

Exhibit 9

Supplemental Declaration of B.F.S.

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF IOWA**

IOWA SAFE SCHOOLS f/k/a GLBT YOUTH IN IOWA
SCHOOLS TASK FORCE, et al.,

Plaintiffs,

v.

KIM REYNOLDS, in her official capacity as Governor of
the State of Iowa, et al.,

Defendants.

Case No. 4:2023-cv-474

**SUPPLEMENTAL
DECLARATION OF B.F.S.**

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

1. My name is B.F.S. I am a 14-year-old gender-fluid teenager. I have personal knowledge of the facts as stated herein.

2. I am in the 9th grade at Valley Southwoods Freshman High School in West Des Moines, Iowa, in Polk County. My journey of understanding myself started in about 3rd grade. I use they/he/she pronouns because I am not a “boy” or a “girl,” I am just a person.

3. When I first learned about the law known as SF496, I thought, “What is the government doing?!” I knew that this law would harm all transgender kids in the state of Iowa. I was in disbelief at first and then I was angry. I deserve to be protected and safe at school. I worried that the law would make bullying and harassment of LGBTQ+ kids even worse than it already is. I said that to the Iowa Senate Education Subcommittee at the Iowa State Capital, but they still passed the law. And I said it again to the West Des Moines Community School Board last year. LGBTQ+ kids deserve to be able to express ourselves safely in school. We deserve to be able to talk about our families. We deserve to see ourselves in media, including in books available in

schools. And if we can't do all those things it sends a message that there is something wrong with us. There is nothing wrong with us.

4. When people meet me they think that I am always comfortable being out and expressive about who I am, particularly being LGBTQ+. But, the truth is, I know I have a target on my back at school. I know that if I wear an outfit that has a rainbow on it or anything LGBTQ+ on it, I am more likely to get harassed that day. Because of the passing of SF496, I am more aware of my clothing choices and how I look in general. I am aware that when I wear certain types of clothes, I am preparing for harassment. Sometimes I wear such clothes to comfort other students who don't have the ability to express themselves that I do because their families may not be as supportive or because they do not feel as brave.

5. I know what it feels like to be bullied in school for expressing my LGBTQ+ identity, and the new law has made things worse. For example, after they passed SF496, my school had a "Culture Day" where we were invited to wear things to show and celebrate diverse cultures. I wore rainbow socks and a Pride flag. Another student yelled at me "Jesus hates you! You're going to hell!" I felt pissed off, upset, and frustrated. After that, I went home for the rest of the day for a break from it all. At the time, I told the school counselor what happened. The school counselor spoke to the kid, and they were sent home for the rest of the day, but I don't know that any other action was taken. I was not the only one who heard the kid say this to me—many other kids heard it, too. We all got the message that we can expect this kind of targeted harassment if we express ourselves as LGBTQ+. The school principal talked to me and my parents when they came to pick me up from school. He tried to be reassuring to me that the school cares about me, but then he also said, "We'll just keep responding." It sounded like he thought more harassment would happen again. I wish the school did something to prevent bullying, not just tell kids it's wrong after the

fact. But it felt like they did not want to, because of SF496. Like they are too worried of getting in trouble with the state to speak out, to talk to these kids about LGBTQ+ issues and create an inclusive environment before the bullying happens.

6. I went with my parents to the school board meeting the next week to tell the story of me being harassed on Culture Day and the school's response, and to tell the board they should be working on preventing such things and making school safer for LGBTQ+ kids. I hate having to go there, but I know there are other kids who don't feel supported enough and strong enough to do it.

7. At the end of the year, my school held a ceremony to give out awards. I won the Outstanding Student Award, which is awarded to a small group of students each year to recognize year-round school citizenship with good grades and good participation in class and activities. I was also awarded the Leadership Award that only goes to two students in the whole school. My name is on a plaque at the school now! When they read my name out and called me to the stage to get the awards, several kids loudly booed me. The first time it happened, one of my teachers moved to stand behind me while other teachers tried to get the kids to stop. The second time the booing was quieter, but still present. This same thing happened the year before, when I won the same award for the first time. I believe the booing was because of my being in the LGBTQ+ community. I was wearing my rainbow pride flag during the day and had been harassed about it throughout the day. No one else was booed at the award ceremony. I believe the booing was an extension of the harassment from earlier in the day. Although some teachers told them to stop that, those kids did not get punished at all. The school did not take it seriously. I think that this sends the message that the school was not going to protect me from bullying.

8. The bullying on Culture Day and when I won the awards happened at my old school, Indian Hills Junior High. I hoped that things would be better at my new school, but they aren't. I get excellent grades, and I have a good relationship with one counselor, but I know that the other students don't like me because I am visibly LGBTQ. They say disgusting things to me and bully and harass me. I know that the teachers will not stand up for me or protect me from the bullying.

9. I am a member of the GSA at my school, but it is a very small group of students, and we have only met a couple of times so far this year.

10. If I wear a pride shirt or button or anything else that expresses my identity as an LGBTQ+ person, I now always have to think about what the response will be, and whether I will be harassed or bullied if I do that. I feel that I have to take an intentional risk about exposing myself to other kids being awful to me if I express myself in this way, and the law feels like an invitation to these kids to behave that way. Worse, the law makes the school less likely to protect me and my right to be open about my own identity while remaining safe at school.

11. I and my family updated my name and pronouns in the school records several years ago to reflect my identity but I have not changed my name legally. Since then, I have had fellow students purposefully dead-name me. It makes me feel mad and annoyed when other students dead-name or misgender me simply to harass me. (Sometimes people who I know care about me get my pronouns wrong but I know they're trying, and it's okay to make mistakes.)

12. Despite the legislation I still introduce myself as B.F.S. and ask my teachers and friends to use my correct pronouns. I have teachers that make mistakes and tell me I should just remind them. I wish I didn't have to and often I don't correct them. It's hard for me to constantly

have to tell adults what to do. I feel like this law sends a message that they don't have to even try to do it right if they don't want to.

13. I read the long list of books that are banned at my junior high and high school. It makes me furious. I know that a lot of the books that have been banned include LGBTQ+ characters and authors. That really bothers me, because I want to read books at school that reflect my identity and experience and I know many of my teachers and librarians want that too. When part of SF496 was halted for awhile with an injunction, my school librarian wrote in my yearbook last year, "Thanks for saving the banned books! I put them back on the shelves the first day I got the news!" I'm sad and frustrated they have to be removed again.

14. I have a friend group that supports each other, and my family supports me. I do get frustrated when I need to go to a school board meeting or spend time suing the State when I'd rather be reading or hanging out with my friends. I just want to do normal things like other kids at school. I shouldn't have to defend my existence.


15. I am excited for my family to move out of the country, and away from all this vile hatred toward the LGBTQ+ community. I look forward to feeling safe to be myself without having to be harassed all the time, and without having to hear politicians say that I am bad or shameful just for existing.

16. I have friends whose parents are not supportive, and they don't express themselves at home the same way they do at school. I feel worried for them because this law makes it harder for them at school. Although I am happy that we are planning to move away, I am very worried about my friends who will have to stay here. I have some mixed feelings about moving, because I feel like I am leaving them behind to have to deal with these terrible things.

I swear under 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 17 day of October, 2024, at West Des Moines, Iowa.

Respectfully Submitted,



B.F.S. 10/17