

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

Parker Tirrell, by her parents and next friends Sara Tirrell and Zachary Tirrell, *and*

Iris Turmelle, by her parents and next friends, Amy Manzelli and Chad Turmelle,

Plaintiffs,

v.

Frank Edelblut, *in his official capacity as Commissioner of the New Hampshire Department of Education;*

Andrew Cline, Kate Cassady, Ann Lane, Philip Nazzaro, Rajesh Nair, James Fricchione, and James Leboe, *in their official capacities as members of the New Hampshire State Board of Education;*

Pemi-Baker Regional School District;

Pembroke School District;

Donald J. Trump, *in his official capacity as President of the United States,*
1600 Pennsylvania Avenue NW,
Washington, DC 20220;

U.S. Department of Justice,
950 Pennsylvania Avenue NW,
Washington, DC 20530;

Pamela Bondi, *in her official capacity as Attorney General of the United States,*
950 Pennsylvania Avenue NW,
Washington, DC 20530;

Civil Case No. 1:24-cv-0025-LM-TSM

U.S. Department of Education,
400 Maryland Avenue SW,
Washington, DC 20202; and

Denise L. Carter, *in her official
capacity as Acting Secretary of the
United States Department of Education,*
400 Maryland Avenue SW,
Washington, DC 20202.

Defendants,

and

Female Athletes United,

Proposed Intervenor-Defendant.

DECLARATION OF A.K. IN SUPPORT OF MOTION TO INTERVENE

I, A.K., under penalty of perjury, declare as follows:

1. I am a 17-year-old resident of Colville, Washington, in Stevens County, and I have personal knowledge of the information below.
2. I am an 11th-grade student at Colville High School where I compete on my school's varsity basketball, cross-country, soccer, and track teams.
3. Colville High School is a public school governed by Title IX.
4. I am a member of Female Athletes United ("FAU").
5. Having experienced the unfairness that results from male athletes competing against women, I want to advocate for fairness in women's sports. I believe in FAU's mission, which promotes equal opportunities for women in sports.

Sports Involvement

6. I have competed in sports for as long as I can remember.
7. I enjoy playing on a team with others, competing, and winning.

8. In the future, I hope to be awarded an athletic scholarship and to compete at the collegiate level.

9. Last year, I was forced to compete against male athletes who identify as female in cross country and track. These male athletes go to other public schools and compete on the girls' cross-country and track teams for their schools.

10. This track season, I am also slated to compete against schools that have male athletes on their girls' track team. I anticipate that I will race against these male athletes, as I have in the past.

11. One of these males competes for another school at several of our track meets, including the state championship last spring season. The other male athlete competed for a different Washington high school team in my school's division in cross country.

12. I finished behind one of the males who competed against me in the cross-country state championship meet in the fall of 2023. I was aware that the student was male due to marked physiological differences. Public sports records of the student's race times confirmed that the student had competed on the boys' team the prior year. It was also reported in the news that this person was a male. An article about this student's participation in the state championship meet can be found here: <https://perma.cc/DY87-WL3E>.

13. A different male student competed against me in track and field. In one competition, that male athlete received first place in every women's event in which the student competed.

14. It was incredibly frustrating for me to be forced to compete against a male. I watched this male easily dominate the 4x200 relay and the 4x400 relay. Girls did not stand a chance at victory against this male athlete.

15. The male, who had previously competed on the high school boys' cross country and track teams, placed in the top three in nearly every event in which the

student competed. And this student competed in an unusual number of events. In the last year alone, the male student competed in the 400-meter, 800-meter, 1600-meter, 3200-meter, 300-meter hurdles, 4x200-meter relay, 4x400-meter relay, and 1600-meter sprint medley relay.

16. Runners do not typically dominate both short and distance track events, but this athlete competed in and often came in first in nearly all of these races.

17. In the last season alone, the male athlete placed first 19 times, displacing girls over 470 times.

18. I competed directly against this male athlete in two different events, a 400-meter race and a 4x400-meter relay.

19. Just as I got to the starting blocks, I saw that a male was competing against me. It was demoralizing. I felt like the competition wouldn't be fair, and it wasn't.

20. This student placed first and I placed third in the 400-meter race.

21. I was upset that the girl who should have placed first got displaced by a male. And I was discouraged to have placed third because a male student competed in the girls' division.

22. We also competed in the 4x400-meter relay. The male student's relay team came in first, and my team came in fourth. This was extremely frustrating and disappointing for me and my teammates.

23. That male student went on to place first in the girls' 400-meter race at the state championship. An article discussing the male taking first in this event at the state championship can be accessed here: <https://perma.cc/YHP4-E5FZ>.

