

Media Advisory for Monday, April 15, 2013, 11:15 am

Embargoed until 11:15 am, Monday, April 15, 2013

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George Washington High School Student Body Vice President Katelyn Campbell will hold a news conference at 11:15 am at the Law Offices of Neely and Callaghan, 159 Summers Street, Charleston, West Virginia. Ms. Campbell will file an injunction this morning in Kanawha County Circuit Court against school Principal George Aulenbacher.

COPY OF INJUNCTION ATTACHED.

George Washington High School Student Body Vice President, Katelyn Campbell will this morning file an injunction in Kanawha County Court to prevent Principal George Aulenbacher from carrying through with threats he made against her.

She will hold a news conference at 11:15 am at the Law Offices of Neely and Callaghan, PLLC, 159 Summers Street, Charleston, West Virginia. She will make a statement about the injunction and plans George Washington High School students have to share their concerns with members of the Kanawha County Board of Education at their meeting on Thursday, April 18th.

Campbell has actively spoken out against the "slut-shaming" approach used by Pam Stenzel, a nationally recognized, abstinence-only speaker, in a mandatory assembly arranged by Aulenbacher last week at GWHS. In addition, Campbell will speak live on CNN this morning at 10:30 AM.

Campbell will discuss Aulenbacher's threat to her to call Wellesley College to report her activities. Campbell has been accepted as a student this fall at the prestigious institution.

Campbell's attorney, Mike Callaghan, called the injunction necessary to protect her right to free speech.

"We simply want to make sure that my client's and the other students expressing their opinions are protected for exercising their First Amendment rights," Callaghan said. "No student should be concerned for their future for publically expressing their opinion."

This developing story has been picked up by national media outlets including the Huffington Post, Jezebel, the Daily Beast, as well as numerous local newspapers. It has sparked debate and interest on social media sites throughout the country.

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IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

Katelyn McKensie Campbell

Plaintiff,

v.

Civil Action No.: _____

Judge _____

**George Aulenbacher, Individually and
In his Official Capacity as Principal,
George Washington High School,**

**Ronald Duerring, Ed.D., In his Official Capacity
As Superintendent, Kanawha County Schools, and**

Kanawha County Schools

Defendants.

COMPLAINT FOR PRELIMINARY AND PERMANENT INJUNCTION

NOW COMES the Plaintiff Katelyn McKensie Campbell through her counsel, Michael O. Callaghan and Richard F. Neely, Neely & Callaghan, into the Court pursuant to Rule 65, West Virginia Rules of Civil Procedure, seeking a Preliminary Injunction to prohibit the Defendants from infringing upon Plaintiff Katelyn McKensie Campbell's First Amendment Rights to engage in free speech and from retaliating against the Plaintiff Katelyn McKensie Campbell for exercising her First Amendment Right to engage in free speech. This Court has original jurisdiction since the matter complained of occurred in Kanawha County, West Virginia.

GROUNDS FOR RELIEF

1. Plaintiff Katelyn McKensie Campbell is a resident of Kanawha County, West Virginia and is a senior attending George Washington High School where she serves as vice president on Student Council.

2. Defendant George Aulenbacher is a resident of Kanawha County, West Virginia and currently serves as the Principal of George Washington High School.

3. Ronald Duerring is a resident of Kanawha County, West Virginia, and currently serves as the Superintendent for Kanawha County Schools.

4. Kanawha County Board of Education oversees the school system in Kanawha County which includes George Washington High School.

5. The First Amendment to the United States Constitution provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

6. West Virginia state law, and its subsequent rules, regulations and policies, provide for the inclusion of comprehensive reproductive health education as part of the health education curriculum, and prohibit the use of an abstinence-only curriculum in West Virginia public schools.

7. Consistent with any public school curriculum, especially science-based courses, health education is fundamentally based on the latest scientific research, data and statistics, and, is not intended to be presented in the context of morality.

8. Comprehensive reproductive health education provides information on all available birth control methods including abstinence, and further, provides both the advantages and limitations of each birth control option.

9. The Kanawha County Board of Education (KCBOE) in 2011 directed the use of the curriculum "Reducing the Risk," which is a 16-week, one hour per week course on comprehensive reproductive health education to be used in the school setting.

10. The state of West Virginia provides funding and other support to train health care educators on the use of this curriculum, which other Kanawha County schools including Capitol High School and Sissonville High School have used.

11. George Washington High School has failed to implement the "Reducing the Risk" curriculum into its health education curriculum.

12. Prior to March 29, 2013, Defendant George Aulenbacher requested that George Washington High School school nurse Laura Barber, RN, contact KC Lead School Nurse Brenda Isaac, RN, about his desire to have an abstinence-only presentation to the George Washington High School student body.

13. Nurse Isaac expressed that abstinence education should be provided as part of a comprehensive reproductive health curriculum.

