



# Independent School District 728

ADMINISTRATION OFFICES

815 Highway 10  
Elk River, MN 55330

JANA HENNEN-BURR  
Assistant Superintendent of Educational Services

(763) 241-3492 Fax (763) 241-3407

March 25, 2009

To Whom It May Concern:

On Monday, March 23, 2009 the School Board approved the "closed" forum policy effective May 16, 2009. This policy change will affect the PTOs and other non-district organizations' ability to share information with our students and their families. I can assure you that neither the School Board nor our district leadership is pleased with this policy change, but we believe we have no acceptable alternative.

Recently, a federal district judge ruled in favor of a faith-based organization's request to distribute its materials in our school. Our previous "limited" policy followed federal law; however, the judge's decision means that by law we have to accept any materials and open house requests from any organization, including hate groups and their literature. The cost of appealing the decision would have been prohibitive.

A closed forum policy means that we are no longer accepting any "marketing" distribution requests (flyers, open house tables, links to school Web sites, calendar entries, etc.) from non-district groups, even those having a direct connection to supporting our students. Needless to say this creates significant obstacles to our schools and student support organizations.

I am not pleased with this result; however, I hope you agree that we must protect our students, our schools and our school district. We very much want and need to continue our partnerships, but we must do this within the letter of the law. We are looking for solutions and should we find methods that are acceptable we will let you know.

Sincerely,

A handwritten signature in black ink, appearing to read "Jana Hennen-Burr". The signature is fluid and cursive, with the first name "Jana" being particularly prominent.

Jana Hennen-Burr

Assistant Superintendent of Educational Services