and will continue to lose fair competition;
9 athletic victories and the public recognition associated with victories; opportunities
10 to advance to higher-level competitions; and visibility to college recruiters.

11 329. The harassment and assault on K.M.K. by a male wrestler was sex-based
12 harm, and it constituted sexual violence, with resulting bodily injury, emotional
13 distress, hostile environment, exclusion from educational and athletic opportunities,
14 and other harm. Intentional sex discrimination includes sexual harassment and
15 sexual misconduct, such as physical abuse and assault.

16 330. K.M.K. would not have suffered the digital penetration of her vagina if
17 she were male because it would have been a physical impossibility.

18 331. Discriminatory intent motivated Defendants' deliberate indifference as
19 they would have taken these actions more seriously if she had been a male
20 assaulted by a male. That's because Defendants' gender-identity policies would not
21 have played a role in their decisions.

22 332. Defendants acted with intent and with deliberate indifference to the
23 known or obvious fact that statutory, constitutional, and other violations would
24 result from their actions and from their policies, practices, customs, and usages.
25
26

1 333. Defendants' actions resulted in damages. These damages include bodily
2 injury, including physical harm for being sexually assaulted and the resulting
3 physical effects; lost educational and athletic benefits and opportunities, including
4 lost access to wrestling and other sports, lost time in school, and lost access to
5 District complaint-resolution procedures; and out-of-pocket economic losses, such as
6 lost or wasted time and money spent for her wrestling training and obtaining
7 wrestling equipment.

8 334. K.M.K. and Ms. Brown have also been harmed by the violation of Ms.
9 Brown's parental rights—by the loss of Ms. Brown's right to direct K.M.K.'s care,
10 custody, control, and upbringing during the period of unlawful deprivation.

11 335. By refusing to protect K.M.K., Defendants have caused K.M.K. and Ms.
12 Brown to suffer emotional distress, pain and suffering, mental anguish, dignitary
13 injury, impairment of reputation, personal humiliation, loss of enjoyment of life,
14 and diminished capacity to function personally.

15 LEGAL ALLEGATIONS

16 First Claim 17 Title IX, 20 U.S.C. § 1681(a) – Athletics 18 For K.M.K. 19 Against WIAA, OSPI, and the District

20 336. This claim is brought for K.M.K. against Defendants WIAA, OSPI, and
21 the District, which are subject to Title IX and its regulations.

22 337. In violation of 20 U.S.C. § 1681(a) and its regulations, WIAA, OSPI, and
23 the District's policies and actions exclude K.M.K. from wrestling and other
24 educational opportunities, deny her educational benefits, and discriminate on the
25 basis of sex—all with intent and deliberate indifference.
26

1 338. WIAA, OSPI, and the District violated 20 U.S.C. § 1681(a) and its
2 regulations by intentionally discriminating against girls by implementing sex-based
3 policies creating a protected category for girls wrestling and then destroying that
4 category and removing it from the regulatory safe harbor via policies permitting
5 some males to participate in girls wrestling.

6 339. WIAA, OSPI, and the District intentionally discriminate against girls by
7 intentionally subordinating girls interests to males' interests and intentionally
8 treating males better than girls.

9 340. WIAA, OSPI, and the District exhibited deliberate indifference to the
10 heightened risk of harm, deprivation of opportunities, and inherent unfairness to
11 female students caused by males' participating in athletic competitions reserved for
12 girls by implementing and maintaining these policies despite being apprised that
13 the policies harm girls by excluding them from the full and equal benefits of athletic
14 participation and by depriving them of fair and safe competition.

15 341. WIAA, OSPI, and the District have a policy and practice of allowing sex-
16 based sports but then also allowing some males to compete against females in
17 contact sports without disclosure, verification, or safety protocols.

18 342. WIAA, OSPI, and the District excluded K.M.K. from wrestling and other
19 educational opportunities, denied her educational benefits, and discriminated on
20 the basis of sex.

21 343. These policies and practices created a heightened risk that female
22 students would be excluded from participation in, denied the benefits of, and
23 subjected to discrimination in interscholastic athletics programs.

24 344. This heightened risk was known to WIAA, OSPI, and the District and it
25 existed in contexts within each of these defendants' control—specifically,
26 interscholastic athletics programs. But WIAA, OSPI, and the District deliberately

1 ignored that risk, even when they knew the policies were actually harming K.M.K.
2 and other girls.

