

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRANDI BRANDL, ET. AL.

No. 1:23-cv-00368-CCC

Plaintiffs

v.

WEST SHORE SCHOOL DISTRICT, ET.  
AL.

Defendants

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**STIPULATED FINAL ORDER**

Plaintiffs, Brandi Brandl, Oliver Brandl III, Kristi Alwine, Frank W. Johnson (“collectively”), and defendants, West Shore School District, Todd Stoltz, Jamie Whye, Brian K. Guistwhite, Christopher J. Kambic, Judith A. Crocenzi, Frank J. Kambic, Antonios J. Kapranos, Sheri D. Moyer, Frederick A. Stoltenburg, Heidi E. Thomas, and Abigail A. Tierney (collectively, the “School District”), stipulate to this final order and agree as follows:

1. This Court has jurisdiction over the subject matter of this litigation and each of the parties to this action.

2. As used herein, the term “Opt-Out Request” shall mean a request made by a parent or guardian pursuant to 22 Pa. Code § 4.4 and West Shore School District Board Policy 105.3.

3. As used herein, the term “SEL” shall mean the School District’s social

emotional learning curriculum and/or CharacterStrong curriculum.

4. The School District, in responding to plaintiffs' Opt-Out Requests, were not consistent and therefore infringed upon plaintiffs' rights under the 1<sup>st</sup> and 14<sup>th</sup> Amendments to the United States Constitution, their rights under 22 Pa. Code § 4.4, and West Shore School District Board Policy 105.3.

5. The School District shall immediately excuse plaintiffs' children from all SEL curriculum. The plaintiffs' children shall continue to be excused, provided that plaintiffs submit their Opt-Out Request for their respective children for SEL annually before the 1<sup>st</sup> day of the School Year, which the School District shall not deny.

6. The School District shall not apply Board Policy 105.3 to require parents or guardians to specify which parts of SEL conflict with their religious beliefs. Parents or guardians who submit an Opt-Out Request pursuant to Board Policy 105.3 and 22 Pa. Code § 4.4 for SEL shall be deemed to have specified the curriculum objected to by making any reference to SEL in the Opt-Out Request.

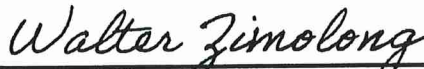
7. For any child in grades K through 8, the School District shall not apply Board Policy 105.3 to require children whose Opt-Out Request was approved by the School District, to request permission to be excused from the classroom when SEL instruction is being presented. For any student in a School District high school whose Opt-Out Request was approved by the School District, and presuming SEL curriculum has been adopted by the School District at this level, the classroom teacher will provide a singular prompt to the student to leave the classroom when SEL instruction is being presented. This provision shall not apply to a student whose

Opt-Out Request was approved by the School District, but who has reached eighteen (18) years of age or has received emancipation.

8. Pursuant to 42 U.S.C. § 1988, the School District shall pay counsel for plaintiffs, Zimolong, LLC, \$40,000 for attorneys' fees and costs.

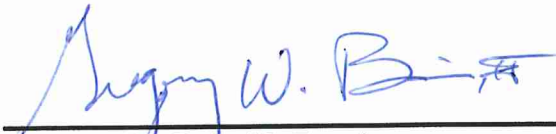
9. Without in any way affecting the finality of this Final Order, the Court shall retain exclusive jurisdiction as to all matters relating to the enforcement and interpretation of the terms of this Stipulated Final Order.

10. The parties hereby agree to the terms of the releases attached at Exhibit A.



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Kristie Alwine, Frank W. Johnson



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Attorneys for defendants, West Shore School District, Todd Stoltz, Jamie Whye, Brian K. Guistwhite, Christopher J. Kambic, Judith A. Crocenzi, Frank J. Kambic, Antonios J. Kapranos, Sheri D. Moyer, Frederick A. Stoltenburg, Heidi E. Thomas, and Abigail A. Tierney

APPROVED AND ORDERED BY THE  
COURT:


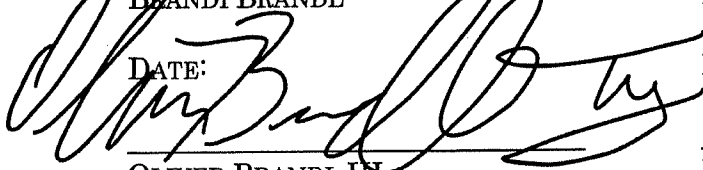
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**THE HONORABLE CHRISTOPHER C. CONNER**  
**United States District Court Judge**  
**Middle District of Pennsylvania**

**RELEASE**

Except for the terms of this Stipulated Final Order, in consideration for the terms of this Final Order and effective on receipt of the attorneys' fees and costs by Zimolong, LLC set forth in paragraph 8, plaintiffs release the School District, its board members both in their official and individual capacities, employees, agents, representatives, and attorneys, as well as their successors and assigns, from all actions, causes of action, suits, debts, sums of money, damages, claims and demands, in law and equity, arising from the acts or omissions that were, or could have been, alleged or asserted in this action, including any and all claims for attorneys' fees, expenses, and costs.

For its part, the School District, for itself, its board members, officers, employees, agents, representatives, and attorneys, does hereby release and discharge plaintiffs from all manner of actions or causes of action, suit, debts, damages, sums of money, or claims of any kind which they had, now have, or may have in the future claim to have, arising out of the subject matter of this litigation.

 _____ BRANDI BRANDL	_____ KRISTI ALWINE
DATE:  _____ OLIVER BRANDL III	Date: _____ _____ FRANK W. JOHNSON, SR.
DATE: _____	DATE: _____

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\_\_\_\_\_  
BRANDI BRANDL

DATE:

\_\_\_\_\_  
OLIVER BRANDL III

DATE:

  
\_\_\_\_\_  
KRISTI ALWINE

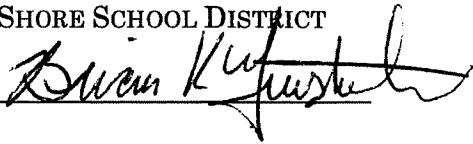
Date:

  
\_\_\_\_\_  
FRANK W. JOHNSON, SR.

DATE: 10-26-23



WEST SHORE SCHOOL DISTRICT

By: 

Date: 11/09/2023