

The School Board of Escambia County
215 West Garden Street
Pensacola, Florida 32502
Telephone: (850) 469-6155 / Facsimile (850) 469-6273

Jeff Bergosh
District 1

Gerald Boone
District 2

Claudia Brown-Curry
District 3

Patricia Hightower, Chair
District 4

Pete Gindl, Sr., Vice Chair
District 5

Donna Sessions Waters
General Counsel

MEMORANDUM

TO: School Board Members
Linda West, Board Secretary

FROM: Donna Sessions Waters *DSW*

RE: ACLU Public Records Request

DATE: July 3, 2008

RECEIVED

JUL - 7 2008

SCHOOL BOARD MEMBERS OFFICE
ESCAMBIA COUNTY, FLORIDA

Please be advised that the ACLU has made an extensive request for records relating to school events such as graduations and commencement ceremonies. The request specifically asks for the notes used by speakers at any such events. Therefore, if you have spoken at a school graduation or commencement, please give Ronnie Arnold a copy of any notes you used.

I am attaching a copy of the ACLU request for your review. If you believe you have any other public records that would qualify for this request, please let me know.

Cc: Ronnie Arnold, Associate Superintendent - Public & Interagency Affairs

attachment



NORTHWEST REGIONAL OFFICE
P.O. Box 12723
Pensacola, FL 32591-2723

BENJAMIN JAMES STEVENSON
Staff Attorney
T 850.429.9128
F 786.363.1985
bstevenson@aclufi.org

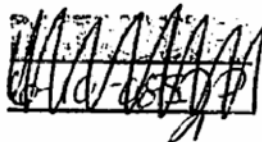
RECEIVED

JUN 04 2008

Bama Waters
Norm Ross

SUPERINTENDENT'S OFFICE
ESCAMBIA COUNTY SCHOOL DISTRICT

Escambia County School District
Attn: Jim Paul, Superintendent
215 W. Garden Street
Pensacola, FL 32502



June 2, 2008

VIA U.S. MAIL

**Re: Public Records Request : Event Programs, Graduation
Remarks and Recordings and Ceremony Message Policies
and Directives for Speeches and Addresses.
ACLU of Florida File No. : 8011**

Dear Mr. Paul:

FILE

Pursuant to the Florida Public Records Law, Chapter 119, Florida Statutes, we hereby request for the period of July 1, 2005, through the date of this letter, various programs for school functions, graduation recordings, and commencement speaker-notes in any school within the Escambia County School District ("ECSD"), as expanded and detailed below. Additionally, we hereby request public records pertaining to ECSD's policies and procedures relating to messages and prayers at school functions, as detailed below. We welcome the opportunity to answer any questions you might have about this request in order to better facilitate the production of the public records.

PUBLIC RECORDS REQUESTED

We request the following public records created, applicable, or relating to the period of **July 1, 2005, through the date of this letter:**

1. All records reflecting the schedule, program, or sequence of events at any event or function in any school in the ECSD. This specifically includes any flyers, pamphlets, programs, brochures or any other records associated with an induction, benediction, dedication, award (academic and non-academic), athletic, and graduation ceremony or event.
2. All records reflecting the method by which the speakers who spoke to the audience generally at the events in Request No. 1 were chosen.
3. All audio-video recordings of a graduation or commencement ceremony or event from any school in the ECSD.

4. All notes used by a speaker at a graduation or commencement ceremony or event from any school in the ECSD.

5. All public records that reflect a formal or informal policy or procedure of the ECSD or of any school within its District regarding or governing any of the following:

(a) Addresses, statements, message, presentations, or speeches (collectively "speeches") at a school event. This request specifically seeks policies and procedures that would apply to prayers, invocations, benedictions, blessings, devotions, bible readings, and religious songs (collectively "prayers"). This request includes policies and procedures regarding speeches by anyone at all, including, but not limited to students and ECSD employees. This request also includes any records that define, explain or advise the roles students and school administrators play to (a) decide whether any speech will be delivered at all; (b) direct, control, review, approve, or oversee the content of any message to be delivered; (c) decide who will deliver a message; or (d) decide the agenda or program for a school event;

(b) School officials participating in student, religious-club meetings (e.g. First Priority);

(c) The use of religious music at school events;

(d) The content of communications to guests at student and/or, religious-club meetings regarding religion or issues relating to religion; or

(e) The use of places of worship for school events.