3 345. WIAA, OSPA, and the District further violate the Title IX regulations by
4 creating a girls wrestling program that neither qualifies for the § 106.41(b) safe
5 harbor nor complies with the § 106.41(a) non-discrimination requirement. This
6 regulatory violation is a species of intentional discrimination because these
7 defendants intentionally removed girls sports from the safe harbor by admitting
8 males to those sports, intentionally subordinating girls' interests to the interests of
9 males who wanted to play girls' sports.

10 346. WIAA, OSPI, and the District further violate the Title IX regulations by
11 failing to provide equal athletic opportunity for girls in admitting boys to girls
12 sports, including wrestling. This is also a species of intentional discrimination
13 because it involved an intentional choice to remove the protections for girls sports
14 and admit boys to those sports.

15 347. WIAA, OSPI, and the District's Title IX violations harm and will continue
16 to harm K.M.K. and other female student-athletes in Washington.

17 348. K.M.K. seeks declaratory and injunctive relief, as well as damages in an
18 amount to be determined at trial.

19 **Second Claim**

20 **Title IX, 20 U.S.C. § 1681(a) – Assault, Harassment, Hostile Environment
21 For K.M.K.**

22 **Against WIAA, OSPI, and the District**

23 349. This claim is brought for K.M.K. against Defendants WIAA, OSPI, and
24 the District, which are subject to Title IX and its regulations.

25 350. WIAA, OSPI, and the District have violated 20 U.S.C. § 1681(a) and its
26 regulations by acting with deliberate indifference to a known risk of sexual assault
and by their clearly unreasonable response to a known incident of sexual assault.

1 351. K.M.K.'s assault and the resulting actions from WIAA, OSPI, and the
2 District were harassment and created a hostile environment that were sufficiently
3 severe, persistent, and pervasive to interfere with her education.

4 352. WIAA, OSPI, and the District's officials had actual knowledge of all
5 relevant policies, of the risk of sex-based or sexual assault, of the assault on K.M.K.,
6 of K.M.K.'s sex-based harm, and of the resulting hostile environment, but they
7 responded with deliberate indifference.

8 353. WIAA, OSPI, and the District could have alleviated or remedied the harm
9 to K.M.K., but they did not respond adequately and failed to take appropriate
10 remedial action.

11 354. WIAA, OSPI, and the District failed to comply with the state mandatory
12 reporting law and failed to enforce policies addressing peer-to-peer sexual
13 harassment that would have protected K.M.K.

14 355. WIAA, OSPI, and the District's Title IX violations harm and will continue
15 to harm K.M.K. and other female student-athletes in Washington.

16 356. K.M.K. seeks declaratory and injunctive relief, as well as damages in an
17 amount to be determined at trial.

18 **Third Claim**
19 **Fundamental Right to Direct Child's Care, Upbringing, and Education**
20 **U.S. Const., amend. XIV; 42 U.S.C. § 1983**
21 **For Stephanie Brown**
22 **Against Reykdal (official and individual capacity), WIAA and the District**

23 357. This claim is brought by Ms. Brown on her own behalf against
24 Defendants WIAA and the District for injunctive relief and damages and against
25 Superintendent Chris Reykdal in his official capacity for injunctive relief and in his
26 individual capacity for damages.

1 358. WIAA is a state actor for purposes of § 1983 and, because it exercises the
2 authority of school boards, WIAA is also a political subdivision (and not an arm of
3 the state) for purposes of *Monell* liability.

4 359. WIAA, Reykdal, and the District adopted and maintained policies that
5 deliberately concealed from Ms. Brown whether her daughter would have to
6 compete against a male athlete in a girls wrestling tournament.

7 360. WIAA, Reykdal, and the District failed to provide Ms. Brown notice of or
8 an opportunity to opt out of K.M.K. wrestling a male in a high-school competition.

9 361. WIAA and Reykdal adopted and maintained a policy that prohibited
10 member schools from notifying parents when their daughters would be matched
11 against males.

12 362. The District implemented these policies and adopted additional policies
13 that affirmatively concealed this information from parents like Ms. Brown.

14 363. WIAA, the District, and Reykdal (as the official responsible for OSPI's
15 guidance to schools and WIAA), knew that these policies would result in parents
16 being denied information necessary to protect their children, but they affirmatively
17 maintained this concealment.

18 364. The Fourteenth Amendment protects “the [liberty] interest of parents in
19 the care, custody, and control of their children.” *Troxel v. Granville*, 530 U.S. 57, 65
20 (2000) (plurality op.). This includes parents’ fundamental rights to direct their
21 children’s care, upbringing and education in the school context. *Mirabelli v. Bonta*,
22 146 S. Ct. 797, 803 (2026).

