

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MINNESOTA**

DESIREE SHELTON, SARAH LINDSTROM;)

Plaintiffs,)

vs.)

ANOKA-HENNEPIN SCHOOL DISTRICT;)

CHAMPLIN PARK HIGH SCHOOL;)

DENNIS CARLSON, in his official capacity as)

the Superintendent of Anoka-Hennepin School)

District; MICHAEL GEORGE, in his official)

capacity as the Principal of Champlin Park)

High School;)

Defendants.)

File No. _____

**AFFIDAVIT OF
DESIREE SHELTON**

STATE OF MINNESOTA)

) ss.

COUNTY OF HENNEPIN)

I, Desiree Shelton, first being duly sworn, do depose and state the following based upon my personal knowledge.

1. I am a Plaintiff in the above-captioned matter and am a senior at Champlin Park High School ("CPHS"). I live in Champlin, Minnesota.

2. My date of birth is October 12, 1992 and I am 18-years-old.

3. I have attended schools in the Anoka-Hennepin School District since approximately 2004. I attended Jackson Middle School and have been a student at CPHS throughout high school.

4. Upon graduation in May, I plan on attending the Academy of Art University in San Francisco, CA and intend to pursue a career in photography and graphic design.

5. I am a lesbian and am currently in a relationship with Sarah Lindstrom ("Sarah"),

also a Plaintiff in the above-captioned matter. Sarah and I are of the same sex. It is commonly known among many students, staff, and administrators at CPHS that Sarah and I are lesbians and that we are girlfriends.

6. Snow Days Week is an annual celebration at CPHS held during the winter. It consists of a week of events starting with a Pep Fest and Coronation assembly on Monday and ends with a formal dance on Saturday. This year, Snow Days Week takes place from January 31 through February 5.

7. Every year, the student body elects students that comprise the Snow Days Week Royalty Court. Selection as a member of the Royalty Court is considered an honor and a central component of Snow Days Week. My understanding is that a Snow Days Week Royalty Court has existed at CPHS since the school was founded in 1992. Freshman, sophomore, and junior classes each select two males and two females from their class to serve on the Royalty Court. The senior class elects six males and six females to serve as royalty. This year, voting for royalty occurred on Wednesday, January 19. The entire student body also vote for Snow Days Queen and King from the 12 seniors elected as royalty. This year, voting for Queen and King occurred on Wednesday, January 26. The elected Queen and King will be announced at the Snow Days Pep Fest and Coronation to be held on January 31.

8. All CPHS students are encouraged to attend the Snow Days Pep Fest and Coronation assembly. I attended the Snow Days Pep Fest and Coronation my freshman year. The assembly is staged with a decorated arch on one end of the Field House and a stage on the other end.

9. At the beginning of the assembly, the Royalty Court processes into the Field House through the arch. The members of the Royalty Court are coupled as they process into the

Field House.

10. Historically, members of the Royalty Court are allowed to choose their processional partner if they have a particular preference. When the students do not have a preference, a CPHS staff member pairs-up the students randomly as opposite-sex couples. When two students who are boyfriend and girlfriend are selected, it has been common practice to allow them to walk in the processional together.

11. As the coupled royalty process into the Field House, the couple is announced, then the couple usually does something humorous in front of the school body, and finally each couple processes across the Field House and onto the stage. As each couple is processing to the stage, an announcer states facts about the particular students. The entire procession of all 12 Royalty Court couples takes approximately five minutes.

12. The rest of the Pep Fest and Coronation Ceremony consists of the announcement of the Snow Days Queen and King, a fun activity, and various performances by the Dance Team and the winner of the Talent Show. This year the assembly is scheduled to take place from 1:27 PM to 2:25 PM, a total of 58 minutes.

13. A number of months ago, I decided that I wanted to be chosen as a member of the royalty for the Snow Days Pep Fest & Coronation and formal dance. I wanted to be a member of the Royalty Court, in part, to make a statement about gender roles and to serve as a role model for other lesbian, gay, bisexual or transgender ("LGBT") students.

14. I also encouraged other lesbians at CPHS, including my girlfriend Sarah, to actively seek nomination to the Royalty Court. I was aware of a number of recent suicides among LGBT students in the school district and believed having LGBT students process in the Pep Fest and Coronation together would boost morale among LGBT students and the student

body at large. My desire was to be able to process into Field House with a member of the same-sex, ideally my girlfriend Sarah. When I found out that we had both been elected to the Royalty Court late last week, I had every expectation that we would be able to process into the Field House as a couple and it was known among many students, CPHS staff, and administrators that we intended to do so. Two male members of the senior Royalty Court have volunteered to process into the Field House together to maintain the couple format of the procession.

