

Exhibit 13

Declaration of F.J.

**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. 4:23-cv-00474

DECLARATION OF F.J.

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

1. My name is F.J.¹, and I am 14 years old. I have personal knowledge of the facts as stated herein.
2. I am a freshman at Mount Vernon High School, in the Mount Vernon Community School District. I previously was dual enrolled at Mount Vernon Middle School during 5th and 6th grade, and then I was enrolled full time at Mount Vernon Middle School in 7th and 8th grades.
3. Mount Vernon Middle School houses students in 5th, 6th, 7th, and 8th grades.
4. Students at Mount Vernon Middle School are eligible to receive high school credit through both online courses and the opportunity to take high school courses in person, such as high school level math and science, while attending Mount Vernon Middle School.

¹ My legal name is A.J., but my preferred name is F.J. and that is what I am currently referred to at school and home.

5. I first came out as queer in 2020, and my identity has continued to evolve since then. I currently identify as transmasculine.
6. I was the President of the Mount Vernon Middle School Gay Straight Alliance (“GSA”) during the 2022-2023 school year, when I was in 7th grade, and the 2023-2024 school year, when I was in 8th grade.
7. The Mount Vernon Middle School GSA is a member of Plaintiff Iowa Safe Schools’ GSA Network.
8. The GSA is one of many student groups, clubs, or activities that meet during non-instructional time at Mount Vernon Middle School. Other clubs and activities at Mount Vernon include the Fellowship of Christian Athletes, Chess Club, Archery Club, Art Club, Environmental Club, Jazz Lab, Science Olympiad, MS Soccer Club, MVMS Stampede, Weight Lifting Club, and Yearbook.
9. Mount Vernon Middle School generally provides these groups with access to physical meeting spaces, as well as the ability to announce club meetings, events, and accomplishments on bulletin boards or over the public-address system. The school also allows these groups to go on trips and to host fundraisers through the school.
10. All of these groups are required to have a faculty advisor. A faculty advisor serves as a liaison to the school, supports the group’s student leaders in planning activities and managing meetings, provides continuity in guidance, and ensures meetings proceed safely, respectfully, and consistently to the school’s rules.
11. The GSA is very important to me because of the platform for community and education it gives me and so many others. When I first realized I was queer, it was from discussions of LGBT issues on Scratch, a coding website. Those discussions were focused on the experience of

lesbian, gay, bisexual, and transgender people rather than other parts of the community like people who identify as queer, asexual, and agender. Because of that, my knowledge was very limited on anything past the “LGBT.” In the GSA, by contrast, being with so many other queer youth gave all of us a chance to grow and learn together and to know that there is a place for us in the world, even if it isn’t at home.

12. I co-founded the GSA when I was in 6th grade, during the fall of 2021 after I had returned to school to be dual-enrolled in light of the COVID-19 pandemic appearing to slow down. When I was dual enrolled, I spent most of the morning at Mount Vernon Middle School taking classes, then spent my afternoons at home homeschooling with my mom. Being dual enrolled in public school and homeschool meant that I could also enjoy all of the offerings at public school such as extracurriculars and field trips. When I came out to my friends, many of them started to realize that there was a place in the LGBTQ+ community for them, too.

13. The first year of the GSA, my co-founder was elected president of the GSA, but they were not very successful. Our president illustrated exactly why we need faculty advisors by not showing up to many meetings and not fulfilling their duties as president. We had two faculty advisors and they were invaluable in helping us run the club the first year and, if they hadn’t, the GSA probably would have shut down.

14. The next year, when I was in 7th grade, 2022-23, I was elected president, and we were able to do a lot of amazing things with advisors in the room. As GSA president, I personally raised nearly \$2,000 that we used to pay for our attendance to the Iowa Safe School’s Governor’s Conference on LGBTQ+ Youth. With the support of my parents, I raised the money myself through a GoFundMe page and donated all of the funds to the middle school’s GSA.

