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Dear Mr. Martin,

Thank you for your letter on May 1st. We appreciate the District's response and understand that administrators may need additional time to communicate with impacted students. We understand that outreach has begun and the Shawnee Mission School Board plans to further address concerns at a special meeting on the evening of Monday, May 7, 2018. We have spoken with our clients and other concerned members of the Shawnee Mission School District (SMSD) community and would like to raise several of their concerns.

1. Access to SMSD's Guidance to Schools Regarding the Walkout Prior to April 20th.

Even though student organizers began meeting with administrators in early April, they were not told that there would be restrictions on their message until several days before the walkout. For instance, at Shawnee Mission East, administrators approved the student walkout plan and informed organizers that they would be permitted to use the football field for the walkout and miss class without punishment on April 13th. Three days later, Principal John McKinney called organizers into his office and told them that they were prohibited from talking about gun control and they were specifically banned from saying "gun" or "AR15." Students at Shawnee Mission North and Hocker Grove were similarly surprised by last-minute restrictions on their speech at the walkout.

SMSD publicly communicated its support for content restrictions. Specifically, SMSD Communications Director Shawna Samuel stated that students were

"steered away from discussing guns" and "we encouraged students to keep the topic to school safety and honoring past victims of school shootings."¹

Based on the timing of the restrictions and public communications by SMSD, it appears that the District sent building administrators guidance on how to handle the walkouts. The guidance seemingly included a directive that students should not address gun violence in their speeches. In order to ensure SMSD adopts and implements policies that will prevent future violations of students' rights, our clients would like to review SMSD's instructions to administrators regarding the April 20th walkout.

Accordingly, we am requesting all documents produced or written by SMSD, including emails to building administrators, from March 1, 2018 to present concerning student walkouts. This request is made pursuant to Kansas Open Records Act (KORA), K.S.A. 45-215 *et. seq.* In accordance with KORA, we look forward to receiving a response to this request within three (3) business days. If the request is denied, please provide a written statement for the basis of the denial within three (3) business days of this request, citing the specific provision of law under which access is denied.

2. Acknowledgement that Students' Rights Were Violated.

Several parents and students have apprised us of their conversations with Interim Superintendent Southwick. While some have been pleased with his apology, others think that an acknowledgement that students' rights were violated is in order. One student informed us that Southwick used their meeting to interrogate her about the actions of *Shawnee Mission Post* editor, Jay Senter, questioned her about whether she has spoken to anyone at the ACLU of Kansas, and tell her that he disagreed with her assessment of applicable law. He also pressed her about student conduct during the protests that he sought to characterize as a disruption. At no point did Southwick apologize for violating her First Amendment rights on April 20th.

While our clients are willing to give SMSD additional time to collect facts and make apologies, they are not willing to delay litigation if administrators are going to use this time to bully students and attempt to retroactively justify their unlawful conduct. We think it is necessary that the District apologize to students for violating their First Amendment rights. A general apology expressing remorse about students having a negative experience is insufficient. The District

¹ Jay Senter, *Tensions mount over Shawnee Mission administration's move to censor, limit access to National School Walkout demonstrations.* *Shawnee Mission Post*, April 23, 2018; <https://shawneemissionpost.com/2018/04/23/tensions-mount-over-shawnee-mission-administrations-moves-to-censor-limit-access-to-national-school-walkout-demonstrations-70953>

should apologize for censoring students and cease interrogating the people to whom they should be apologizing. Please advise if the district intends to provide a more specific acknowledgment of the harm students suffered.

3. Assurance that Impacted Students Will Receive an Apology from the Responsible Administrators.

It was unclear from your initial letter whether the District intends to ensure that students receive an apology from their building administrators. This is very important to one of our clients and dispositive factor in deciding whether she would like to move forward with further legal action. Please advise whether SMSD intends to direct building administrators to issue apologies to impacted students.

4. Anticipated Date of a Corrective Action Plan.

You mentioned in your letter that Dr. Southwick is working with staff to develop a comprehensive report and corrective action plan. Please advise on the date this plan will be completed and available to the public.

Do not hesitate to call or email us if you have any questions. We look forward to hearing from you and would like to propose a meeting in the next couple of weeks to discuss what, if any, additional steps should be taken to resolve this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lauren Bonds', with a stylized flourish at the end.

Lauren Bonds
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Legal Director
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