23 365. This parental right also includes “the right not to be shut out” of
24 consequential decisions regarding their children’s care. *Id.* Government policies that
25 keep important information parents—information that is necessary for parents to
26 protect their children’s health and well-being—violate this fundamental right.

1 366. WIAA and the District maintains official records showing when a student
2 identifies at school contrary to their biological sex, yet interprets its policies “to
3 prohibit staff from informing parents” when their daughters will compete against
4 males.

5 367. This policy shuts parents out of the consequential decision regarding
6 whether their child will wrestle an opposite-sex athlete. It denies parents the
7 information they need to protect their children and direct their care, upbringing,
8 and education.

9 368. When the government conceals from parents information necessary to
10 make these consequential decisions, it violates their fundamental right no less than
11 if it had expressly prohibited them from making a particular decision.

12 369. WIAA, Reykdal, and the District failed to provide Ms. Brown actual
13 notice of any policy allowing males to compete against her daughter and also failed
14 to provide her actual notice of the decision to have her daughter wrestle a male
15 athlete.

16 370. Had they provided Ms. Brown such actual notice, she could have taken
17 steps to protect her daughter and exercised her fundamental right to direct her
18 daughter’s care, upbringing, and education.

19 371. Ms. Brown has never consented and does not consent to K.M.K. wrestling
20 a male in high school competition.

21 372. WIAA, Reykdal, and the District knew that during a WIAA- and District-
22 sponsored girls wrestling tournament, male athletes could wrestle against females
23 and that no notice or opt-out existed. Under their policies, neither WIAA nor the
24 District would notify parents if their daughters were matched against males or
25 accommodate a request to have their daughters only wrestle girls. Under these
26

1 373. policies, K.M.K. was instructed to wrestle against a male athlete and
2 these defendants failed to provide notice or the opportunity to opt out to Ms. Brown.

3 374. WIAA, Reykdal, and the District maintain an official policy or practice, or
4 a regular custom or usage, of not apprising parents when their female children are
5 set to compete against male athletes in female-designated athletic competition.

6 WIAA, Reykdal, and the District also maintain an official policy or practice, or a
7 regular custom or usage, of withholding from parents and their female children the
8 right and opportunity to opt out of such competition. By structuring their policies to
9 deny parents notice, defendants unconstitutionally condition K.M.K.'s participation
10 in the public benefit of interscholastic athletics on Ms. Brown's and K.M.K.'s
11 willingness to accept a burden on the exercise of their constitutional rights. As a
12 result, the constitutional violations alleged in this count will continue and be
13 repeated.

14 375. Strict scrutiny applies to these defendants' violations of Ms. Brown's
15 fundamental right to direct the care, upbringing, and education of her child.

16 376. There is no legitimate, much less compelling, state interest that
17 outweighs Ms. Brown's constitutional right to direct the care, upbringing, and
18 education of her daughter. No state interest justifies secretly overriding parents'
19 decisions about their children's safety and privacy. "[C]hildren's safety is the
20 overriding equity." *Mirabelli*, 146 S. Ct. at 803.

21 377. The actions violating Ms. Brown's fundamental rights are neither
22 narrowly tailored to any compelling interest nor rationally related to a legitimate
23 interest.

24 378. Ms. Brown seeks compensatory, presumed, and nominal damages and
25 declaratory and injunctive relief against WIAA, the District, and Reykdal.
26 Additionally, she seeks punitive damages against Reykdal.

Fourth Claim
Equal Protection Clause
U.S. Const., amend. XIV; 42 U.S.C. § 1983
For K.M.K.

Against Brobbey and Smith (official and individual capacities)

379. This claim is brought for K.M.K. against Defendant Title IX Coordinator Dr. Gordon Brobbey and Defendant Principal Jason Smith in each defendant's official capacity for injunctive relief and in each defendant's individual capacity for damages.

380. Brobbey and Smith violated K.M.K.'s right to equal protection under the law under the Fourteenth Amendment of the U.S. Constitution, which includes a right to be free from sex discrimination in the form of (1) officials' deliberate indifference to peer-on-peer sexual assault and harassment and (2) officials' resulting creation of a hostile environment—rights which are and were clearly established.

381. K.M.K. is a member of a protected class based on her sex as a female.

382. K.M.K.'s assault and officials' resulting actions constitute harassment and create a hostile environment that were sufficiently severe, persistent, or pervasive to interfere with her education.

