

VIRGINIA: IN THE CIRCUIT COURT OF ROCKINGHAM COUNTY

D [REDACTED] F [REDACTED], et al.,

Plaintiffs,

v.

THE SCHOOL BOARD OF THE CITY
OF HARRISONBURG, VIRGINIA, et al.,

Defendants.

CASE NO. CL22-1304

AFFIDAVIT OF PLAINTIFF D [REDACTED] F [REDACTED] IN SUPPORT OF
PLAINTIFFS' MOTION FOR TEMPORARY INJUNCTION

On this 29th day of August, 2022, I, D██████████ F██████████, do hereby certify:

1. I am a U.S. citizen and a resident of Rockingham County, Virginia. I am over the age of eighteen and competent to testify. I make this declaration based on my personal knowledge.

2. At all relevant times to this matter, I have been an employee of Harrisonburg City Public Schools (“HCPS”). Specifically, I am a special-education and English teacher at Skyline Middle School, a school in the HCPS Division, where I am focused on reading and literacy. I have been employed by Skyline Middle School for eight years, since August 2014.

3. I have long had a heart for kids with special needs and difficult backgrounds. My own children struggled with learning disabilities. When they were young, I decided to homeschool my children to provide the focused attention they needed. I saw them flourish in that environment, and all three are now adults with successful lives and careers.

4. When my children left for college, I felt a call to continue working with children and particularly those children with special educational needs.

5. Prior to having children, I was a director of field operations with Youth Guidance in Long Island, New York, which is a mentorship program supported by around 60 churches that worked with troubled teens and their families.

6. Before that, I had worked as a teacher of special education in NYC schools for 3 years, teaching both high-school and elementary students. Prior to that, I had worked in a home for kids in New York that had inspired my passion and concern for kids with special needs and troubled backgrounds.

7. I had volunteered, and was subsequently employed, as a Hospice Coordinator for two years before I applied for a teaching job in special education at Skyline Middle School.

8. I love my work as a teacher at Skyline Middle School. I am able to give my students individualized attention and watch them gain critical literacy skills and grow into well-adjusted and successful students.

9. My work has also brought me in contact with several students who question and struggle with their gender identity. To my knowledge, there have been at least ten students in this situation at Skyline Middle School. I also often work with students who are autistic, including during this current school term.

10. I have personally worked with three students at Skyline Middle School who either identified as transgender or otherwise struggled with their gender identity, one during the spring semester of 2022, and the other two prior to that.

11. Based on my knowledge about the number of students at Skyline Middle School who are questioning or struggling with their gender identity, I expect to continue to work with other students who identify as transgender in the future.

12. Even outside of my classroom, I have interactions with students who are questioning or struggling with their gender identity. Last semester I was looking after a student who couldn't find her classroom, who told me that she was using a different name at school and about her struggles with gender identity. The student specifically expressed concerns about telling her mother about her struggles and confided in me that she went shopping for boy's clothes with her grandmother because her mother wouldn't understand. We were able to have a good conversation, and I was able to ask the student whether she thought that her mother cared about her. "Oh yes, absolutely," she replied, and so I encouraged her to give her mother a chance to understand what she was going through, because she loved her very much. The student considered what I had said, and we said goodbye on a good note. We still greet each other often, always with a big smile!

13. Issues surrounding gender identity are of particular importance to me. I have walked closely alongside individuals and family members who have struggled with their gender identity and who have ultimately aligned with their biological sex.

14. Through these experiences, I have seen the importance of parental involvement when a child is struggling with such deeply personal and life-changing concerns as their gender identity. In particular, I have seen the importance of good psychotherapeutic assistance, coupled with parental involvement and support, to ensure that children struggling with gender dysphoria are able to process and work through all that they are feeling.

15. I am convicted by my life experiences and religious beliefs that I cannot ever push a child towards a gender transition, and that I can never block children struggling with these issues from the benefit of their parents' involvement. Children deserve to have their parents there to walk through such complicated issues with them, and I believe parents have the right and responsibility to do just that.

16. Despite my experiences and religious convictions, HCPS has a new policy that would require me to participate in, and to lie to parents about, a child's gender transition.

17. On or about August 10, 2021, I attended a training at Skyline Middle School. During that training, I was shown the slides in a presentation entitled "SOTS Presentation" (a copy of which is appended to the memorandum in support of plaintiffs' motion for temporary injunction at App. 8-19). After that training, I was sent a copy of the SOTS Presentation, which I reviewed.

18. Later, during a February 2022 planning meeting for special-education teachers at Skyline Middle School that I attended, the secondary special-education coordinator told those in attendance not to include information about gender-identity issues on certain paperwork that would be transmitted to the high school because parents might see it.

19. Instead, the secondary special-education coordinator instructed us to note on the paperwork that there was further information about the student that should be discussed orally.

