

# **EXHIBIT 7**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION**

**Case No. 7:16-cv-30**

BONNIE PELTIER, as Guardian )  
of A.P., a minor child; )  
)  
ERIKA BOOTH, as Guardian )  
of I.B., a minor child; and )  
)  
PATRICIA BROWN, as Guardian )  
of K.B., a minor child; )  
)  
Plaintiffs )  
)  
v. )  
)  
CHARTER DAY SCHOOL, INC.; )  
ROBERT P. SPENCER; CHAD ADAMS; )  
SUZANNE WEST; COLLEEN COMBS; )  
TED BODENSCHATZ; and MELISSA )  
GOTT in their capacities as members )  
of the Board of Trustees of Charter Day )  
School, Inc.; and THE ROGER BACON )  
ACADEMY, INC.; )  
)  
Defendants )

**DECLARATION OF I.B. IN  
SUPPORT OF PLAINTIFFS’  
MOTION FOR SUMMARY  
JUDGMENT**

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**DECLARATION OF I.B.**

1. I am the student participating in the foregoing case as “I.B.” I am eleven years old and I am a 6<sup>th</sup> grade student at Charter Day School.
2. I have been going to Charter Day School since I was in kindergarten.

3. I am a good student and my grades last year were all As except for a B in Math. Reading is my favorite subject and I love to read outside of school.

4. I am not a “girly” person and have never liked the way skirts and dresses look and feel. Wearing skirts and dresses does not feel comfortable to me. When I wear skirts to school, I feel exposed, open, and like it would be easier for someone to hurt me or look up my skirt.

5. In the winter, I wear two layers of leggings under my skirt to stay warm when I’m at school, but this is not as warm as when I’m able to wearing pants with long underwear. And wearing two pairs of leggings feels uncomfortable and bulky. When I was in kindergarten and first grade, I used to sometimes cry in the mornings before school because I would be cold wearing only a skirt with leggings. I do not have or wear any tights because they rip more easily than leggings.

6. I can only think of one time when I wore leggings outside of school, it happened once at Christmas when I wore reindeer print leggings.

7. In kindergarten and first grade, I remember I was told to “sit like a girl” and “sit like a princess” so my underwear would not show. “Sitting like a girl/princess” means sitting with my knees bent and legs to one side, rather than sitting crossed-legged. Sitting like this made me feel uncomfortable and singled out, since the boys were allowed to sit cross-legged, or however they were most comfortable. I thought this was unfair.

8. Now that I am older, girls at school just know how they are supposed to sit in skirts. In class, I need to pay attention to how I am sitting, which sometimes keeps me from concentrating on learning.

9. When I'm not at school, I do not wear skirts or dresses. I change into shorts or pants and a t-shirt as soon as I get home from school because I feel more comfortable wearing them.

10. Other than my school skirts, I do not own any other skirts.

11. I do not have many dresses and do not like wearing them. I did not buy a single dress last year. I believe the last time I bought a dress was two years ago. I wore a dress four times during last year: at the end of year "moving up" ceremony, at Easter, and at my brother's wedding. I felt weird wearing a dress at my brother's wedding because everyone noticed that I was wearing a dress and that was not normal for me. I have two dresses that fit me and they were both hand-me-downs from my aunt.

12. I am not planning to go to my formal dance because my brother told me that girls were not allowed to wear leggings or pants there.

13. In third grade, I used to avoid swings because my skirt would fly up when I was playing in them. I use the swings now, but I had to get comfortable with others seeing my underwear or seeing up my skirt. Other girls at Charter Day School, Inc. will avoid the monkey bars because they do not want their underwear to be seen. I remember that in first grade, a boy looked up my friend's skirt.

14. There are certain games that girls at school do not play because they do not want their skirts to fly up or their underwear to show, for example only the boys play "jackpot."

15. There are certain things I do not do during recess because I am wearing a skirt, for example, climbing or doing gymnastics. When I am not wearing a skirt at

school, for example during PE, or outside of school, I climb or do gymnastics without having to worry about my underwear showing.

16. I think the uniform policy makes the boys feel empowered. Girls having to wear skirts and dresses sends the message that girls should be less active than boys and that they are more delicate than boys. This translates into boys being put in a position of power over girls.

17. When I was in 1<sup>st</sup> grade or 2<sup>nd</sup> grade, my friend Joey said that girls could not play football. I did not agree with him and said “whatever” in response to his comment. This made an impression on me at the time because I thought that this kind of thinking was related to the uniform policy.

18. When I was little I asked my mom why girls would wear pink and boys blue. I think people should wear whatever they want to wear. That is how my mom taught me to think about things, to think for myself and have my own opinion on different topics. Although we can wear skorts or leggings under our skirts to school, that doesn't help because we are still expected not to do things that show the underlayer of shorts or leggings under our skirts. Teachers still would scold us if we were sitting or doing an activity that made our shorts or leggings show, and we could still get teased.

19. I think it's unfair that boys get to wear shorts and girls can only be really active on days when we have PE and can wear shorts or sweatpants.

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

Signed by me on this 13th day of November, 2017.

**signed by minor I.B.**