383. Brobbey and Smith had actual knowledge of all relevant policies, of the assault on K.M.K., of K.M.K.'s sex-based harm, and of the resulting hostile environment, but they responded with deliberate indifference.

384. Brobbey and Smith were in a position of authority to alleviate or remedy the harm to K.M.K. but they did not respond adequately.

385. Brobbey and Smith failed to comply with the state mandatory reporting law and failed to enforce policies addressing peer-to-peer sexual harassment that would have protected K.M.K.

1 386. K.M.K. seeks injunctive and declaratory relief, as well as actual or
2 compensatory damages, nominal damages, presumed damages, and punitive
3 damages, all in an amount to be determined at trial.

4 **Fifth Claim**
5 **State-Created Danger**
6 **U.S. Const., amend. XIV; 42 U.S.C. § 1983**
7 **For K.M.K.**
8 **Against Reykdal and Morrison (official and individual capacities) and**
9 **WIAA and the District**

10 387. This claim is brought for K.M.K. against Defendants WIAA and the
11 District for injunctive relief and damages, and against Defendant Superintendent
12 Chris Reykdal and Defendant Coach John Morrison in each of their individual
13 defendant’s official capacities for injunctive relief and official capacities for
14 damages.

15 388. WIAA is a state actor for purposes of § 1983 and, because it exercises the
16 authority of school boards, WIAA is also a political subdivision (and not an arm of
17 the state) for purposes of *Monell* liability.

18 389. In violation of the Fourteenth Amendment’s guarantees of due process
19 and protections for privileges and immunities, these defendants placed K.M.K. in a
20 state-created danger through their affirmative conduct—by their policy choices and
21 actions.

22 390. These WIAA, Reykdal, and the District adopted and implemented policies
23 that created a new danger, under which males would wrestle teenage girls.
24 Morrison then placed K.M.K. in the position of wrestling a male at a girls wrestling
25 tournament without telling her that her opponent was a male. The male then
26 sexually assaulted K.M.K., harming her bodily integrity. WIAA, Reykdal, the
District, and Morrison thus left K.M.K. in a more dangerous position than they

1 found her because, before this event, her experience was that when she participated
2 in girls wrestling, her opponents would be girls.

3 391. WIAA, Reykdal, the District, and Morrison's actions directly led to the
4 foreseeable assault, resulting in bodily injury, emotional distress, and a hostile
5 environment.

6 392. WIAA, Reykdal, the District, and Morrison's acted with deliberate
7 indifference to a known or obvious danger, both in creating the danger that K.M.K.
8 would be sexually assaulted and in their deliberate indifference to the resulting
9 harm.

10 393. WIAA, Reykdal, the District, and Morrison's were in a position of
11 authority to avoid, alleviate, or remedy the harm to K.M.K., but they did not
12 respond adequately.

13 394. WIAA Reykdal, and the District maintain an official policy or practice, or
14 a regular custom or usage, of allowing males to wrestle in the girls wrestling
15 category without informing competitors or their parents, and Morrison is subject to
16 them. So the constitutional violations alleged here will continue and be repeated.

17 395. K.M.K. seeks injunctive and declaratory relief against WIAA, Reykdal,
18 the District, and Morrison, and actual, compensatory, presumed, and nominal
19 damages against WIAA, Reykdal, the District, and Morrison. Additionally, she
20 seeks punitive damages against Reykdal and Morrison.

21 RELIEF REQUESTED

22 Plaintiffs respectfully request that this Court enter judgment against
23 Defendants and provide Plaintiffs with the following relief:
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25
26

- 1 I. A declaration that, as set forth in the first through fifth claims,
2 A. OSPI, WIAA, and the District violate Title IX by their actions
3 that intentionally or with deliberate indifference to K.M.K.,
4 exclude her from educational and athletic opportunities, deny
5 her the benefits of educational and athletic opportunities, and
6 discriminate against her on the basis of sex, in forcing her to
7 compete against a male athlete in a competition designated for
8 girls, in risking her safety in athletics, in their response to her
9 sexual assault, and in their creation of a hostile environment.
10 B. Reykdal, WIAA, and the District violate Ms. Brown’s
11 fundamental parental rights protected under the U.S.
12 Constitution’s Fourteenth Amendment in ways identified above,
13 including by failing to provide parental notice and opt-out rights
14 when a girl is to compete against a male in athletic programs
15 designated for girls;
16 C. Brobbey and Smith violate the Equal Protection Clause by their
17 actions that intentionally or with deliberate indifference to
18 K.M.K., exclude her from educational and athletic opportunities,
19 deny her the benefits of educational and athletic opportunities,
20 and discriminate against her on the basis of sex, in their
21 response to her sexual assault, and in their creation of a hostile
22 environment.
23 D. WIAA, Reykdal, the District, and Morrison violate the
24 Fourteenth Amendment’s guarantees of due process and
25 protections for privileges and immunities by placing K.M.K. in a
26 state-created danger through their affirmative conduct—by their