15. The GSA was fortunate enough to attend the Iowa Safe School's Governor's Conference in the spring of both 2023 and 2024, during my 7th and 8th grade years. We started doing a lot more in the community when I was in 7th grade and the President of the GSA. We had our own Chalk the Walk square to advertise the club in May 2023 and 2024. Chalk the Walk is an annual community event in Mount Vernon where participants create Madonnari art pieces. We did more community outreach through service and guest speakers in the 2023-2024 school year. We did community projects like raking leaves for community members and helping out at the South East Linn Community Center, or SELCC. The SELCC provides many resources to the community, including a free clothes closet and food bank for those who need it.

16. A typical GSA meeting started with a time for venting, which provided a time for members to get things off their chests in a like-minded space. We then covered all pressing matters, such as upcoming parties, planning for events, new legislation, and/or safety drills. If we had any extra time, members could present on topics that interest them or we played games as a group. Since the beginning of the GSA, we always made it clear that the GSA is a safe space. Everything said in meetings is confidential, and you can always share what's on your mind. Because of that, we had very deep discussions about self-harm, religion, relationships, mental health, and so much more. Many people told me that they felt safer at the GSA than at home and that the members of the GSA are their family.

17. I met with the superintendent in early August of 2023 to discuss how SF496 would affect the GSA. After a month of multiple emails with the superintendent, principal and the advisor, we finally received approval to put up posters and make an announcement the Friday before the group's first meeting of the year, on Monday, September 11th. When my friends and I hung the posters on our lockers, we were told that they were 'too visible' to 5th and 6th grade

students. We were told to take them down, despite students being able to hang posters and other materials for other groups on their lockers with no consequence. At my school, some students from lower grade levels are sent to upper-level classes to match their abilities. This means that sometimes 5th or 6th graders might be in the 7th grade classrooms. Due to this, we were only allowed to hang posters in 8th grade classrooms, as some 6th graders visited 7th grade rooms.

18. In the beginning of the 2023-2024 school year, we were told we were not allowed to have an advisor in the room at GSA meetings. Based on a meeting with the superintendent at the beginning of the school year, I initially understood this to be because of the Don't Say Gay or Trans portion of the law and the fear that somehow a teacher in the room would show that they support LGBTQ+ people—even though 5th and 6th graders were not going to be permitted in the room during our meetings. After the Court issued an injunction, I emailed the principal and superintendent assuming we could now have an advisor in the room but they still denied it, saying that I misunderstood. Now they insisted that barring an advisor from the room was due to the Forced Outing portion of the law, which is still in place.

19. Also in August 2023, I learned Iowa Safe Schools had awarded the Mount Vernon Middle School GSA the GSA of the Year Award. Hannah Mitchell, the GSA Coordinator at Iowa Safe Schools, said we won because of our “outstanding initiative and leadership,” “dedication to fostering growth and learning, exceptional organizational skills, . . . commitment to inclusivity by ensuring financial barriers do not impede access to valuable experiences,” “perseverance in tackling difficult subjects within the group,” and “the group’s ability to create an open dialogue based on mutual respect between the students.”

20. The Mount Vernon GSA attended the Iowa Safe Schools Spirit Awards Gala in 2023 to receive the GSA of the Year Award. It is a huge honor, but the school only ever let us display the

trophy in the classroom we met, instead of in the official trophy case where they put accomplishments from other school groups. They told us that they had to make room in the case for it, but they never did. As far as I know, the trophy remains in the classroom where we met.

21. We were unable to celebrate and be honored for our achievement in the way a student group otherwise would have. The superintendent told my mom that he feared a building-wide celebration would constitute “promotion” of gender identity or sexual orientation in violation of SF 496. After many long email chains that included both me and my mom, the school did mention our GSA on their Facebook page, in the October newsletter, and during a school board meeting. But unlike the recognition that other school groups get for their accomplishments, this was not visible to students at all.

