



February 1, 2010

VIA FACSIMILE

Tim Clark, Board President (on behalf of the Board)
Rob McGill, Acting Superintendent
Rhonda Harnish, Director of Elementary Education
Josie Brazil, Principal, Sherwood Elementary School
Pulaski County Special School District
925 East Dixon Road
Little Rock, Arkansas 72206

Ladies and Gentlemen:

We have been contacted by Stephanie Wright, a parent of a student at Sherwood Elementary School, concerning a recent incident where her daughter was prohibited from distributing flyers announcing a swimming event sponsored by her church. We are writing to inform you that this denial violated her constitutional rights and request that you immediately permit her to engage in religious speech at school in the future.

The relevant facts are that Mrs. Wright asked her daughter's teacher, Christi Hall, about allowing Mrs. Wright's daughter to distribute a flyer to her classmates inviting them to a swimming event at a local pool sponsored by her church. Mrs. Wright was told to speak with the principal, Josie Brazil, for approval. Mrs. Wright submitted the flyer to Ms. Brazil. After two weeks, Ms. Brazil told the Wrights that the flyers could not be distributed because the flyers were "church related." Mrs. Wright followed up with Ms. Rhonda Harnish, the Director of Elementary Education and was again denied the request for distribution.

It is our opinion that the denial of this literature distribution is a violation of the rights of both Mrs. Wright and of her daughter. First, students have a constitutional right to distribute flyers during noninstructional time. Second, my understanding is that the school allows community flyers to be sent home with the students in folders. Denial of the church's flyers violates the law. We request that you respond to this letter by Monday, February 8, 2010, and assure us that the free speech rights of both Mrs. Wright on behalf of the church and of her daughter will be respected on campus.

Lastly, please consider this letter as a public records request pursuant to A.C.A. §25-19-101, et seq. Please send me any documents or electronically maintained information of the following: 1) all district policies that relate to student speech in any manner, including literature distribution. 2) all district policies relating to school and/or community literature distribution, display, advertising,

etc (whether related to the folders that are sent home or otherwise); and 3) copies of all community/school flyers that have been sent home with students or otherwise distributed or displayed in any of the district's schools. If such records are in electronic form, please forward them in such form to dcortman@telladf.org. We will be glad to pay any reasonable costs that are associated with this request. Thank you for your prompt attention to this matter.

Sincerely,



David A. Cortman

cc: The Wrights