1 policy choices and actions under which she competes in girls
2 wrestling against a male and sexual assault resulted.

3 II. A preliminary and permanent injunction that would:

4 A. On all claims, preclude OSPI, Reykdal, WIAA, and the District
5 from allowing male athletes to compete with or against K.M.K.
6 in girls wrestling, girls soccer, or other sports designated for
7 women or girls that are contact sports or sports involving
8 competitive athletic skill;

9 B. On all claims, require OSPI, Reykdal, WIAA, and the District to
10 declare ineligible any male athletes competing or seeking to
11 compete with or against K.M.K. in girls wrestling, girls soccer,
12 or other sports designated for women or girls that are contact
13 sports or sports involving competitive athletic skill;

14 C. On the third claim (Fourteenth Amendment parental rights),
15 Require the District to provide parental notice and opt-
16 out rights to Ms. Brown when K.M.K. is to compete against a
17 male in girls wrestling, girls soccer, or other girls athletic
18 programs;

19 D. On all claims, require OSPI, Reykdal, WIAA, and the District to
20 correct all records where K.M.K. lost to a biologically male
21 athlete, with respect to any record or recognition purporting to
22 record match statistics, victories, rankings, or qualifications for
23 competitions designated for girls, and conversely to correctly
24 give credit, rankings, and/or titles to K.M.K. when she would
25 have received such credit, rankings, and/or titles, including
26 recognizing her as the sole third place winner at the December

1 2025 Lady Jag Kickoff wrestling tournament with all due
2 honors and awards, including awarding her any third-place
3 medal and ribbon;

4 E. On all claims, require all Defendants to provide K.M.K. a chance
5 to participate in girls wrestling in a non-hostile environment,
6 such as by facilitating her participation on another school's girls
7 wrestling team, without academic penalty, athletic eligibility
8 penalty, or other cost;

9 F. On all claims, require OSPI, Reykdal, WIAA, and the District to
10 restore to K.M.K. her lost athletic eligibility and opportunity to
11 compete in high school sports, for the time in her sophomore
12 year she was excluded from sports by her assailant's competition
13 and under Defendants' unlawful policies and actions;

14 G. On all claims, require all Defendants to provide sex-
15 discrimination, sexual-assault, and sexual-harassment
16 prevention and response training to all relevant employees of in
17 a way designed to avoid repetition of the events in this case;

18 III. For all claims, an award of actual, compensatory, presumed, and
19 nominal damages in an amount to be determined at trial;

20 IV. For the constitutional claims under Section 1983 (the third, fourth, and
21 fifth claims), punitive damages against Reykdal, Brobbey, Smith, and
22 Morrison in their individual capacities.

23 V. An award of Plaintiff's costs and reasonable attorneys' fees and
24 expenses, as authorized by 42 U.S.C. § 1988 and any other applicable
25 law.

26 VI. That this Court retain jurisdiction to enforce its orders;

VII. That this Court issue the requested injunctive relief without a condition of bond or other security required of Plaintiff; and

VIII. Any other relief that the Court may deem just and proper.

Respectfully submitted this 9th day of June, 2026.

By: /s/ Katherine L. Anderson

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DECLARATION UNDER PENALTY OF PERJURY

I, Stephanie Brown, have read the foregoing complaint. I declare under penalty of perjury, under 28 U.S.C. § 1746, that the factual allegations pertaining to my personal experiences are true and correct to the best of my knowledge.

Executed June 5, 2026, at Puyallup, Washington.


Stephanie Brown

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DECLARATION UNDER PENALTY OF PERJURY

I, K.M.K., have read the foregoing complaint. I declare under penalty of perjury, under 28 U.S.C. § 1746, that the factual allegations pertaining to my personal experiences are true and correct to the best of my knowledge.

Executed June 5, 2026, at ~~Pyramid~~ Washington.



K.M.K.

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