

## Exhibit 3

# Supplemental Declaration of James Doe

**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-474

**SUPPLEMENTAL  
DECLARATION OF  
JAMES DOE**

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

1. I provide this testimony under a pseudonym, James Doe.<sup>1</sup> I am a 17-year-old boy. I have personal knowledge of the facts as stated herein.

2. I previously submitted a declaration in this matter at Plaintiffs' Exhibit 5 in support of Motion for Preliminary Injunction.<sup>2</sup> (Doc. 2-6).

3. As stated in my first declaration, I am a student at a high school in the Sioux City Community School District. My high school has students in grades 9th through 12th.

4. As stated in my first declaration, I am part of the cabinet for high school GSA.

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<sup>1</sup> I understand a Protective Order is in place authorizing me to proceed under a pseudonym. (Doc. 44). As stated in my initial Declaration, I am proceeding under a pseudonym in this matter to protect my right to privacy and to protect myself from discrimination, harassment, and violence, as well as retaliation for seeking to protect my rights.

<sup>2</sup> I submitted a second declaration as Exhibit 3 to Plaintiffs' Renewed Motion for Preliminary Injunction. (Doc. 91-4). The declaration I submit today incorporates and supersedes my previous Supplemental Declaration.

5. GSA at my high school is a student-led, noncurriculum group that meets during noninstructional time. Other noncurriculum groups at my high school include Art Club, D&D Club, Game Club, and various vocal and instrumental clubs.

6. The GSA at my high school is a member of Iowa Safe Schools's GSA Network. As a member, Iowa Safe Schools supports the GSA in many ways. Its staff are available to us if we have questions or need support. We have had people from Iowa Safe Schools come to our GSA to meet with us and present on issues of interest to our members. Iowa Safe Schools invites us to events like the Governor's Conference and GSACon, where we have gone, presented, and met student leaders of other GSAs across the state and connected with them. By forming these connections, our GSA can organize with other GSAs in our area, widen our impact and provide our members with a larger sense of their community.

7. Like the other noncurriculum groups at my high school, the GSA has a place to meet on school grounds, the ability to make announcements over the P.A., and the opportunity to post advertisements and flyers in the school. The school also supports some student groups in holding events for the public or attending events or competitions relevant to the group around the state. However, to my knowledge, our GSA has never received special funding to hold an event ourselves or go to an event like those put on by Iowa Safe Schools.

8. As a noncurricular student group, we are also required to have a teacher sponsor. A teacher sponsor sits in on our meetings, provides ideas and offers suggestions for group activities, advocates on our group's behalf with school administration, and helps the GSA cabinet prepare and host events. At a typical GSA meeting, the teacher sponsor is present while GSA members spend time socializing and discussing group activities. Socializing is a big part of GSA for some members, and we even set up a separate, safe space meeting for this purpose, allowing us to focus

on activity planning during our other meeting times. Sometimes meetings also have presentations or games. But whatever the meeting type, in GSA, members are supportive, and they respect each other's names and pronouns, even if the member does not use their preferred name or pronouns outside of GSA or at home.

9. At the start of the 2023/2024 school year, our GSA had roughly 10-15 members attending biweekly meetings (excluding the cabinet). But at the start of second semester (in January 2024) our numbers quickly dropped to only having 4-6 members in attendance. Our attempts to promote the GSA were met with resistance. Near the beginning of the 2023/2024 school year our group put up flyers around the school to advertise the GSA. The goal was to make people aware of the GSA and to help us find new members, particularly among students new to high school. Two flyers were designed by the GSA. One flyer had pride flags on them. The other flyer did not include a pride flag. Both flyer designs were submitted to the school and approved for public display around the building prior to their posting. We printed around 20 color copies of each type of flyer. The two different flyer designs were posted side-by-side throughout the school hallways for added visibility. Within a week, every flyer with a pride flag had been removed. It is not known who removed them. The flyers without the pride flags were not removed. We told our club sponsor about the removals. Our teacher sponsor just told us to make more. I am not aware of any administrative action taken to address the flyer removals. I feel that by not doing anything visible about the flyer removals, except for telling us to print more, the school sent a message that our group, because of who we are and what we represent, should expect this kind of behavior and we have to deal with it on our own. I worry that students thinking about maybe attending a meeting or joining the GSA, saw the flyers in the hallways, saw the flyers with pride flags quickly removed, were fearful, and that fear weighed into their decision to not to attend.

