

**DECLARATION OF LISA HARDISTY SITHONNORATH**

COMES NOW, Lisa Hardisty Sithonnorath and pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

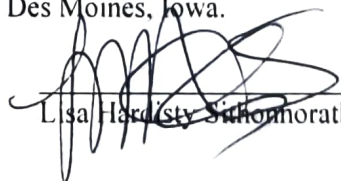
1. My name Lisa Hardisty Sithonnorath, I am a resident of Des Moines, Iowa, and I am over 18 years old. I have personal knowledge of the facts as stated herein.
2. I am the mother of two children who attend Jefferson Elementary School in the Des Moines Public Schools.
3. J.S. is seven years old and is enrolled in the second grade.
4. A.S. is five years old and is enrolled in kindergarten.
5. Because my children are under the age of twelve, they are not eligible to receive any of the currently authorized COVID-19 vaccines.
6. A.S. is diagnosed with Down syndrome, hypothyroidism and has a previous history of viral induced asthma.
7. The CDC has identified these conditions as risk factors for severe illness from COVID-19.
8. A.S. has had an assistant who is assigned to help her with medical and cognitive issues from her Down syndrome.
9. As a pediatric doctor myself, I am aware of the risks of complications from COVID-19 for my child with Down syndrome.
10. A.S.'s treating doctor has also informed me that my child is at risk for severe complications if she contracts a COVID-19 infection. According to her doctors, to decrease her risk, everyone around her should observe strict COVID-19 safety protocols and wear a mask indoors. (See Attached Exhibit A).

11. Because of A.S.'s medical and cognitive issues, she will mimic behavior and cannot follow instructions easily. It is much more difficult for her to adhere to current mitigation strategies, such as wearing a mask, handwashing independently, or social distancing, so it is even more important that others wear a mask and follow CDC guidelines around her.
12. Last year A.S. was enrolled in the remote option and I witnessed serious negative consequences to the point that I had to hire an assistant who would come home and work with A.S. throughout the day for individualized instruction. This person is no longer available to assist us with A.S.'s remote learning, and it is difficult to find someone who could help with all of A.S.'s needs.
13. A.S. could not access education through virtual instruction because children with Down syndrome tend to be visual and hands on rather than verbal learners and have difficulty with focusing for long periods of time, and unfortunately, visual instruction is near impossible to accommodate for a student with Down syndrome in a remote setting. A.S. has regressed in several areas, even with significant parental involvement in both curriculum development and dedicated learning time.
14. A.S. also experienced significant expressive communication regression since she did not have everyday access to her peers at school.
15. This year Des Moines Public Schools is offering an online program through Edgenuity. This online program is pre-recorded and self-taught, and does not provide the necessary supports, services, and accommodations, including direct instruction for child with disabilities.
16. Because of A.S.'s individualized needs, this fall we believe it important to send our children back to school in person.

17. I am very anxious about sending my children to school for in person instruction and the thought that they might contract COVID-19, especially with A.S.'s medical history.
18. My son, J.S. has also been anxious about getting COVID-19 at school and exposing others in our household.
19. We also have a medically fragile family. I have asthma, which puts me at risk for severe illness from COVID-19 if our children were to bring it home from their school. My husband is a former smoker which also places him in the high-risk category.
20. I believe that if everyone was wearing a mask and the school was following the guidance and recommendations from the CDC, my children would be safe in school.
21. My child is having to take greater risks – and unnecessary risks – to get her education than other students. I think this unfair.
22. I am seeking to have HF847 blocked so that my school will be able to require universal masking as necessary to meet its obligations to my child.

I swear under the penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dated this 2<sup>nd</sup> day of September 2021, at Des Moines, Iowa.

  
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Lisa Hardisty Suthornorath