

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JOEL DOE, a minor; by and through his Guardians JOHN DOE and JANE DOE,	:	
	:	
Plaintiff,	:	No. 17-cv-1249 - EGS
	:	
v.	:	
	:	
BOYERTOWN AREA SCHOOL DISTRICT; DR. RICHARD FAIDLEY, in his official capacity as Superintendent of the Boyertown Area School District; DR. BRETT COOPER, in his official capacity as Principal; and DR. E. WAYNE FOLEY, in his official capacity as Assistant Principal,	:	
	:	
Defendants	:	

**DECLARATION OF AIDAN DESTEFANO IN SUPPORT OF MOTION FOR LEAVE TO
INTERVENE**

I, Aidan Maxwell DeStefano, declare as follows:

1. I am an 18-year-old resident of Pottstown, PA, and a senior at Boyertown Area Senior High, which we students call “BASH”.
2. I submit this declaration in support of my motion to intervene, in order to explain my interest in this litigation.
3. I am a transgender male. I have attached two recent photographs of myself to this declaration so you can see who I am. I am, obviously, not a girl.
4. My public transition began when I started 10th grade at BASH. The first time I stepped into the girl’s bathroom here, everyone stared at me, because I did not look like the girls in

that bathroom. Between the looks and the questions, it was clear to everyone, including me, that I did not belong in that bathroom.

5. I decided to go to my school counselor to find out my options. My counselor told me that I could use the nurse's bathroom.

6. At the time, I competed with the girls cross country team and there, too, I got stares and questions.

7. I had started seeing a psychotherapist who is a gender specialist in May 2014, and as I progressed with my therapy, I took more and more steps to live in a way that reflected my gender identity. In 10th grade, I started asking my teachers to call me "A" rather than my birth name, which is female. Most of my teachers agreed right away, which made me feel more accepted and comfortable at school.

8. In the summer of 2015, I began receiving transition-related hormone therapy, and when I returned to BASH for 11th grade, I went to my counselor and requested that teachers and school administrators call me Aidan, and use masculine pronouns when referring to me. Again, the BASH teachers and administrators respected my wishes, which was a great feeling. I started the process to legally change my name to Aidan Maxwell DeStefano, which became final in 2016.

9. By then, I was dressing consistently with my male identity in all aspects of my life – at home, school, work, and church. During 11th grade, my counselor told me that I could use the male facilities if I wanted to. I still used the nurse's bathroom that year because I was worried that I might get stares or worse in the male facilities. That year I stopped competing with the girls' track team, but I stayed on the team as manager because I still loved the team.

10. Now I am a senior at BASH and have completed my transition. I have changed my legal documents from saying “female” to saying “male,” including my birth certificate. Last summer, I had bilateral mastectomy to further bring my physical appearance in line with my identity as a male. And this year I joined the boys’ cross country team.

11. This school year I started using the male facilities at BASH. That feels so good – I am finally “one of the guys”, something I have waited for my whole life. The other students are really supportive. In fact, I was elected to the homecoming court by my fellow students. And when I ran with the guys for senior night, it felt great to hear the cheers from my male teammates.

12. Being able to be my true self is more important than I can describe. I am on track to make the Honor Roll for the third marking period in a row, something I have never done before because I was too distracted and stressed.

13. I have no trouble in the bathrooms or locker room. Sometimes someone stares, but usually I am treated just like all of the other guys. No one harasses me or questions me. The support from the students is really amazing.

14. I know that I am not the student described in the complaint in this case because I do not wear a bra and did not wear one in October of 2016.

15. There is never any reason for a student at BASH to undress in front of other students. The bathrooms, of course, have stalls with doors that lock. And in the locker rooms, there are also toilet stalls with doors that lock, and in the shower area, there are changing cubicles with curtains you can pull across. No student has to watch other students changing, or be seen by other students while changing. Besides, students do not undress completely or shower before or

after gym class – there isn't time! Sometimes people shower after team practice or competition, but they are in the team locker rooms and showers, which are separate. Both the girls' and the boys' showers and lockers rooms have private areas where people can change, as well as private showers.

16. My success at BASH is not just important to me. There are a number of students who look up to me as an example, and they know from watching me that it is possible for them, whether they are cisgender or transgender, whether they are straight or LGBTQ, to have dignity and respect, and thrive here at BASH.

17. I cannot imagine what it would mean to be told I could no longer use the male restrooms and lockers. It would be devastating for my own school to not recognize me as the man I am (even if it was only because of a court order) and to have to “go backward” in my transition. I could not go back to using the female facilities any more than any other male student could. It would be distressing for me to do so. And it would be deeply uncomfortable for everyone. Even before I began hormones and had chest surgery, it was clear that the girls bathroom was the wrong place for me. Now, I have facial hair, a male chest, a deep voice, and everyone knows I'm a guy. If the aim of the Complaint in this lawsuit is to keep students from sharing restrooms and locker rooms with members of the opposite sex, putting me in the female facilities would accomplish just the opposite.

18. If the Court ruled that I cannot use the male facilities, it would mean that I would not be able to use any of the common facilities that all other students are able to use. I would have to use separate facilities. There is nothing wrong with students choosing to use separate private facilities that the administration has made available to any student who feels uncomfortable using

or wants greater privacy than what is available in the common facilities. That was a choice I made earlier in my transition. But to be told that I am *required* to use separate facilities than those used by the other boys, including my teammates, would be humiliating and stigmatizing. That would send the message to all transgender students – and our classmates—that we are not fit to be among our peers.

19. I want to be part of this lawsuit because for me there is something very personal at stake. I have worked very hard to bring my life into alignment and I cannot stand aside while my dignity and ability to fully participate in school life are under attack. If the Plaintiff prevails and I can no longer use the facilities that match my gender, I will be devastated.

20. Besides being a personal loss for me, if the School District were required to stop allowing transgender students to use the facilities that correspond to their gender identities, that would be loss for my peers and for the transgender students who will come after me. I know many transgender students at other schools lack supportive school environments and high school can be a painful and even dangerous experience. I don't want that to happen to me or my transgender friends at BASH.

21. I make this declaration from my own knowledge of the facts and circumstances set forth above. If necessary, I could and would testify to these facts and circumstances.

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

Executed on: April 3, 2017

/s/ Aidan Maxwell DeStefano
Aidan Maxwell DeStefano



BOYERTOWN
BEARS

