

Exhibit 14

Supplemental Declaration of Richard Carlson

**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
RICHARD CARLSON**

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

1. My name is Richard Carlson. I am over 18 years old. I have personal knowledge of the facts as stated herein.

2. My wife, Ulrike Carlson, and I are the legal parents and next friends of our minor child, A.C., age 10, who is a plaintiff in this action.¹

3. I previously submitted a declaration in this matter as Exhibit 8 in support of a Motion for Preliminary Injunction. (Doc. 2-10). I am now submitting this second declaration to provide additional context and an update from the time I submitted the first declaration.²

4. As stated in my previous declaration, A.C. is a transgender girl. A.C. has been identifying as a girl since she was old enough to articulate how she felt, around the time of her third birthday. I described A.C.'s journey in detail in my original declaration at paragraphs five through seven, and I incorporate that discussion here.

¹ We are also the legal parents and next friends of P.C., who has previously submitted a declaration at Exhibit 4 to Plaintiffs' Motion for Preliminary Injunction, (Doc. 2-5).

² I previously submitted a second declaration as Exhibit 6 to Plaintiffs' Renewed Motion for Preliminary Injunction. (Doc. 91-7). The declaration I submit today incorporates and supersedes my previous Supplemental Declaration.

5. As I stated in my prior declaration, A.C. attends an elementary school in the Iowa City Community School District that served grades kindergarten through sixth until the 2024-2025 school year, and now serves grades kindergarten through fifth. A.C., currently in fifth grade, has been a member of her school's gender and sexualities alliance ("GSA") since the third grade.

6. The GSA at A.C.'s school is a noncurricular student group that meets during noninstructional time. It is not the only such group at A.C.'s school. The school generally provides these groups with a place to meet, the ability to announce club events over the PA system, and the ability to post advertisements for the club or club events in designated areas in the school.

7. The GSA at A.C.'s school has engaged in a variety of activities for the benefit of its members. These have included age-appropriate discussions of LGBTQ+ identity, reading and discussing age-appropriate books containing LGBTQ+ characters or themes, discussing the meaning behind the colors in the pride flag, and coloring pictures in a pride-themed coloring book to post around the school.

8. As described in my prior declaration, at the start of the 2023-2024 school year, the Iowa City Community School District prohibited all GSAs in K-6 schools, including A.C.'s. A.C. was therefore unable to attend a meeting of her GSA. After the preliminary injunction in this case, the district allowed A.C.'s GSA to resume holding meetings. But with the law back in effect, we were recently informed by the GSA's advisor that the GSA would not resume meeting due to the gender identity and sexual orientation provision. To my knowledge, no other student-led group at A.C.'s elementary school has been similarly prohibited.

9. Since the time A.C. joined her school's GSA, the GSA has now gone through four phases. In the first phase, before and until SF 496 became law, the GSA existed as it traditionally had as described above: visibly and with open discussions during meetings. In the second phase,

from the time SF 496 went into effect until the preliminary injunction, the GSA did not operate at all. The third phase started with the preliminary injunction and continued until the beginning of the 2024-2025 school year. Although the GSA faced significant challenges reforming in the middle of the school year, it resumed some limited activities during this phase, but less visibly and less openly than before due to the “forced outing” provision.

10. Because of the “forced outing provision,” students became more circumspect about what information they shared with their teachers, including their GSA leader during the phase GSAs were permitted to resume activities. During the time the preliminary injunction was in effect, discussions among members at GSA meetings were less open than they were previously, as students in general seemed to be hesitant to reveal too much about themselves or ask questions about their own LGBTQ+ identities. This hesitancy in self-expression remains today, during the fourth phase, when the GSA is again prohibited. School policy has also changed to restrict the display of all student artwork to small, designated areas in the school, which means the pride drawings and colorings the members make are no longer displayed around the school.

11. The GSA is an important resource for students of all ages that should remain available at all schools. Students, particularly LGBTQ+ students, benefit from the support, sense of community, and accurate information about LGBTQ+ issues that a GSA provides. But now, we are in the fourth phase, and the GSA in A.C.’s school is again prohibited.

12. Also due to the provision of SF 496 prohibiting any “any program, . . . promotion, or instruction relating to gender identity or sexual orientation to students in kindergarten through grade six,” A.C.’s school removed all LGBTQ+ flags, posters, and similar items from classrooms and other spaces. As it was before the preliminary injunction and now again with the law back in effect, no LGBTQ+ flags, signs, or other messages of support are openly displayed in the

classrooms, library, hallways, or other locations in the school. This removal of symbols meant to encourage LGBTQ+ inclusion sends a message to the school's LGBTQ+ students, faculty, and staff, that they are invisible at best, and unwelcome at worst. If any teacher were to retain such messages of support, they would be doing so as a matter of protest and at their own risk. This obviously harms LGBTQ+ children, who are made to feel as though they don't exist, or shouldn't exist, but it also harms other children, who are kept in ignorance that LGBTQ+ kids exist. If one of the goals of school is to prepare children to live in a pluralistic society, then SF 496 works directly against that goal.

