

Exhibit D

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS**

STACI BARBER)

Plaintiff,)

vs.)

KATY INDEPENDENT SCHOOL DISTRICT;)
BRYAN SCOTT ROUNDS, Principal of Cardiff)
Junior High, sued in his individual and official)
capacities,)

Defendants.)

Civil Action No.:

**SUPPLEMENTAL
DECLARATION UNDER 28 U.S.C.
§ 1746**

COMES NOW, STACI BARBER, and, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am at least 18 years old and a resident of Cypress, Texas, and do make this declaration based on my own personal knowledge of the facts contained in this Declaration; I verify that such statements are true and correct. If called and sworn as a witness, I would testify competently to those facts. I make this Declaration entirely of my own free will and choice.
2. My intention for See You at the Pole Day was and is not to pray at the pole with or as a part of any official group. As I explained to Cardiff Junior High staff and to Principal Rounds, it was and is my intention to pray before students arrive, and to depart from the pole before the official student group begins meeting.
3. On Tuesday, September 26, I spoke with Coach Dezra Thomas. He informed me that he had been approved to serve as a campus staff monitor for the meeting of an official student group at the flagpole for See You at the Pole Day. He also informed me that the group

Exhibit D

would not begin to gather until after the school buses began arriving at 8:20 am and after I had stopped praying. He indicated that their prayer would not start until at least 8:30 am.

4. It was my intention, as I had expressed in my original communications to school staff, to pray between 8:00 am and 8:15 am, before the official student group would meet and without any students participating.
5. I started praying at the flagpole at approximately 8 am. No students were standing with me praying when I was praying at the pole. One teacher joined me at 8:05 am, and another around 8:10 am.
6. At 8:10 am on Wednesday, September 27, I was praying with two other teachers when Principal Rounds arrived and called us into the conference room.
7. I recorded my conversation with Principal Rounds. Before I began recording, I informed Principal Rounds that I would be recording, and he did not object. He did not tell me that I needed to use a different location because the flagpole area had been reserved for a student group. Instead, he instructed me and my fellow teachers that “in your role as educators and teachers with Katy ISD, you cannot pray in the presence of students, right? You do have the right to pray privately, uh, during, like, break time, before school, after school. You can get together and pray together in, in private away from students, but you cannot do that in front of students.”
8. In our conversation I made clear to him again our intention to depart before the student group started praying, saying, “Mr. Rounds, I told you that we would be gone by 8:20.” But he made clear that the actual presence of the student group did not matter, emphasizing that we “have the right to pray in private, but not in front of students.”

Exhibit D

9. Pursuant to that reprimand, I have completely ceased holding my regular Bible study that ordinarily met in my classroom, as a student could enter that classroom and I would therefore be in violation of KATY ISD policy. That Bible study has not met since before See You at the Pole, as I have complied with Principal Rounds' instruction. Before See You at the Pole, I had already cancelled some Bible studies due to Principal Rounds' hostile conduct towards me when I sought to start an FCA group.
10. A transcript of the full recording of my meeting with Principal Rounds follows this exhibit as an Exhibit. I hereby certify that that transcript is a true and accurate record of the audio recording I made of Principal Rounds' reprimand. I certify that the transcript accurately transposes the statements that I and Principal Rounds made.

I, Staci Barber, declare under penalty of perjury under the laws of the United States of America and the laws of Texas that the foregoing is true and correct.

12

Executed on May ____, 2024

DocuSigned by:
Staci Barber
E22539B059F5484...

Staci Barber