20. I understood from the training and the planning meeting that it was a new school policy that:

- a. I would need to immediately start asking students for their preferred names and pronouns, and to always use the preferred names and/or pronouns provided by students going forward, regardless of whether or not parental consent was provided;
- b. If a student wanted to use preferred names and pronouns at school, I would be required to share the information with the student's assigned school counselor;
- c. I would not be able to speak to the student's parents about the use of preferred names and pronouns at school without the student's consent, nor would I be able to seek their permission to use different names and pronouns for their child;
- d. If a student was using preferred names and pronouns at school and his or her parents were not aware of the situation (and the student did not specifically authorize his or her parents to know about the situation at school), I would need to be deceptive with the parents to ensure the student's situation remained confidential.

21. Furthermore, I understood that if I was to do anything that violated this policy—for example not using a student's preferred names and pronouns, or disclosing to the student's parents that their child was using different names and/or pronouns at school—then I would be subject to disciplinary action by HCPS.

22. I understand that because these issues concern a student's gender identity, HCPS considers violation of this policy to be a form of discrimination and/or

harassment against the student, which is punishable by discipline up to and including expulsion or discharge.

23. I understand this policy was implemented in the 2021-2022 school year, and it continues to be in effect.

24. I object to this policy and what it requires me to do on religious and moral grounds.

25. My religious faith plays a very important role in my life.

26. I am a practicing Christian, my beliefs are based on the Bible, and I strive to live out my Christian faith daily in my work, home, and family life.

27. I am an active member of my church, where I have volunteered for years with youth. I have run a special-needs clinic through church and regularly facilitate prayer meetings with friends and colleagues. I have also mentored many students over the years through my church involvement.

28. My sincerely held religious beliefs, some of which are detailed in the following paragraphs, shape and govern my views about human nature, childrearing, gender identity, and honesty, among other topics.

29. I believe that God created the family and charged parents with the primary responsibility of raising, guiding, and caring for their children.

30. I believe that parents and family play an essential role in maintaining students' physical and mental health and well-being.

31. I believe that God created two sexes, male and female, and that these two sexes are a core part of God's intended design for humanity.

32. I believe that each of us is born with a fixed biological sex that is a gift from God; it is not an arbitrary imposition subject to change.

33. My religious beliefs prevent me from personally affirming or communicating views about human nature and gender identity that are contrary to my religious beliefs, because such affirmation or communication would be untrue.

34. Accordingly, I believe that referring to a child using “preferred pronouns” that are inconsistent with the child’s biological sex is harmful to the child because it communicates a message to and about the child that is untrue.

35. My religious beliefs also prevent me from lying to or intentionally deceiving the parents of the children I teach.

36. My religious beliefs require me to treat every student with love, dignity, and respect, because I believe all people are created in the image of God, and God calls us to love all.

37. I am committed to respectfully addressing all students in a way that does not require me to violate my religious beliefs, including a commitment to not lie to or intentionally deceive parents about how my students are being addressed at school. I have always addressed my students respectfully. And I intend to continue doing so.

38. For example, when using a student’s requested pronouns would violate my religious beliefs, I would avoid using those pronouns while simultaneously not intentionally using other sex-specific words that the student has specifically requested that I not use. Doing this would not violate my religious beliefs.

39. In accordance with my religious beliefs, I cannot use a student’s preferred pronouns if they do not correspond with the student’s biological sex. To do so would violate my religious beliefs. Yet HCPS has a policy that threatens me with discipline unless I violate my religious beliefs and immediately begin referring to a student with preferred pronouns, even if those pronouns do not correspond to the student’s biological sex.

40. Additionally, in accordance with my religious beliefs, I cannot lie to parents about a student’s use of a name at school that is different from that student’s given name, or about a student’s use of pronouns that do not correspond to that student’s biological sex; nor will I keep such information hidden from parents. To do so would violate my religious beliefs. Yet HCPS has a policy that threatens me with discipline

unless I violate my religious beliefs by lying to, deceiving, or keeping information hidden from parents.

41. Because of my religious beliefs, I cannot communicate HCPS's messages regarding sex and gender, nor can I communicate its message that it is appropriate to lie to or intentionally deceive parents about their children's well-being and education.

42. Among other reasons, I decided to become involved in this case because I was concerned that while we would naturally involve parents on all kinds of important issues that affected their children at school, on this topic, we were required to proceed on an assumption that we were dealing with bad parents who could not be trusted to support their children.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 29, 2022.


D [REDACTED] F [REDACTED]

**COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF HARRISONBURG**

The foregoing instrument was acknowledged before me this 29th day of August, 2022, by D [REDACTED] F [REDACTED].

My commission expires December 31, 2025.

Notary Registration No. 349775.


NOTARY PUBLIC