22. I went to the local newspaper, the Mount Vernon-Lisbon Sun, to talk about our GSA’s achievement. The school was not in favor of this because they were not consulted. This was one of the first instances where I described to the principal exactly how an advisor would be helpful. An advisor could have told me that I needed to consult with the principal and superintendent prior to contacting the press had the advisor been present at our meeting. Despite hearing this, he still did not act on my input. Rather, he asked that I walk down the hall, leaving a class of rowdy teens and preteens unattended, if a question came up again. He also encouraged me to email him to gain permission for activities we planned to do, despite my warning him that it would be a lot of communication. And his responses to these emails are often delayed. Prior to this meeting with the principal, I had received zero guidance on what type of permission I should seek from the school. I am unaware of any other student group that is required to jump through these hoops just to meet and conduct their ordinary activities.

23. According to the Mount Vernon Middle School Principal, we were not allowed to have an advisor, or any school staff, in the room because of the part of SF 496 that requires notification to parents about requests for accommodation to affirm gender identity. The principal told me that the superintendent was advised by the school's attorney to continue barring advisors' presence at meetings to protect transgender students from being outed to their parents. When my mom pointed out that the school is valuing potential harm to other students over actual harm done to me and my peers, the Principal acknowledged this and stated the school would continue to follow their attorney's advice.

24. In short, I was told directly by the leadership at Mt. Vernon Middle School that the forced outing part of SF 496 required notification to a student's parents or guardians if that student speaks openly about their gender identity in a GSA meeting. The advisor would have to notify the principal who would then contact the parents. I tried to speak with the principal on what would be considered a "formal request for accommodations related to gender identity" and the principal stated they were not flexible and would need to follow stringent guidelines concerning gender identity requests, including requests during GSA meetings for names or pronouns that differ from what is on their formal school documents. My mom reached out to other school districts asking them to consult with our principal, and we both spoke with Iowa Safe Schools and provided ideas of our own on how the school can still uphold this policy but have an advisor present during GSA meetings. Throughout the entire school year, the school refused to allow us to have an advisor in the room due to SF496.

25. Sadly, the school's fears were well-founded. I know there were members of the GSA for whom a report home would have extremely damaging, and potentially life-ruining consequences.

I also knew of other students at Mount Vernon Middle School who would have liked to join the GSA but will not because of the risk of a report home.

26. Having adult support in the room is beneficial because advisors can provide insight we hadn't considered and moderate more serious conversations, as opposed to students handling it on their own. Advisors' presence in the room also shows us that we are respected and valued the same as other student groups, and we aren't just being shoved to the side. Also, other members of our GSA see me as a peer, not an authority figure. Students do not listen to me as much as they listen to an advisor, especially in a school setting. This was apparent during one meeting when the advisor stepped briefly in the room to give instructions for the upcoming field trip to the Iowa Governor's Conference on LGBTQ Youth. All members were quiet when she was in the room, but as soon as she left, they became loud, stopped paying attention to me, and started breaking the group's rule that we keep all phones or computers put away unless you are contacting a guardian or doing something related to an activity in the group. Members did not always follow school rules during meetings, nor did they listen to me when I tried to correct them. It was hard for me to keep order in the classroom during meetings without a teacher advisor there.

27. As a member of Iowa Safe Schools' GSA Network, the GSA benefited a ton from their services. When I was first thinking about starting the GSA, I attended the GSA Conference, which was very helpful to learning how to start the club. In 2022-2023 we had a staff person from ISS speak to the group about happenings in the club via Zoom. In 2023-2024, I and many other members were kept informed of bills and other issues threatening our civil rights by ISS. As president, I also contacted ISS for consultation regarding how to react to these new laws. It was long a dream of the GSA to have a representative from Iowa Safe Schools come and speak

to the MVCSD staff. We offered to pay for it in full but to my knowledge the school district still has not agreed to this. SF 496 has seriously interfered with our GSA's ability to meet and access school resources in many ways this year.