13. The gender identity and sexual orientation provision's vague wording and the lack of guidance from the state or school regarding how to interpret the law has caused A.C. to refrain from speech in fear of the consequences. A.C. cannot confidently express herself as a transgender girl in the classroom, give a presentation on transgender rights, or ask questions about the gender identity or sexual orientation of a book's characters. The school board's policy regarding student expression states the district may restrict student speech if it "causes or is reasonably anticipated to cause a material and substantial disruption to the education environment; infringes upon the rights of others; is obscene or lewd; is school sponsored; and/or promotes illegal activity." It also states that "students who violate this policy may be subject to disciplinary measures." Under SF 496, gender identity and sexual orientation are now prohibited topics in A.C.'s grade. If A.C. were to express herself as a transgender girl, she would introduce this prohibited concept back into the school environment, and she fears that she could be deemed to be violating the board policy.

14. Even if the school were to affirmatively state that it does not interpret the law or its policies to lead to discipline against A.C.—which it has not said—A.C. would still be discouraged

from engaging in LGBTQ+ expression. For example, A.C.'s teachers give the students regular writing prompts. Last year, A.C. was asked to write about her heroes. A.C. admires Chappell Roan, a queer musician whose work explores themes of queer identity. If A.C. were given that prompt again this year, we don't know, and A.C. doesn't know, if preparing her report on Chappell Roan will lead to discipline. But because the school board has interpreted the gender identity and sexual orientation provision to prohibit all LGBTQ+ messages—and to discourage even the display of rainbows—it is clear that A.C.'s teachers would not be able to engage with her in a classroom discussion on her hero or the reasons A.C. admires her.

15. Another problem that causes me and Ulrike, as A.C.'s parents, extreme worry, is anti-LGBTQ+ bullying. We believe Iowa City Community School District teachers and administrators have A.C.'s interest at heart. But the gender identity and sexual orientation provision ties their hands. In the past, if a classmate of A.C.'s didn't understand why A.C. uses she/her pronouns, a teacher overhearing these remarks could intervene in a way that doesn't just silence the other student, but educates them on gender identity and being respectful to their LGBTQ+ peers. Maybe the teacher could dispel misconceptions by reading a book in class the next day like *Call Me Max*, which explains transgender identity in a way students A.C.'s age can understand. Without official or unofficial classroom instruction about gender identity at the K-6 level, or even acknowledgement that nonbinary and transgender students exist, A.C.'s gender identity will never be understood as normal and acceptable by her teachers and peers.

16. Access to age-appropriate books and other materials focused on LGBTQ+ characters is critical—life-changing, and possibly even life-saving, for LGBTQ+ young people, including those in grades K-6. To my knowledge, the Iowa City Community School District has not stated whether it interprets SF 496's gender identity and sexual orientation provision to apply

to students' access to books in school or classroom libraries, or, if so, how it is being applied. I know that last year A.C. learned a non-fiction book about adolescence, including a chapter discussing changes to the body during puberty, was removed from the school library, presumably because it contained content about sexuality, gender identity, or sexual orientation. This deprives A.C. and others in her school of factual information about puberty that they may not encounter in the school curriculum until years after they experience the onset of puberty. Additionally, I want A.C. to be able to read books about trans kids—about people like her—books that an administrator could deem “promotion” of gender identity or sexual orientation and be removed from a library “program” for their content. One important age-appropriate example is *Melissa* by Alex Gino, a novel for young people centered on a transgender fourth grader. This book had a great impact on A.C.'s older sibling while they were trying to understand their gender identity. But under SF 496, even though it does not contain anything remotely related to a description of a sex act, *Melissa*, and other books that would allow A.C. to see her own experiences and identity reflected, can be removed from A.C.'s school.

17. SF 496 as a whole sends a clear message to A.C. that something is wrong with her. It tells her that she needs to hide her gender identity, to accept that her school and her teachers cannot acknowledge or support her gender identity, and to accept that she cannot read or learn about transgender kids like herself in school. If she simply expresses who she is, the consequences for herself, her teachers, and her school could be substantial.

18. Notably, while the provision of the law on any K-6 “program, curriculum, test, survey, questionnaire, promotion, or instruction” does not refer to LGBTQ+ identities specifically, but instead refers broadly to “gender identity or sexual orientation,” this is not how A.C.'s school district is implementing the law. Non-LGBTQ+ children are still allowed to read books in school

about people who share their gender identities and to see posters at school that validate their gender identities. Non-LGBTQ+ children do not have to accept the same constraints on their self-expression that are imposed on LGBTQ+ children. I do not want A.C. to internalize the negative message that this law sends, that she is not only different from her classmates, but inferior to them, and subject to constraints on her self-expression that do not apply to them.

19. A.C.'s school experience has not been the same since this law was passed. A.C. can't understand why laws that target her and other children like her were passed. She doesn't understand what it means to prohibit any "program, curriculum, test, survey, questionnaire, promotion, or instruction relating to gender identity or sexual orientation," other than reinforcing that her transgender identity makes her different, and worse, that this difference is a bad thing at school. She feels that she has less freedom to express who she is at school, and she fears that being honest and open about her identity, or her support for LGBTQ+ rights and inclusion, will get her or any teachers or staff who might show support for her into trouble. The environment at school now makes her feel singled out, anxious, and upset. She doesn't know which adults she can trust at school; many teachers and staff might be supportive of her gender identity in private, but they feel the law forces them to offer A.C. little or no support at school, where it's needed. Since the anti-trans bills, including SF 496, were passed, A.C. has complained repeatedly about school, and done a lot of foot-dragging in the morning to keep herself away from school for as long as possible. These laws make her feel less safe and less supported in school.

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 17th day of October, 2024, at Iowa City, Iowa.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Richard Carlson", written in black ink.

Richard Carlson