

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

Case No. 21-61344-CIV-ALTMAN/Hunt

D.N., by her next friends, JESSICA N.,
mother, and GARY N., father,

Plaintiff,

v.

GOVERNOR RONALD DESANTIS, in his
official capacity as Governor of Florida;
FLORIDA HIGH SCHOOL ATHLETIC
ASSOCIATION; BROWARD COUNTY
SCHOOL BOARD; SUPERINTENDENT
ROBERT RUNCIE, in his official
capacity as Superintendent of Broward
County Public Schools; FLORIDA
STATE BOARD OF EDUCATION; and
COMMISSIONER RICHARD CORCORAN,
in his official capacity as
Commissioner of Education,

Defendants.

SELINA SOULE'S DECLARATION
IN SUPPORT OF MOTION TO INTERVENE

I, Selina Soule, under penalty of perjury, declare as follows:

1. I am a nineteen-year-old resident of Boca Raton, Florida, in Palm Beach County and have personal knowledge of the information below.
2. I am a sophomore and female athlete at Florida Atlantic University (FAU) in Boca Raton, Florida, where I will compete on the women's track and field team. Competing in track and field is my passion.

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

Athletics Background

3. Sports are a huge part of my family. Both of my parents were multi-sport athletes. My dad competed in track, cross-country, baseball, and football. My mom was a competitive runner and figure skater, and now coaches figure skating.

4. My mom first coaxed me onto the ice rink at Rockefeller Center when I was just three years old. At age five, I started taking figure skating lessons. During elementary school, I began entering figure skating competitions—something I continued through my sophomore year of high school.

5. Figure skating was something my mom and I did together. We spent a lot of time on the ice, as she not only helped me learn to skate but even skated with me at times. By age thirteen, I was a volunteer figure skating coach helper, which turned into a paid coaching position at age fifteen. I continued coaching figure skating up until I moved away for college.

6. The axel jump—a figure skating showstopper!— is my favorite figure skating element. Figure skating is not only a beautiful, graceful sport, but it is athletic too. It requires strength, speed, balance, and skill to execute those jumps and spins.

7. But I remember one thing very distinctively about figure skating: I did not like the scoring. Scoring was subjective; it was harder to clearly measure my achievements. (This is one reason I love track. My race times clearly show how fast I run so scoring is objective, not based on the subjective opinion of an individual judge.)

8. My mom introduced me to running when I was just five years old. I began running in our community's summer mile-long "fun runs" with my mom. Even at that young age, I knew two things with certainty: I loved to run, and I hated running long distances!

9. When I was around eight years old, my mom entered me in my first Hershey Track and Field meet held in our town in the spring. It was the first time I

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

set foot on a track—and I loved it. I realized that I was fast, and that I enjoyed competing to win. Running became my passion. And I enjoyed some success in the Hershey events as I competed there in third through sixth grade. For example, I twice qualified for state level meets. In sixth grade, I won all three of my events.

10. After the Hershey events, I competed in the Nutmeg State games, the largest amateur multi-sport sporting event in my home state of Connecticut. These meets were ones my mom and I could do together. My favorite memory of the Nutmeg games was that my mom taught me how to long jump just a couple weeks before my first competition. And I went on to *win* long jump that year for my age category.

11. But my freshman year at Glastonbury High School in Connecticut was my first school opportunity to compete in track and field. It was my first time on a school team with organized team practices and workouts—and I loved it.

12. Track and field meets involve a variety of races and events. In track there are sprints, middle distance races, long-distance races, relay races, and hurdle races. And field events include long jump, triple jump, high jump, pole vault, shot put, discus throw, javelin throw, and hammer throw.

13. I am a short-distance sprinter and long-jumper. During high school, I competed in the 55-meter dash, 100-meter dash, 200-meter dash, the 4x200 and 4x100-meter relays, and the long jump. I also ran the 300-meter dash a handful of times.

14. When I joined my high school track team my freshman year, I quickly became the school's best long jumper. And after only a few competitions, I became the permanent starter for the 4x200-meter relay.