28. Because of SF 496, we were not allowed to have 5th and 6th graders in the room at all. This was harmful, as our GSA lost valuable members who had joined in their 5th grade year last year and were unable to connect with the new 5th graders who didn't know participating in our GSA was an option. The superintendent explained to me and my mom during a meeting in early August 2023 that 5th and 6th graders could not be in the GSA nor could they hear or view GSA related materials, and we discussed how that would limit our ability to hang posters and do school wide announcements. He stated that these restrictions were due to the law. After the partial injunction in this case, our numbers nearly doubled because of not just 5th and 6th grader attendance, but also 7th and 8th graders who didn't know the club existed previously. Since I graduated and no longer attend the middle school, I do not know what the membership or attendance is like, now that the injunction has been lifted.

29. GSA membership declined because of SF 496, but then increased once the partial injunction was in place. Before the injunction, we had approximately ten students attending regularly and after the injunction we swelled to fifteen members. Our smallest meeting had seven in attendance and our largest was approximately seventeen students. This is based on my recollection as we did not take attendance during meetings.

30. While the GSA group was very excited to welcome new members, it increased my responsibilities and stress as I had more students I needed to manage across a wider age range. While I was president, I did a survey for a school assignment of the students in the GSA and their views or understanding about recently passed laws and bills that are up for debate. The

majority said that they no longer felt comfortable at school, had increased levels of anxiety and depression since these anti-LGBTQ+ laws have passed, and all of them want to leave the state because of these laws. Over half of the respondents reported they have also experienced increased bullying. This lined up with what I had observed in day-to-day class as well.

31. The process for getting announcements about the GSA approved was very tedious. I had to write an announcement, get it approved by the principal, and then go to the 7th and 8th grade teachers individually and ask each teacher to read it out loud in the morning. It was up to each individual teacher whether they chose to read it in class. I am not sure how many chose to read it. Other noncurricular clubs, such as Fellowship of Christian Athletes, are allowed to have schoolwide announcements read over the loudspeaker. Our GSA was the only student group to have to go through this ordeal that often took at least a week to happen. After the injunction, the process went back to an email notification to the principal to get approval of posters and announcements. I do not know if this changed again after the injunction was lifted.

32. Because no advisors were allowed in the room—no adults, really—I was forced to not only lead meetings as the normal president role required, but also keep the peace, orchestrate all events and outings we did, take the extra steps in communicating with advisors and the principal, and all other duties an advisor is supposed to do normally. Because of the increased safety concerns in light of not having any adults in the room, I also had to organize a couple of intruder drills and I personally had difficulties with anxiety and fear with that concern as well. We had several noise complaints because as a student leader, my peers don't listen half as much when I tell them to be quiet versus an adult telling them to be quiet. The teachers with the issue had to go to our advisor, who was sitting in the commons and couldn't hear the noise at all, and have their complaint heard. Then, at the end of our meeting, our advisor let the group know of the

complaint as members left. While not an occurrence at every meeting, I also had difficulties with some students listening to me when I reminded them of basic school rules such as: do not get into the teacher's desk, do not climb on desks, do not roll off of desks, do not climb on trees, be careful with food during parties, etc. I was advised by the principal that when these behavioral issues come up, I was to go down the hall to get the advisor, which was difficult to do when I needed to address the behavior directly and did not feel comfortable leaving the room when kids are acting up.

33. While we were all glad that the preliminary injunction allowed more students to participate in meetings, the increased attendance made it even clearer why we need an advisor in the room. When attendance began to increase, one student member began having difficulties managing their anxiety so I advised them to go outside to calm down (as we do have outdoor access from our classroom) and then rejoin the group when they are ready. We were eventually told by our advisor that we could not do that as they did not want students outside unsupervised. I received some support from our advisor when behavioral issues came up, but mostly the advisor was only present in the room long enough to let us know of the change of the advisor's limited role due to the new law, to speak to us about the field trip to the Governor's Conference, and to address behavioral concerns after the fact.

34. I often hesitated to reach out for help with classroom management for fear of accidentally outing a student. I also had concerns that if I could not manage the club by myself, the school would decide to shut it down. The principal said that he wants to support us in continuing the GSA, but because of the difficult experiences I had in running the GSA last year—particularly because of his insistence in following the very strict advice from the school's attorney—I lost trust that adults in the school were there to help. I would rather make decisions

independently. I was often angry and frustrated when I had to work with the principal or superintendent because their responses and the time it takes them to make decisions was so long. They seemed reluctant—or flat out refused—to make changes. And I was incensed each time another group, such as the FCA, enjoyed the ability to make school wide announcements or hang posters when we could not. These constant microaggressions added up for me and other GSA members as we were treated differently and worse than other student groups.

