

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF ALBEMARLE

C [REDACTED] and T [REDACTED] I [REDACTED];

R.I. and V.I., minors, by and through their parents, C [REDACTED] and T [REDACTED] I [REDACTED], as the minors' next friend;

M [REDACTED] and M [REDACTED]  
M [REDACTED];

P.M., a minor, by and through the minor's parents, M [REDACTED] and M [REDACTED] M [REDACTED], as the minor's next friend;

K [REDACTED] and M [REDACTED] G [REDACTED];

T.G. and N.G., minors, by and through their parents, K [REDACTED] and M [REDACTED] G [REDACTED], as the minors' next friend;

E [REDACTED] and T [REDACTED] D. T [REDACTED];

D.T. and H.T., minors, by and through their parents, E [REDACTED] and D [REDACTED] T [REDACTED], as the minors' next friend;

M [REDACTED] R [REDACTED]; and

L.R., a minor, by and through the minor's parent, M [REDACTED] R [REDACTED], as the minor's next friend;

*Plaintiffs,*

v.

ALBEMARLE COUNTY SCHOOL BOARD;

MATTHEW S. HAAS, Superintendent, in his official capacity; and

Case No. CL21001737-00

DECLARATION OF PLAINTIFF  
CARLOS IBANEZ IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
PRELIMINARY INJUNCTION

**BERNARD HAIRSTON**, Assistant  
Superintendent for School Community  
Empowerment, in his official capacity;

*Defendants.*

I, Carlos Ibanez, declare as follows:

1. I am a citizen of the United States and a resident of Crozet, Virginia. I am over the age of eighteen and competent to testify. I make this declaration based on my personal knowledge.
2. My wife Tatiana Ibanez is also a U.S. citizen and a resident of Crozet, Virginia. Tatiana and I are the parents and natural guardians of Plaintiffs R.I. and V.I., both minor children, U.S. citizens, and residents of Crozet, Virginia. At all times relevant to this matter, R.I. and V.I. have been students in Albemarle County Public Schools.
3. During the 2020/21 school year, R.I was in 9th grade at Western Albemarle High School, and V.I. was in 7th grade at Henley Middle School. Now, during the 2021/22 school year, R.I. is in 10th grade at Western Albemarle High School. V.I. is in 8th grade at Henley Middle School.
4. My wife Tatiana and I were born and raised in Panama. We immigrated to the United States in 2000 to pursue our education. We both went to dental school at the University of Panama, and completed our residencies at the University of North Carolina at Chapel Hill.
5. Tatiana and I had every intention of returning to Panama after we completed our residencies. Our families are still in Panama. But living in the United States, we saw the freedom and opportunities available to people here. We could see how the principles of free speech, religious freedom, and equality are

not only built into the system of government in the United States but truly lived out by many Americans. That was not our experience in Panama.

6. Tatiana and I appreciate our heritage and the country we grew up in, but we grew up under a political dictatorship. My cousin was arrested, tortured, and killed for speaking out against the Panamanian government. That event had a profound impact on me and my family. It has also been credited as one of the triggering events that led the United States to invade Panama. After the invasion, Panama had a fledgling democracy, so Tatiana and I decided to come to America for our dental residency programs. These experiences are some of the reasons we still value the freedom America offers to its citizens.
7. After my wife and I completed our residencies, I began teaching at the University of Connecticut Health Center. That gave me insight into the American public school system. Through that experience, Tatiana and I came to really value all that public schools offer. We believed that more doors would be opened for our children if we raised them here, and we wanted them to benefit from the opportunities afforded by American public schools. So, we decided to stay in the United States, legally immigrate, and raise our family here. Since then, we have both been able to build a successful dental practice and become involved in our community.
8. Our experience in America has been a positive one. That's one of the reasons it was so disturbing to me when I learned in Spring 2021 about a racist incident in my daughter's classroom.
9. In Spring 2021, Henley Middle School ran a pilot program with curriculum created under the Albemarle School District's "Antiracism Policy" ("Policy"). The curriculum focused on race and identity through a so-called "anti-racism" lens. V.I. was part of the pilot program. The school also taught Policy-based "anti-racism" lessons in other core subjects, including language arts.

10. One day near the end of the pilot program, V.I. called her mother from school upset and confused. She was still upset when I talked with her that evening. As part of the Policy-based instruction in her language arts class, V.I. was shown two videos. Both upset and confused her.
11. The first video, entitled *Intersectionality 101*, compared the lives of two hypothetical students of color to the life of a hypothetical white student. The video indicated that students of color cannot live in big houses, and that their parents can't go to good schools or have successful careers, because those things are possible only for white families in America. The video is at App 520.
12. V.I. was upset that the school would suggest to her she could not succeed in her life because she is Latina. She was also confused because her skin color apparently indicated she was oppressed, yet her Panamanian parents were able to obtain good educations, build successful businesses, and provide a nice house for her and her siblings.
13. When I watched the video, I, too, was upset because I saw this message for what it was: racist. The school was telling my daughter (and other kids that look like her) that she was disadvantaged because of her race. The school was also simultaneously telling her that she was a privileged oppressor because of her parents' education and income bracket. I don't want my daughter taught either message.
14. My wife and I have worked hard to build successful dental careers and provide a good life for our children. We believe that dedication and hard work leads to success, and that this opportunity is open for anyone, regardless of race, color, or creed. We have worked to instill these values in our children. So, it was deeply concerning to me for my daughter to be taught in a public school that it is her race, not her hard work or her character, that determines her success in life.