24. The male I competed against in track will be a senior this year, and the male athlete I competed against in cross country will be a junior. I anticipate competing against both of these male students again this track season. I anticipate

competing against at least one of these students again in a state championship meet.

25. It is not fair to force girls to compete against males even if the male students identify as girls. Males are bigger, faster, and stronger than women. It is frustrating to lose out on opportunities to be a champion in my own sports because a male is allowed to compete on the girls' team.

26. Thankfully, my school has not had males compete on girls' sports teams. And it is my understanding that my school will not allow males who identify as females onto women's sports teams unless the school is required to do so.

27. I submitted a declaration in a challenge to the Biden administration's Title IX rule, which would allow male students to compete in girls' sports. It is my understanding that the court in that case issued a ruling protecting my school from having to enforce the rule.

28. I am grateful that the rule was struck down so that not all schools have to allow males to compete on the girls' teams if they identify as girls.

29. It is my understanding that there is now an executive order which clarifies that Title IX protects women's sports. This is a relief for me because I sometimes travel to compete so it is important that I know that the players I compete against are women and that private spaces will be reserved for females.

30. I hope that my state will follow this executive order, so that in the future, I will not have to compete against male athletes. I also hope that other states comply with this order, because I travel to other states to compete.

31. My competitions are at different schools across the state and in several other states, including Idaho, Montana, and Oregon.

32. I am hopeful that the executive order will help protect me and girls like me nationwide, especially because I hope to play women's sports for many more years.

33. I would love to play at the collegiate level, but I do not want to compete against male athletes. And it is disheartening to think that a female athletic scholarship could be given to a male instead of to me, no matter how hard I work.

34. Based on my personal experience, competing against men in women's sports is unfair because they are built differently.

35. In running, you can clearly see that males have athletic advantages over girls—their muscles are bigger, and they run much faster than girls.

36. I would be nervous to compete against a male in basketball. I would be afraid that I could be seriously injured. Basketball involves a lot of physical contact. Getting fouled by a girl hurts badly, but getting fouled by a male could be dangerous.

Fairness

37. My teammates and I have spoken about how unfair it is for males to compete in girls' sports.

38. We have talked about this on multiple occasions, and I have shared that I believe it is wrong and unfair for males to compete against girls because boys cannot become girls, boys and girls are different, and boys have athletic advantages.

39. Several students at my school identify as transgender or non-binary, so if schools are required to allow students to play on sports teams or to use facilities that don't align with their sex, I could have a male student on a team or in an intimate space with me at my school.

Privacy

40. I also believe that it is important for safety and privacy that girls are not forced to share restrooms and locker rooms with males.

41. So far, I have never been forced to share these spaces with a male at my school.

42. My teammates and I change in our school's locker rooms before track and cross-country practice and weekday meets.

43. Like most locker rooms, my teammates and I all change together in the open space between the lockers. The locker room setup at my school does not allow for much privacy because there are only a few private stalls, so the main changing area is in this open space.

44. For basketball, we use our school's locker room to change before practices and home games.

45. For away games in basketball, we use the locker rooms of the hosting school to change.

46. For all the sports I am involved in, we use the restroom facilities at the site of the meet or game. These facilities rarely allow for much privacy. In my experience, most school locker rooms are open spaces with few if any private stalls, and girls have little choice but to change in front of each other.

47. Sometimes, when we travel to competitions across the state or in other states, including Idaho and Montana, we spend the night in a hotel.

48. On these trips, we share a room and usually a bed with one of our teammates.

49. I would be very uncomfortable if I were forced to share a room or a bed with a male student.

50. If I were forced to do that, I would not go to the competition.

51. I believe it is inappropriate and unsafe for girls to be forced to share private spaces like restrooms, locker rooms, and showers with males. Girls and boys are not the same. They are meaningfully different, and these differences need to be recognized in situations where they are relevant for safety, privacy, and fairness.

The Future

52. It has been frustrating to compete against and finish behind male athletes on multiple occasions when competing on the girls' team at my school.

53. In the future, I hope that girls' will have their teams and private spaces at school protected.

54. I am optimistic that because the President has recognized that Title IX protects fairness for female athletes that states will respect our rights under the law too and that girls' teams can be just for girls.

55. I am also thankful that the President has said that restrooms and locker rooms at school can be separate for boys and girls. This is so important for safety and privacy.

56. As long as girls have to fight for fairness and privacy, I am committed to doing my part to advocate for female students and athletes.

57. I know what it is like to place behind a male and the frustration and discouragement this causes, and I don't want other girls to have this experience.

DECLARATION UNDER PENALTY OF PERJURY

I, A.K., a citizen of the United States and a resident of the State of Washington, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct to the best of my knowledge.

Executed this 20 day of February, 2025 at Colville, Washington.



A.K.