35. Not having an advisor in the room damaged my relationship with school staff and administration, I used to enjoy sharing responsibilities with them and getting their feedback on how to handle things. But last year, they were not aware of what was going on during meetings nor could they assist me in running them. I felt very disconnected from them. Not having an advisor in the room and limiting our access to students generally further isolated our GSA from the school community. And worst of all, it sent a message of shame: that student members of the GSA should be hidden or closeted, that what we have to say about our identities is dangerous. I worry that these messages will only further the internalized homophobia and transphobia that so many of us have to deal with daily.

36. The GSA had always been a source of fun and excitement for me, but last year it was a source of stress and exhaustion. There were so many hoops I had to jump through so that the GSA could basically function and I struggled to understand what exactly was allowed and not allowed. I was completely organizing all activities and meetings with minimal support from the school staff, so I had very little energy and motivation to work on anything other than keeping the GSA meetings going. While the GSA was still fun and extremely important to me, I was bogged down with the burdens of trying to be a member, officer, and substitute advisor—all while jumping through extra hoops and having less access than every other student group. It was

not fair that I had to work twice as hard as other student groups' leaders to perform the same basic functions.

37. Since I am now in high school, I am not involved with Mt. Vernon Middle School GSA. In August 2024, I reached out to the GSA's faculty advisors to share my organizational documents and some other materials I had created during my time as president so they could assist the new leadership. The advisor informed me that staff were not allowed to help with GSA set up at all and that duty lies with the students, so I had to communicate all of this information directly to students themselves.

38. In conversations with the new superintendent, Mr. Leeman, I also learned that the Mt. Vernon Middle School GSA is allowing 5th and 6th graders to join the GSA now, but they are requiring parental permission slips. We never had to have parental permission slips before, and I do not believe that the FCA or any other student group has to get permission slips for 5th and 6th graders to participate. I understand also that the GSA is not allowed to make school wide announcements over the loudspeakers still because 5th and 6th graders might hear it.

39. I learned that the GSA will be able to have an advisor in the room this year, but that the advisor is strictly there for crowd control and cannot participate in the meeting in any way. The school told me that any requests made during GSA meetings to use names or pronouns that reflected something different than a student's sex as assigned at birth would not be considered a direct request to an adult, and would not trigger the notification part of SF 496. The superintendent said that a request in the context of a GSA meeting would not be considered a formal request and would not be reportable.

40. One of the most shocking things I learned this year is that the FCA student group at Mt. Vernon Middle School has been allowed to have a non-staff person help organize the FCA. From

what I understand, in addition to having a staff advisor, they also have an “external partner” who is not affiliated with the school, but is allowed to help organize the students and meet with them outside of the school day. This is shocking because during my 8th grade year, the GSA received several offers from adults outside of the school staff to act as our advisors, but we were told by our GSA advisor that this would not be allowed.

41. I have a lot of worries for the future of the GSA. I worked very hard for this group since the beginning and with all of these restrictions and burdens that other student groups don't have to deal with, I don't know if it will survive.

42. No other student group at Mount Vernon Middle School was or is restricted in the ways that the GSA was and is. All can accept members, meet, advertise, celebrate, and host events as normal. These special, restrictive rules applied only to the GSA and treated our student members worse.

43. I am now in high school, where the environment is much more positive. The leadership here have been very welcoming and responsive, and they deal with bullying, hate speech, and threats much more effectively, which is a huge relief for me. The GSA is just getting off the ground this year, because it lost one of its advisors from last year and a few prominent leaders graduated, but I am excited to get back to a functioning GSA environment for me and other students to feel comfortable in.

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 16 day of October, 2024, at Mount Vernon, Iowa.

Respectfully Submitted,

FJ

F.J.