15. I am proud of my high school athletic accomplishments. I was a ten-time All-Conference Honoree recipient, a five-time state title holder, three-time All New England award recipient, a four-time National qualifier, and set five new Glastonbury high school records including one that was previously set in 1976.

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

16. Track means everything to me. It is my passion and my happy place. When I run, I set aside everything else in life and just run.

Facing Male Competition in Girls' Track

17. But my high school track and field experience was not without frustration. During all four years of high school, I had the deflating experience of competing against male athletes in the girls' category.

18. The first time I competed against a male athlete in the girls' category was during my freshman year of high school at the May 2017 Middletown Invitational in the 200-meter dash. The gun went off at the start of the race, the male athlete left girls in the dust. I knew then and there that this was not right and that girls would be missing out on opportunities to succeed. Just days later, that same male went on to win the 2017 Connecticut Interscholastic Athletic Conference (CIAC) Class M Women's outdoor track championship in both the 100-meter and the 200-meter sprints.

19. The losses happened again and again. During my sophomore year, another male athlete joined girls' track and I had to compete against two male athletes at the 3rd Greater Bristol outdoor track and field invite in the 200-meter dash. The males took first and second; I crossed the finish line third. Had the males not been competing in the girls' category, I would have won that race.

20. But one of my more painful memories of loss involved the 2019 Connecticut State Open Championship. I missed qualifying for the state championship 55-meter final by just one spot, and the chance to qualify for the New England Regional championship by just two spots. The top two spots were taken by males. If not for those two male competitors in my race, I would have had the opportunity to compete in the championship final and for a coveted spot at the New England Regional championship.

21. While I was in high school, the two males I competed against won 15 Connecticut women's state championship titles in girls' high school track and field.

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

22. It is demoralizing and frustrating to compete against someone who has unfair physical advantages over you, because no matter how hard I train or how hard I try, there is nothing I can do to overcome that disparity. We girls train to win; not to place third and beyond. Some girls I know were so demoralized by the experience of losing to males that they abandoned certain track events and changed their sporting events. Other times coaches tried to convince girls to change their events just so the girls would have a chance to succeed.

23. Because of male competition, I have lost opportunities to compete at world class tracks. I have lost opportunities to compete in front of college coaches and scouts. I have lost opportunities to win titles and public recognition of my achievements. I have lost opportunities to win recognition and event points for my school.

24. And the heartbreaking thing is that my story is not unique. Many other girls across the state of Connecticut lost out on similar opportunities.

25. It felt so unfair. I knew I had to stand up. So my parents and I reached out to school administrators and coaches. We reached out to CIAC officials to ask for a policy change. But no one would listen to us. Instead, they silenced us.

26. So my parents and I were left with no other option but to file a federal lawsuit to protect the integrity of women's sports under Title IX. It was a huge step, a scary step. But someone needed to speak out for girls in Connecticut. That lawsuit is still ongoing.

Competing in Women's Collegiate Athletics

27. It was my dream to run track in college. Despite the unfairness of my high school track experience, I hoped to put that experience behind me and have a fresh start and level playing field in college.

28. After visiting several colleges, I decided to attend the College of Charleston in South Carolina. I attended the College of Charleston in 2020-21 for

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

my freshman year. However, it was a tough school year with COVID and at the end of the year, I re-visited my options.

29. I received an offer to run for Florida Atlantic University, and I immediately knew that was the right fit for me. My dream has always been to attend college and run in Florida, and I finally have the opportunity to fulfill that goal. And I had always hoped to end up somewhere warm with lots of sunshine, so competing in Florida was a dream come true.

30. FAU has a NCAA Division I track and field team and competes in the East Division of Conference USA.

31. At FAU, I will compete in the 60-meter, 100-meter, and 200-meter sprints; long jump; and may also compete on the relay team.

32. Being part of the team is quite an honor. And there are many additional side benefits to being a collegiate athlete: access to top-tier coaching, facilities, and equipment; consultation with nutritionists and dieticians; paid travel to games, academic support services; medical and wellness care; access to psychologists; access to the NCAA Student Assistance Fund; team gear and apparel; and the opportunity to make money on my own name, image, and likeness.

