

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

Z.J.W., by next friends and parents, TERESA
CATOE and JOHN WHEELER;

and

A.A.P., by next friend and parent, SUSAN
PARK

Plaintiffs,

v.

KING GEORGE COUNTY SCHOOL
BOARD; DR. JESSE BOYD, in his official
capacity as Superintendent of King George
County Schools; and DR. CASEY NICE, in
his official capacity as Principal of King
George Middle School,

Defendants.

Case No. 3:26-cv-00775-REP

**DECLARATION OF
JOHN WHEELER**

I, John Wheeler, pursuant to 28 U.S.C. § 1746, hereby declare under penalty of perjury:

1. I make this declaration of my own personal knowledge, and, if called as a witness, I could and would testify competently to the matters stated herein.
2. I reside in King George County with my wife, Teresa Catoe, and thirteen-year-old child, Z.J.W.
3. Z.J.W. is enrolled in King George County Schools (“KGCS”). Our three older children also attended and graduated from KGCS.
4. Z.J.W. currently attends King George Middle School (“KGMS”). Middle school has sometimes been difficult for Z.J.W. Z.J.W has faced consistent bullying and struggled with

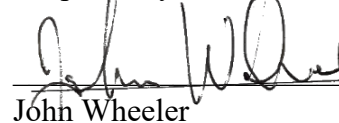
behavior issues, including leaving campus during the school day. But recently Z.J.W. has made more friends than in the past and is doing well academically.

5. When Z.J.W. told us about wanting to form a Gay-Straight Alliance (“GSA”) at KGMS, my wife and I were supportive.
6. We were excited that Z.J.W. would have another space to discuss things with peers at school and expand all of their support systems. When you are Z.J.W.’s age, you want to know you aren’t the only one trying to figure stuff out. I wanted Z.J.W. to have a community where they could all feel less alone. Two of our older sons participated in afterschool activities with their peers while in middle school, and it was a very positive part of their school experience.
7. During a conversation about forming the GSA, Z.J.W. told me the idea came from seeing YouTube videos about other schools with GSAs.
8. Students are required to have parental permission to participate in each afterschool club they’d like to attend. We were willing to provide Z.J.W. with our approval to attend the GSA.
9. After Z.J.W. started the process to form the GSA, I began to see disturbing, hostile comments on a local King George County Facebook group. From these comments I learned there was an effort to stop the GSA from being formed.
10. I gave public comment at the September 22, 2025, KGCS School Board meeting, in support of students being able to form a GSA at KGMS.
11. I spoke again at the October 6, 2025, KGCS School Board meeting, when the Board proposed to amend its student organizations policy to prohibit student-led, noncurricular clubs at KGMS. I opposed the policy change because I believe students benefit from being able to create spaces to explore their interests together.

12. I spoke in support of the GSA again at the November 2025, December 2025, and January 2026 meetings of the KGCS School Board.
13. On or around February 16, 2026, I met with the KGCS Superintendent, Dr. Boyd, to discuss why Z.J.W. couldn't form a GSA. Dr. Boyd asked me whether I would support the creation of a GSA at an elementary school, implying that the club was age inappropriate. As a parent willing to provide my child permission to participate in the club, I was upset by that suggestion. I asked Dr. Boyd multiple questions about his concerns and asked if he would support the formation of the organization if certain language in its constitution was removed or changed. Dr. Boyd would not articulate any way the GSA would be allowed to go forward.
14. Z.J.W. continues to ask me and Teresa about the status of the GSA, and to advocate for the GSA at KGCS School Board meetings.
15. I want Z.J.W. and all KGMS students to have the benefit of a GSA when they return to KGMS for the 2026–2027 school year.

Executed this 3rd day of August 2026

Respectfully submitted,



John Wheeler