15. The second video upset V.I. because it denigrated her Catholic faith. The video, entitled *Bibi*, depicted the story of a Latino father and his homosexual son. The video was produced by the Southern Poverty Law Center and portrayed the father as the antagonist because he did not immediately affirm his son's homosexual lifestyle. The video blamed this on the father's Catholic faith, associating Catholic imagery (an image of the Virgin Mary) with the father when his character and beliefs were introduced. The video is at App. 522.
16. V.I. was disturbed about the video's negative and distorted depiction of her religious faith. I also watched the video, and I strongly object to the school denigrating our Catholic beliefs about sexuality. My wife and I are practicing Catholics, and we have raised our children in the Catholic faith.
17. I took my concerns to my daughter's teacher, Chris Booz. I explained, as a person of color, that what was being told to my daughter in that first video was racist. And the content in the second video was hostile to our faith. I wanted to understand the pedagogical thinking behind the decision to show these videos, and I wanted to know if my children would continue to encounter this racist (and anti-Catholic) message at school. Ms. Booz dismissed my concerns and told me that the School District's "Anti-racism" Policy and its curriculum (including these videos) were what students needed to see.
18. I strongly object to this sentiment. My children do not need to see videos or receive other so-called "anti-racism" instruction that tells them that their race predicts their outcomes in life. I believe that every person is created equal, should be treated equally under the law, and can succeed in life through hard work. A child should never see their ethnic heritage as a negative or limiting factor.
19. My beliefs on race come from my personal experience but also from my religious faith.

20. I am a practicing Catholic, and I believe in the teachings of the Catholic Church as laid out in the Bible and the Catechism of the Catholic Church.
21. My Catholic faith governs the way I think about all of human life, including human nature, morality, and identity.
22. For example, treating people differently based on race violates my religious beliefs. I believe that all persons are created in the image and likeness of God, that all people possess inherent dignity, are equal before God, and must be treated accordingly. I believe that a person's race has no relation to that person's inherent dignity as a child of God and that a person's race should never determine how that person should be treated.
23. I believe it is also one of America's foundational principles that all people are created equal and deserve equal treatment under the law. It's something I value about America.
24. Consistent with my faith, I endeavor to treat every person—no matter the person's race, color, or creed—with dignity, love, and respect. I oppose racism in every form because it contradicts my religious and philosophical beliefs.
25. My faith also teaches me that parents are the primary educators of their children in all matters and have the duty to educate their children. My religious and philosophical beliefs hold that parents have the fundamental right to control their children's education.
26. Tatiana and I have worked to instill our Catholic faith, beliefs, and values in our children. I want my children to see the value and dignity in every person and to treat everyone equally regardless of their ethnicity or heritage.
27. The School District's racial discrimination—under the guise of trying to eliminate discrimination—conflicts with our sincerely-held religious and philosophical beliefs. It also conflicts with the religious beliefs and values we are trying to instill in our children. I object to the School District indoctrinating

my children in views contrary to our beliefs, and views that openly denigrate our beliefs.

28. As an eighth-grade student during the 2021-22 school year, V.I. has continued to receive classroom instruction in several subjects that focus on race, religion, and identity through an “anti-racism” lens contrary to my religious beliefs and values and the religious beliefs and values I am trying to instill in my daughter.
29. As a sophomore student during the 2021-22 school year, R.I. also has received classroom instruction in several classes that focus on race, religion, and identity through an “anti-racism” lens contrary to my religious beliefs and values and the religious beliefs and values I am trying to instill in my son.
30. I have seen the 8th grade curriculum from the pilot program. Now that V.I. is in 8th grade, I anticipate that she will receive this curriculum sometime this year.
31. The curriculum teaches the racist content that I object to and that upset V.I. during her 7th grade year. For example, it teaches that because she is Latino she is “subordinate” and therefore oppressed by white students. It also says that because she is Christian, she is part of the “dominant” culture. Again, I don’t want her taught either message.
32. The ideology presented in this curriculum and other Policy-based instruction is not presented as a topic for discussion or debate. It is taught as an objective description of the world. And the solution provided in the Policy and Policy-based curriculum is “anti-racism,” which requires my children to work to dismantle “dominant culture,” which includes Christianity.
33. The Policy pushes my children to agree with and affirm an “anti-racism” ideology that in fact is racist and denigrates our family’s religious beliefs. I object to that. I believe it is wrong to treat people differently based on their

race or religion, and I do not want my children to see other students through a racialized lens and with a view of “dominant” and “subordinate” identities. I do not want them taught that their religious beliefs should be “dismantled.”

34. I have learned through an online presentation with the Henley Middle School principal and several teachers that we may not withdraw our children from Policy-based lessons even if we object to them because the “anti-racism” curriculum will pervade “all content areas” and will be “woven through” all classes and the school environment. I am already seeing that in my children’s schools.

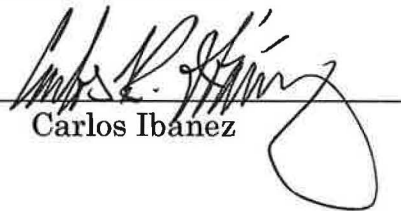
35. I became involved in this case because I believe that absent Court intervention, the District will continue discriminating against my children for their race, background, and religious beliefs.

I declare under penalty of perjury that the foregoing facts are true and correct to the best of my knowledge.

Dated this 22 day of February, 2022, in Crozet, Virginia.

By: \_\_\_\_\_

Carlos Ibanez

A handwritten signature in black ink, appearing to read 'Carlos Ibanez', is written over a horizontal line. The signature is stylized and includes a large loop at the end.