33. For example, the Florida Panthers, a professional ice hockey team, recently announced that they were sponsoring FAU female athletes and giving us an opportunity to partner with them. I do not yet know all that will entail, but we receive tickets to home games, team apparel, the opportunity to partner with their brand. As athletes, we also have the opportunity to make money on our name, image, and likeness by appearing in ad campaigns for brands like Nike and Adidas.

34. At the end of the 2021-22 academic year, I will still have four more years of NCAA eligibility due to COVID.

35. My teammates and I train hard to win. We weightlift, complete running drills, and run sprints time and time again. It takes incredible work and

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

dedication to win a race determined by hundredths of a second. I have trained much of my life striving to shave mere fractions of seconds off my race times.

36. I had to make many sacrifices over the course of my athletic career to play the sport I love. I have missed school dances and spring breaks, family events and holiday trips, and friends' birthdays and vacations. I have given up weekends and free time. I stayed late after school for practice. And the commitment to track has only increased during my time spent training in college.

37. But I make these sacrifices because I want to be the best that I can be. I want to win—not just for myself, but also for my teammates. And the motivation to win is what compels me to train as hard as I can.

38. I love my sport. I get on the track and I can let everything in my life go and I can be free to focus on running. It's exhilarating to see all the training and hard work pay off on the track.

39. But track has taught me more than just how to run fast down the track. I have also learned life skills. It has taught me physical and mental toughness. I have learned perseverance and good sportsmanship. I have learned that hard work pays off. And that making sacrifices to excel at something reaps future benefits. It opened new financial opportunities, personal development opportunities, and even academic opportunities. And it has given me something to strive for.

40. I am currently majoring in criminal justice with the goal of being a lawyer. But I always have my eyes on the track, and I would love to go pro after college if the right door opens.

Fairness in Women's Sports

41. When I heard that Florida's legislature passed the Fairness in Women's Sports Act in late April 2021 to protect the integrity of women's sports, I enthusiastically supported it.

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

42. In fact, it was my incredible honor to be invited to attend the bill signing ceremony in early June 2021 because my own personal story had played such a role in motivating lawmakers to pass a bill protecting Florida's female athletes. Little did I know at the time that Florida's Fairness in Women's Sports Act would later protect me, too, as I start competing for a public university women's team in Florida.

43. Getting involved in this Florida lawsuit was a weighty decision. I sought a lot of counsel and considered my options carefully before deciding to become involved. After all, I had already devoted so much of my life to fighting for fairness for female athletes. I was already involved in litigation in my home state of Connecticut and part of me wanted to be a normal athlete and not have to fight for my right to fair competition in Florida, too.

44. But I decided to speak up for girls who are afraid of retaliation from the media, school officials, and coaches. I fear that too many women feel pressured to remain silent about their real views. And if someone does not speak up for women, I fear that we could see the end of women's sports. There will be boys' sports and co-ed sports. But women's sports as we know it will be gone.

45. I know from my own past experience in high school that males competing in women's sports takes away opportunities from women—whether that is a spot on the team, a spot on the podium, an athletic scholarship, the ability to benefit from her likeness, or recognition and awards—and it defies the entire purpose of having separate women's sports.

46. Women have fought hard for many years to have equal athletic opportunities. I want to make sure that girls in the future can continue to compete in the sports they love. If girls do not have equal opportunities, I fear they may choose not to be involved in sports at all if they feel they cannot win or possibly even get physically hurt competing against a stronger, faster male.

EXHIBIT A
Declaration of Selina Soule
In Support of Motion to Intervene

47. I believe that ensuring an equal playing field for women to be champions in their own sport is a women's rights issue. But this isn't just about fair play and winning for me. I want to protect the fairness and safety of women's sports for female athletes all over Florida. I want to ensure that future generations of women have access to the same equal athletic opportunities that shaped me and my love of sports.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



Selina Soule

Dated: 9/20/2021