

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CARMILLA TATEL, *et al.*,

Plaintiffs,

v.

MT. LEBANON SCHOOL DISTRICT, *et al.*,

Defendants.

Civil Action No.: 2:22-cv-00837

Hon. Joy Flowers Conti

**DECLARATION UNDER PENALTY OF PERJURY
OF MICHELE NAPIERKOWSKI**

I, Michele Napierkowski (she/her), being of sound mind and over the age 18, hereby declare and state as follows:

1. I live in Mt. Lebanon Township, Pennsylvania.
2. As a parent of three children, each with disabilities and Individualized Education Programs (IEPs), our family's experiences highlight the stark contrast between inclusive and exclusionary educational practices. The journey of my oldest child, who is transgender, underscores the urgent need for robust Diversity, Equity, Inclusion, and Belonging initiatives in schools.
3. Middle school presented a myriad of challenges for my oldest child (they/them pronouns) that went beyond academics. By this age, they already recognized that their gender identity didn't fit their gender assigned at birth and that they were different from most of their peers in this respect.

4. Because of my child's non-conforming gender identity, the middle school environment was hostile. The pervasive use of casual derogatory language, including slurs and phrases like "that's so gay" to denote disdain, contributed to a hostile environment for my child. This language, which was normalized among students and in the school setting, underscored the absence of a curriculum that fostered respect for diversity and was inclusive of diverse gender identities.
5. A particularly difficult episode for my child during middle school was the marriage project, an assignment highlighting the absence of LGBTQ-inclusive perspectives in the curriculum. Students were placed in heteronormative pairs and tasked with role-playing married life, culminating in a ceremonial photo session with boys donning top hats and girls wearing veils. This project not only reinforced gender binaries, but also placed my child in an exceedingly uncomfortable position, exacerbating their feelings of alienation and invisibility. This episode underscored a critically missed opportunity for the school district to implement inclusive education that was affirming to diverse identities and relationships. The result of this project, and of the middle-school curriculum's failure to provide LGBTQ-inclusive curriculum that mirrored their lived experience more generally, was that my child regularly experienced feelings of isolation and distress in school.

6. Our family's own efforts outside of the school environment to comfort my child and develop their happiness and confidence were not enough. At that age, the peer environment at school was a tremendous influence.
7. I watched my child suffer, listening to them come home and complain about feeling alienated and scared. Their emotional health suffered greatly; so did their schoolwork. During middle school my child had trouble passing the basic academic subjects. I attribute this in large part to the unaffirming environment they faced during middle school.
8. High School, where DEI initiatives were more actively embraced, represented a transformation in my child's life. DEI initiatives were more actively embraced by the larger, more diverse body of students and staff. Educational materials were much more representative of diverse gender identities and expressions, and my child was finally able to see themselves within the curriculum. My child joined the Gender Sexuality Alliance and engaged with supportive initiatives like Lebo Pride, communities which provided them with sanctuary and acceptance.
9. Thankfully, I witnessed a remarkable improvement in my child, which I attribute in large part to the more inclusive and actively affirming environment at the high school. They were more engaged and present with

us and their friends. They were more at peace with themselves and focused on living their life.

10. This inclusive educational approach led to tangible outcomes, including my child's achievement of a 4.5 GPA over the last 2.5 years of high school and the accumulation of over 150 hours of community service. This evolution from a child who was barely passing their classes in middle school to one that was excelling academically in high school showcases the profound benefits of inclusive education. An inclusive and welcoming school environment helped prepare my child for academic success, greatly improved their mental and emotional well-being, and set them up for active, empathetic participation in a diverse world.

11. My child's transition from battling derogatory language and exclusionary practices to thriving in a more accepting community highlights the invaluable role DEI initiatives play in fostering environments where all students can succeed. Ensuring all students see their identities represented and respected in the school curriculum is an important initiative school districts can implement to foster such environments.

12. Allowing parents to remove their children from DEI initiatives, like LGBTQ-inclusive curriculum, would undermine the crucial steps the Mt. Lebanon School District is taking toward inclusivity and acceptance. Such

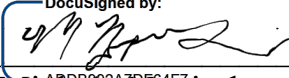
options would not only deprive students of the opportunity to learn and grow in a diverse environment, but would also reinforce the segregation and prejudice my child felt in middle school.

13. The journey of our family, especially my oldest child, from navigating exclusion to experiencing the transformative power of a curriculum that embraced inclusivity underscores the indispensable value of DEI initiatives.

14. I'm grateful that my oldest child had the opportunity to reclaim their pursuit of happiness. I hope other gender diverse children in the School District are given the same opportunity.

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

Executed on 2/9/2024, in Mt. Lebanon, Pennsylvania.

Signature:  Date: 2/9/2024
Michele Napierkowski