10. The few active members we did have last year also seemed to be more hesitant about doing things as a group outside of the safe space meetings. This made it harder to accomplish our goals. Some members did not want to be visibly connected to the GSA. For example, they did not want to appear in a video for homeroom to debunk misconceptions about GSA, or work at a GSA bake sale, or do other things where they are out in front of their peers as a member of the GSA.

11. We have a new teacher sponsor this year. Our previous teacher sponsor had told us they would not out us to our parents. But there was a problem and there still is a problem. Even if the new teacher sponsor for our GSA were to tell us they would not out us to our parents, their word isn't going to be enough for most of our members to feel safe. For many students in GSA or thinking about joining, GSA is the only opportunity they have to feel a sense of community among other queer students. But they don't want to see a teacher get fired, and they can't count on that teacher actively going against a law that could get them fired.

12. Just as last year, many of my queer peers are afraid to talk to teachers now. If they're being bullied for their gender identity, they know that reporting the bullying would mean they will be outed at home. Those members I described previously that are not talking to teachers about the bullying they are experiencing because getting outed at home would be worse *still* can't feel safe.

13. I feel that it is unfair that other clubs at our school do not have to deal with these issues. Their members do not have to worry that participating openly means outing them at home or, even if they are out, that participating will make them a target at school. No other group worries that if they make a flyer with a symbol of their community, it will be torn down by people who hate them. No other group's members worry that they will be bullied if they appear at a group event. Between the decline in membership and the problems we face by being an openly LGBTQ+

group, we are thinking about rebranding the GSA to a general activism club. LGBTQ+ people, and by extension the GSA, are stigmatized at our school, and maybe doing this will allow us to support LGBTQ+ inclusion without being as visibly LGBTQ+. I hope we can accomplish more this way, but I am sad that it might become necessary.

14. No other student group at our school has to fight for the right simply exist or to be seen in public like the GSA does. SF 496's provisions that prohibit "instruction" and "promotion" of gender identity or sexual orientation and that require teachers to out their students not only stigmatize LGBTQ+ students, they interfere with my GSA's ability to meet and exist on the same terms as other student-led non-curricular groups.

15. This law has created a general fear and uneasiness around queer topics. It limits discussion in class and around the school. Before the law was passed, I would hear groups of students who were not affiliated with GSA making jokes or expressing solidarity with each other. But now people are staying quiet. If a teacher were to overhear another student talking to me about being transgender, can that student be sure they haven't crossed some line and now their parents will get a phone call? There is bullying and ignorance happening in my school that could be prevented, but so many are confused and worried that it's not.

16. Finally, when I submitted my first declaration, I had described the ways in which SF 496's book provisions were going to interfere with my Advanced Placement (AP) literature class, as books assigned on the curriculum would need to be changed and books in the classroom and school libraries were going to be removed. Because of the preliminary injunction, the curriculum was not changed and I had access to those books on the AP literature reading list. I passed the AP literature exam. Nobody from my high school or school district administration has told us what is going to happen this year with the law back in effect. I am in another college-level

reading and writing class and the book provisions of SF 496 could interfere with my coursework, in addition to resulting in the removal of books I want to read from the classroom and library shelves. This causes me and all students, especially LGBTQ+ students and allies, harm.

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 15 day of October, 2024, at Sioux City, Iowa.

Respectfully Submitted,

James Doe

James Doe