DECLARATION OF MICHELLE CROFT

COMES NOW, Michelle Croft and pursuant to 28 U.S.C. § 1746, declares under penalty of perjury that the following is true and correct:

1. My name is Michelle Croft, and I am over 18 years old. I have personal knowledge of the facts as stated herein.
2. I am a member of the ARC of Iowa.
3. I am the mother of J.J.B., who is 9 years old and is in 4th grade. J.B. has been diagnosed with asthma, Attention Deficit/Hyperactivity Disorder ("ADHD"), and other disabilities. *See* Exhibit A (Letter from Doctor Meredith Fishbane-Gordon). The CDC considers asthma a condition that can put my child at risk of severe illness should he contract COVID-19.
4. Because J.J. B. is under the age of 12, he is not eligible to receive any of the currently authorized Covid-19 vaccines.
5. J.J.B. attends school at the Iowa City School District. We live in Johnson County, Iowa.
6. My child has a 504 plan.
7. J.J.B.'s medical provider has weighed the pros and cons of in-person and online learning, including socialization and exposure to COVID-19, while considering his health conditions. *See* Exhibit A (Letter from Doctor Meredith Fishbane-Gordon).
8. The Iowa City School District for the upcoming school year is offering a 100% remote learning option. The remote learning option does not provide the necessary supports, services, and accommodations for J.J.B., including sufficient socialization with peers.
9. J.J.B. used the 100% remote option last year up until early October of 2020. J.J.B. could not handle the number of Zoom classroom meetings that were required throughout the

day. Therefore, I had J.J.B. do a dual enrollment whereby he did math, art, PE, and library through the district's online program and did language arts, science, social studies, and music through homeschooling. In-person instruction provides the best mode of instruction for my children's needs.

10. Last year, the Iowa City School District had a mask mandate until the mask mandate ban went into effect. Once the ban went into effect, mask usage at school dropped off—on a whole about 50% of students who wore masks and most of the teachers wore masks.

11. As of August 30, 2021, the Iowa City School District's COVID-19 dashboard shows 52 students and 7 teachers in the district have tested positive for COVID-19.

12. For this school year, we have made the difficult decision to send our child back to in-person school. Online learning this year poses a hardship for the family. My husband and I both work remotely full-time. Although last year we were able to make it work, it was challenging to both assist with online learning and provide support and homeschooling while at the same time working remotely full-time. We felt we were unable to give our child the attention and support he needed during online learning and homeschooling. We worry he would fall behind if he continued with online learning or homeschooling. He would also not get the socialization he needs.

13. I believe that if everyone was wearing a mask and the school was following the guidance and recommendations from the CDC, my child would be safe in school.

14. As a result of Iowa's law, my child is having to take unnecessary risks to his health in order to get an education.

15. I am seeking to have HF847 blocked so that my school will be able to require universal masking as necessary to meet its obligations to my child.

I swear under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

Dates this 2nd day of September 2021, at Iowa City, Iowa.

Michelle Croft

Michelle Croft, Plaintiff