

UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF OKLAHOMA

(1) LINDSAY EARLS, a minor, by her next
friends and parents, John David and Lori Earls,
and

(2) DANIEL JAMES, by his next friend and
mother, Leta Hagar,

Plaintiffs,

v.

(1) BOARD OF EDUCATION OF
TECUMSEH PUBLIC SCHOOL DISTRICT,
Independent School District No. 92 of
Pottawatomie County, and

(2) TECUMSEH PUBLIC SCHOOL
DISTRICT, Independent School District No.
92 of Pottawatomie County,

Defendants.

CIV

99-1213R

No. CIV-99-

DOCKETED

FILED

AUG 18 1999

ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY _____ DEPUTY

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

(Violation of Fourth Amendment Civil Rights)

Plaintiffs Lindsay Earls and Daniel James, by their next friends and parents, on
information and belief, hereby allege:

I.

INTRODUCTION

1. This suit seeks a declaration that students attending a public school have the right,
protected by the Fourth and Fourteenth Amendments of the United States Constitution, to
participate in non-athletic student activities without being required to submit to suspicionless
drug testing. Plaintiffs in this action further seek appropriate injunctive relief protecting them

plaintiffs or other students seeking to participate in non-athletic student activities to tests for detection of prohibited substances except upon individualized, reasonable suspicion that a particular student has consumed a prohibited substance.

B. A declaration pursuant to 28 U.S.C. §§ 2201 and 2202 that the provisions of the Student Activities Drug Testing Policy requiring suspicionless testing of students engaged in non-athletic activities violates plaintiffs' rights under the Fourth and Fourteenth Amendments to the United States Constitution facially and as applied to plaintiffs.

C. Allow Plaintiffs their reasonable attorneys' fees and costs pursuant to 42 U.S.C. §1988; and

D. Such other and further relief as this court may deem necessary and proper.

Dated: August 18, 1999

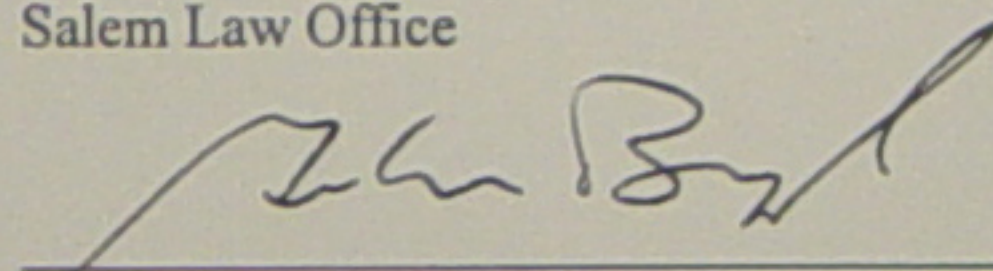
Respectfully submitted,

GRAHAM A. BOYD

American Civil Liberties Union Foundation,
Drug Policy Litigation Project

MICHEAL SALEM

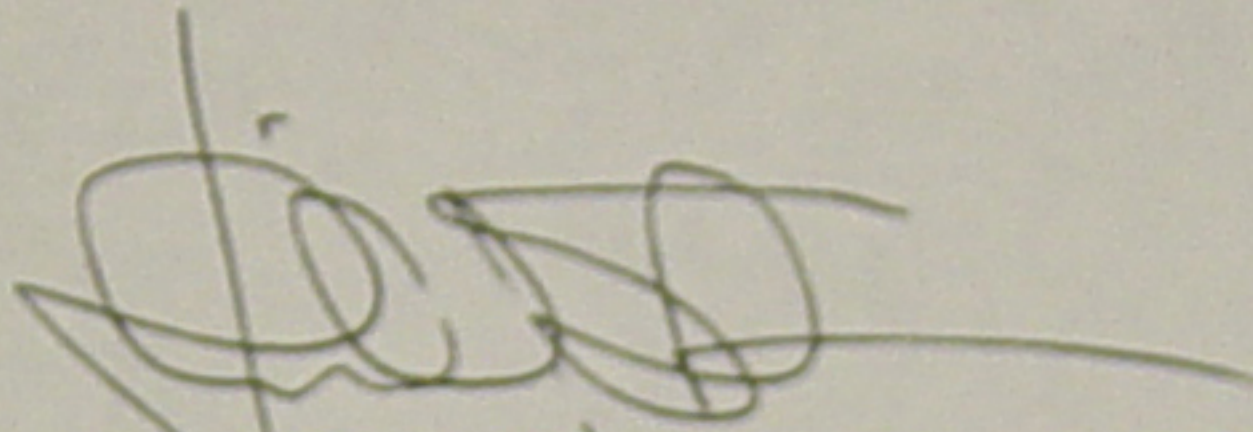
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