6. All communications (including any directives) by, between, or among the Escambia County School Board, Superintendent, any agent of the ECSD, or any ECSD employee regarding the items listed in Request No. 5.

INFORMATION ABOUT THE REQUEST

The American Civil Liberties Union Foundation of Florida, Inc., will reimburse the ECSD for the reasonable costs associated with fulfilling this request, if your office has a policy of requiring the payment of a copying charge for such documents. The fees and costs you may charge are governed by §119.07(4), Fla. Stat. If you anticipate that the total costs associated with fulfilling this request will exceed \$100, please contact me with an estimate of the likely cost before proceeding.

If you are unable or refuse to provide part or all of the requested public-records, please explain in writing and with particularity the reasons for not providing the requested public information, as required by §119.07(1), Fla. Stat. If any exemption that you assert applies to only a portion of the records (as opposed to the entire record), please redact the portion you claim is exempt, provide copies of the remainder of the record or records, and detail your reasons for the modification as required by §119.07(1), Fla. Stat.

We request that you produce responsive materials in their entirety, including all attachments, appendices, enclosures and/or exhibits. To the extent that a response to this request would require you to provide multiple copies of identical material, the request is limited so that only one copy of the identical material is requested.

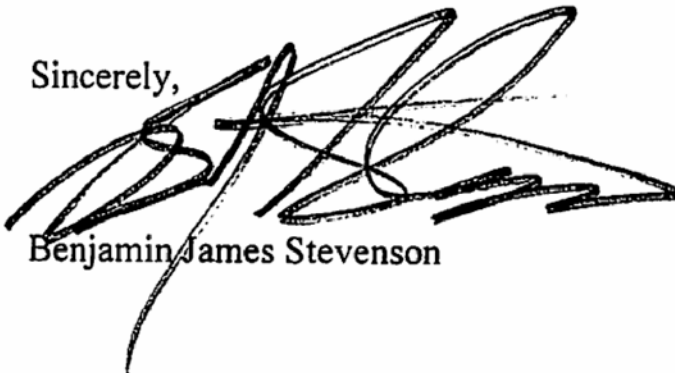
If any of the requested records are maintained in a common-format electronic-medium, please provide these records in such electronic medium and not in paper form. For purposes of this request, common electronic-formats include (1) American Standard Code for Information Interchange ("ASCII"), (2) files formatted in one of the Microsoft Office Suite, Corel Suite, OpenOffice Suite, or IBM's Lotus Suite applications (.doc, .xls, .ppt, .mdb, .wpd, etc.), (3) a text file (.txt), or (4) hypertext markup language (.html) or similar web page language. This is the preferred format. However, if any of the requested records are only maintained or only can be produced as electronic images for example a portable document format (.pdf), (n.b., it is possible to print documents into a PDF format either by using Acrobat Professional or a free PDF drive like pdf995.com), then as an alternative, we request this electronic-image format. See §119.01(2), Fla. Stat.

Section 119.07(1)(f), Fla. Stat., prohibits the destruction of any of the requested records, including any which you may claim are exempt, for a period after the date on which you receive this written request. If we institute a civil

action to enforce the Public Records Law with respect to the requested records, you may not dispose of the records except by court order after notice to all affected parties.

Thank you for your prompt attention to this request. If you have any questions, wish to obtain further information about the nature of the records in which we are interested, or need more information in order to expedite this request, please do not hesitate to contact me at 786.363.2738.

Sincerely,

A handwritten signature in black ink, appearing to read 'Benjamin James Stevenson', written over a horizontal line.

Benjamin James Stevenson