15. On Tuesday, January 25, Sarah and I were in a CPHS hallway between classes when a teacher informed both of us that the CPHS administration decided that we could not process in the Pep Fest and Coronation together. The teacher informed us that we would be called to the office of the CPHS Principal, Mr. Michael George for a further explanation.

16. After being notified off the administration's decision, we immediately sought out Mr. Mathew Mattson, CPHS Assistant Principal for Activities and a primary organizer of the Snow Days Week activities. We objected and asked why the decision was made. Mr. Mattson told us that we would not be allowed to process into the Field House as a couple because it is a tradition for only a boy and girl to process in together, that it would make the two guys volunteering to process uncomfortable even if they had already agreed to do so, that we had been elected to the Royalty Court as individuals and not as a couple, and that it would make some other students uncomfortable to see two women walking together as a couple. Mr. Mattson stated that he had discussed the matter with Mr. George, the Principal, and Ms. Monica Nikko, the other staff organizer of Snow Days Week, and that they concurred with the decision. Mr. Mattson called Mr. George's office so he could further discuss the matter with us, but he was not available at the time. We scheduled a meeting with Mr. George for the next day, Wednesday, January 26.

17. At 11:15 AM on Wednesday, January 26, Sarah and I met with Mr. George along with a number of teachers. Mr. George heard us out as we explained why we wanted to process into the Field House together. He was primarily worried about how the rest of the student body would react to two women processing in together. He also told us that it was a tradition at CPHS to have only male/female couples processing together in the Pep Fest and Coronation Ceremony. Mr. George stated that a final decision had not yet been made because he wanted to consult with the Superintendent of the Anoka-Hennepin School District, Mr. Denny Carlson, and other principals in the school district. A follow-up meeting was scheduled for after school on Thursday, January 27.

18. Later in the day on January 26, I became aware through a number of teachers and students that, in response to our intention to process into the Field House together, the administration was considering having all members of the Royalty Court process individually instead of as couples.

19. After school on Thursday, January 27, Sarah and I met with Mr. Mattson and Mr. George. Mr. George stated that after consulting with Superintendent Carlson and other principals, the decision was made that the procession would be canceled and that the Pep Fest and Coronation would begin with all members of the Royalty Court seated on stage. Mr. George stated that this outcome would make everyone comfortable.

20. In this meeting, Mr. George further stated that even if the two male students who volunteered to process in together were comfortable with it, their parents may not be and he did not want to upset the parents. Mr. Mattson suggested that even if the male students stated that they were comfortable with the decision now, they may not be three months from now when a picture of them processing together surfaces and rumors get started that they are gay. Mr.

Mattson hypothesized that they might then get bullied, commit suicide, and their parents would blame the school district.

21. Mr. George also stated that at a School Board meeting on January 24 a number of parents praised the school board for keeping the gays out of the schools and were otherwise hostile toward gays and lesbians. Mr. George suggested that this caused him to have concerns about student safety if he allowed Sarah and me to process into the Pep Fest together.

22. Earlier today, January 28, Sarah and I were called down to the Activities Office at CPHS. Once we arrived a secretary informed us that the CPHS administration had changed its mind again and decided that, instead of starting the Pep Fest and Coronation Ceremony on stage, members of the Royalty Court would individually process in escorted by the student's choice of a parent or teacher. I would still prefer to process in with Sarah for all of the reasons identified in this affidavit.

23. One of the primary reasons given by Mr. Mattson and Mr. George to deny us the right to process into the assembly as a couple was that the school tradition is to have only male/female students process in together. Yet the decision to cancel the procession altogether seems to me to be a further departure from tradition than allowing us to participate as a same-sex couple.

24. I believe that Sarah and I have the right, regardless of our sex or sexual orientation, to process into the Pep Fest and Coronation Ceremony together as other members of the Royalty Court have had the ability to do for years. I think it would be positive for the school and would allow us to be positive role models for other LGBT students. Most of all, I want the privilege of escorting my girlfriend through the Field House during the 2011 Snow Days Pep Fest and Coronation.

THIS CONCLUDES MY AFFIDAVIT.

Desiree Shelton
Desiree Shelton

Subscribed and sworn to before me
this 28th day of January 2011.

Candace M. Brennan
Notary Public

My commission expires: 1/31/15

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