14. On Monday, April 8, 2013, the last day of Kanawha County Schools' spring break, Defendant George Aulenbacher directed the distribution to the teachers' mailboxes a schedule change allowing for a previously unannounced assembly the following day and a promotional flyer about the speaker, Pam Stenzel.

15. The flyer stated that "Pam tackles the tough issues of sex with candor, insight, and humor while challenging young people to embrace God's plan for sexual purity."

16. Teachers were directed not to talk to the students about the specifics of the presentation and to say only that the assembly would be about sexually transmitted diseases.

17. According to the website for Believe in West Virginia, Stenzel presented from 7:00 to 9:00 PM on April 8, 2013 at St Timothy's Lutheran Church.

18. Additional details promoted that Stenzel would be presenting at George Washington High School and Riverside High School on April 9, 2013.

19. Further, Believe in West Virginia is a faith-based non-profit group formed in 2002, and its goals include educating and encouraging the youth of West Virginia to make wise moral choices.

20. Published news stories indicate that Stenzel's appearance at George Washington High School and Riverside High School cost in the thousands of dollars, which is supported by information on the speaker's website.

21. Stenzel's speaking engagement at both George Washington High School and Riverside High School were paid for by the Believe in West Virginia project.

22. Per Defendant George Aulenbacher's instruction, on Tuesday, April 9, 2013, at 8:30 AM all students in attendance at George Washington High School were directed to the upper gym to listen to Pam Stenzel in a mandatory school assembly.

23. For most other assemblies, George Washington High School teachers have been given instruction that should a student prefer not to attend an assembly, that the teacher should remain in the classroom with the student(s).

24. Students arriving late and students found in other areas of the school were directed to the Auditorium for the "mandatory assembly."

25. Though teachers and administration, including Defendant George Aulenbacher, stood or sat at the door of the Upper Gym, some students were undeterred by this human barricade and attempted to leave the upper gym, but were told that they must stay for the entire presentation.

26. Her presentation was consistent with her on-line, promotional videos in which she quotes false statistics that have been debunked in numerous articles and publications criticizing Stenzel's religious agenda, accuracy and credibility.

27. George Washington High School students have posted the audio of her presentation on-line which has been heard by thousands of people.

28. Stenzel's presentation at George Washington High School included remarks such as, "if you are on birth control, your mother probably hates you" ; "small word of warning for our ninth grade girls who will date anything that walks "; and "condoms aren't safe, never have been, never will be."

29. In published articles in both in Charleston Gazette and the Charleston Daily Mail on April 11, 2013, Plaintiff Katelyn McKensie Campbell exercised her First Amendment right to free speech by criticizing the presentation of Pam Stenzel.

30. This news story has sparked interest and outrage across the country after being reported in multiple national news sources including the Huffington Post, the Daily Beast, Jezebel, social media sites and newspapers across the country.

31. In addition, Plaintiff Katelyn McKensie Campbell has been requested to participate in an interview with CNN to be aired live at 10:30AM on Monday, April 15, 2013.

32. Plaintiff Katelyn McKensie Campbell has been accepted for attendance at Wellesley College for the fall of 2013, and through her admission, has been granted scholarships and other financial aid.

33. On Thursday, April 11, 2013, at approximately 2:30 pm, defendant George Aulenbacher had plaintiff Katelyn McKensie Campbell removed from her regular class and directed that she report to the principal's office.

34. While in the principal's office, defendant George Aulenbacher stated to Katelyn McKensie Campbell "I am disappointed in you" and "how could you go to the press without telling me."

35. Further, while in the principal's office, defendant George Aulenbacher stated to Katelyn McKensie Campbell "how would you feel if I called your college and told them what bad character you have and what a backstabber you are."

36. Should the Defendant George Aulenbacher follow through with his threats to call Wellesley College to spread misinformation, plaintiff Katelyn McKensie Campbell would be irreparably harmed and subject to ridicule and possibly the loss of scholarships.

37. Defendant George Aulenbacher's threats are in direct retaliation for Plaintiff Katelyn McKensie Campbell exercising her constitutional right to free speech as guaranteed by the First Amendment to the United States Constitution.

38. Defendant George Aulenbacher's threats are an action by the Kanawha County Schools which are designed to infringe upon the constitutional right to free speech that Katelyn McKensie Campbell enjoys.

39. Plaintiff Katelyn McKensie Campbell has no other remedy than an injunction from this Court to prohibit the defendants from violating her Constitutional rights.

PRAYER

WHEREFORE, Plaintiff prays that this Honorable Court enters a Preliminary Injunction to prohibit the Defendants from retaliating against the Plaintiff Katelyn McKensie Campbell for exercising her First Amendment Right to engage in free speech. Plaintiff additionally seeks costs and attorney fees due to the Defendants' violation of Plaintiff's constitutional rights.

Respectfully submitted,
Katelyn McKensie Campbell

By Counsel:



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