

CJ-23-2959  
Andrews



FILED IN DISTRICT COURT  
OKLAHOMA COUNTY  
IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

MAY 25 2023

RICK WARREN  
COURT CLERK

38 \_\_\_\_\_

THERESA GOODEN, individually and )  
as parent and next friend of E.G., a minor, )

Plaintiff, )

vs. )

EDMOND PUBLIC SCHOOLS a/k/a )  
INDEPENDENT SCHOOL DISTRICT )  
NO. 12 OF OKLAHOMA COUNTY, )

Defendant. )

Case No. CJ-2023-

CJ - 2023 - 2959

**PETITION**

COMES NOW Plaintiff, Theresa Gooden, individually and as parent and next friend of E.G., a minor, and for her cause of action against the above-named Defendant, Edmond Public Schools a/k/a Independent School District No. 12 of Oklahoma County, alleges the following:

1. Plaintiff is a resident of Oklahoma County, Oklahoma. The events giving rise to this action occurred in Oklahoma County.

2. Defendant is a political subdivision within Oklahoma County, Oklahoma.

3. Jurisdiction and venue are proper before this Court.

4. Plaintiff has fully complied with the Governmental Tort Claims Act. Plaintiff's Notice of Tort Claim was timely submitted, and the claim has been denied.

5. On May 25, 2022, Oklahoma Governor, Kevin Stitt, signed into law SB 615 that requires students at Oklahoma public schools to use restrooms that match the sex listed on their birth certificates, which is now found under Okla. Stat. tit. 70, §1-125.

6. Transgender students who decline to use the restroom required under Okla. Stat. tit. 70, §1-125 must use “a single-occupancy restroom or changing room” provided by the school.

7. Okla. Stat. tit. 70, §1-125 (E) provides:

“(E)(1) - Each school district board of education ... shall adopt a policy to provide disciplinary action for individuals who refuse to comply with the provisions of this section.

(E)(2) - No school district board of education ... shall adopt a policy contrary to the provisions of this section.”

8. Okla. Stat. tit. 70, §1-125 (F) provides, “[u]pon a finding of noncompliance with the provisions of subsections B and C of this section by the State Board of Education, the noncompliant school district ... shall receive a five percent (5%) decrease in state funding for the school district ... for the fiscal year following the year of noncompliance.”

9. Okla. Stat. tit. 70, §1-125 (G) provides, “[a] parent ... of a student enrolled in and physically attending a public school district ... shall have a cause of action against the public school district ... for noncompliance with the provisions of subsections B and C of this section.”

10. On or about October 26, 2022, at approximately 7:15 a.m., E.G., a fifteen (15) year old female student at Edmond Memorial High School (“EMHS”) was attacked and severely beaten by a seventeen (17) year old male transgender student in the designated girls’ bathroom.

11. At the time of the attack, Defendant had actual knowledge that: (a) the male transgender student identified as a female student; (b) the male transgender student was a male and not female; (c) the male transgender student’s birth certificate and/or paternity affidavit on file with Defendant identified the male transgender student as a male and not female; (d) the male transgender student regularly used the girls’ bathroom and not the boys’ bathroom; and (e) the male transgender student made previous threats of violence against E.G. at Defendant’s school.

12. On October 21, 2022, Defendant had the Edmond Police remove the male transgender student from the girls' bathroom and search him for a weapon after his threats against E.G. were reported to Defendant by another student.

13. At that time, E.G. specifically informed Defendant's assistant principal, Maryjel Cochrane, that the male transgender student had confided in her that he was, in fact, a male student that identified as a female. Defendant never notified Plaintiff about the incident or that a male transgender student was using the girls' bathroom at Defendant's school.

14. Despite Defendant's actual knowledge of the above, Defendant allowed the male transgender student to continue using the girls' bathroom, as opposed to requiring the male transgender student to use a bathroom that matched his birth certificate and/or paternity affidavit – boys' bathroom – as required under Okla. Stat. tit. 70, §1-125.

15. Defendant's negligent failure and/or refusal to comply with Okla. Stat. tit. 70, §1-125 resulted in Plaintiff's injuries and damages, which include but are not limited to, severe physical and mental injuries, severe physical and mental pain and suffering, and severe emotional distress.

**WHEREFORE**, premises considered, Plaintiff, Theresa Gooden, individually and as parent and next friend of E.G., a minor, prays for judgment against Defendant, Edmond Public Schools a/k/a Independent School District No. 12 of Oklahoma County, for an amount in excess of \$75,000.00, and for her costs of this action, to include pre- and post-judgment interest as allowed by law, her attorney's fees and costs of this action as allowed by law, and for such further relief as this Court may deem equitable and proper.

Respectfully submitted,



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R. Greg Andrews, OBA #19037

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*Attorney for Plaintiff,*

*Theresa Gooden, individually and as parent  
and next friend of E.G., a minor*

**JURY TRIAL DEMANDED**

**ATTORNEY'S LIEN CLAIMED**