

Strategies for Dealing with the Media

AASB Law Clinic
Summer 2023



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Agenda



- First Amendment
- Alabama Law and Public Meetings (OMA)
- Alabama Law and Public Records (ORA)
- Privacy laws (students and employees)
- Practical Suggestions
- Example Scenarios/Responses

Why do we CARE?



HFP

Bible removed from Utah school district libraries after parent complains it's 'pornographic'



A close-up of a page in a Bible carried by (then) U.S. Army 1st Lt. William Funchess while he was a prisoner of war during the Korean War. (U.S. Army photo by Staff Sgt. Ken Scar)

JUNE 05, 2023 | LIZ LAWRENCE



CNN CNN + Follow

Florida school system has closed investigation showed Disney movie with gay character

Story by Jaide Garcia • May 23



Alamance-Burlington School System to press charges after students pour cement into toilets in 'senior prank' at Williams High School

Story by Brayden Stamps • Tuesday

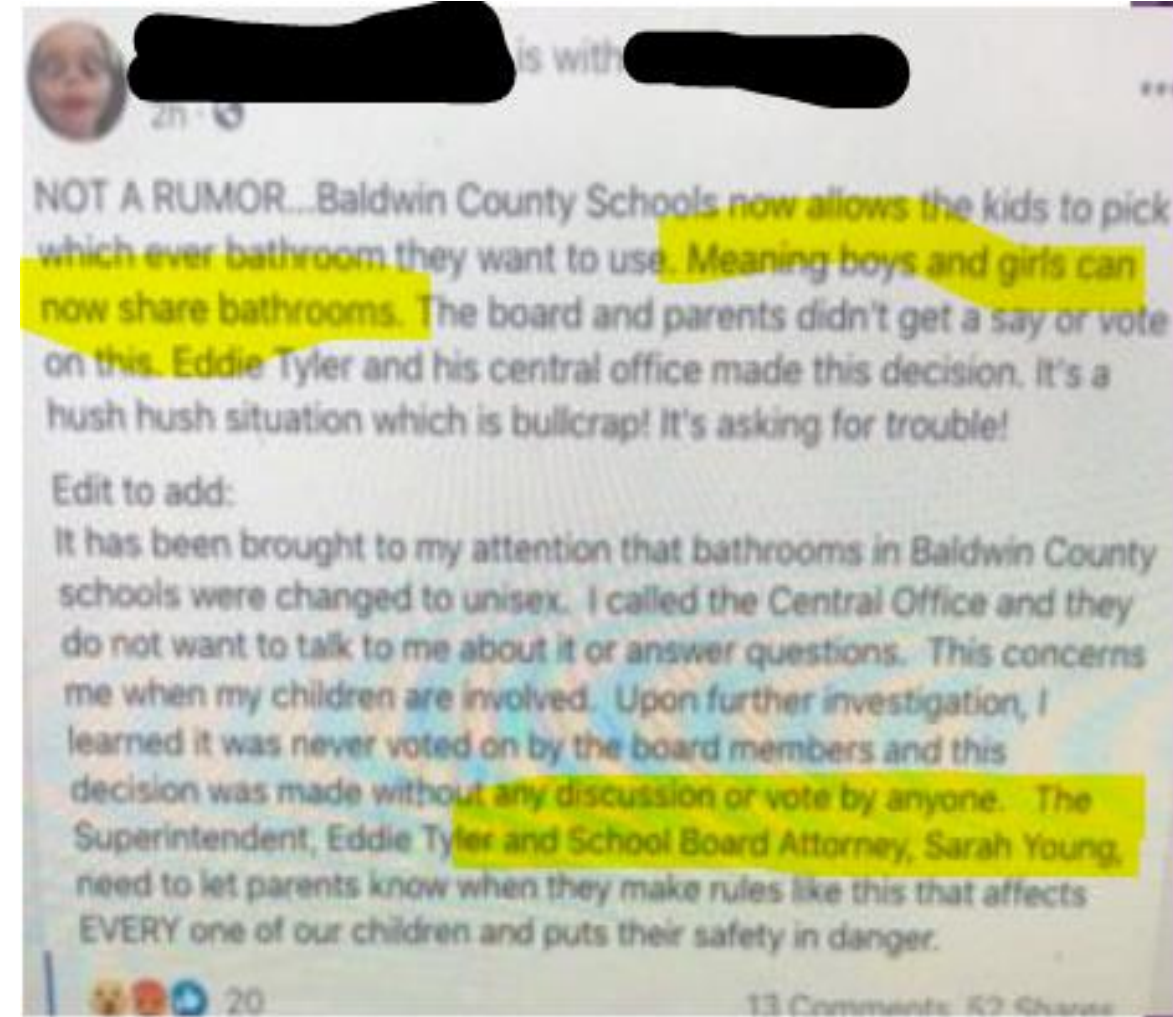


Social Media...

NOT A RUMOR... Baldwin County Schools now allows the kids to pick which ever bathroom they want to use. Meaning boys and girls can now share bathrooms. The board and parents didn't get a say or vote on this. Eddie Tyler and his central office made this decision. It's a hush hush situation which is bullcrap! It's asking or trouble!

Edit to add:

It has been brought to my attention that bathrooms in Baldwin County schools were changed to unisex. I called the Central Office and they do not want to talk to me about it or answer questions. This concerns me when my children are involved. Upon further investigation, I learned it was never voted on by the board members and this decision was made without any discussion or vote by anyone. The Superintendent, Eddie Tyler and School Board Attorney, Sarah Young, need to let parents know when they make rules like this that affect EVERY one of our children and puts their safety in danger.



Public Schools, Public Dollars

- Media has a keen interest in public schools:
 - Taxpayer dollars
 - Educating everyone's children
 - Major employer in community
 - Covered by open meetings and open records laws
 - Source of complaints, political controversy, athletic competitions, crisis
- Bottom line: school stories get HITS, Likes, and shares
- If you want the positive to exceed the negative, you may have to be willing to share





Iterative Reporting – Media Revolution

- It used to be that a news article was a single item, published once
- Because articles can, and are, updated easily online, the typical news story is now given out “piece by piece, over time,”
- this means you are no longer indispensable—so you can’t make yourself difficult to reach, or you’ll miss the chance to put your association in its best light (whether the story is good news for you, or bad news).

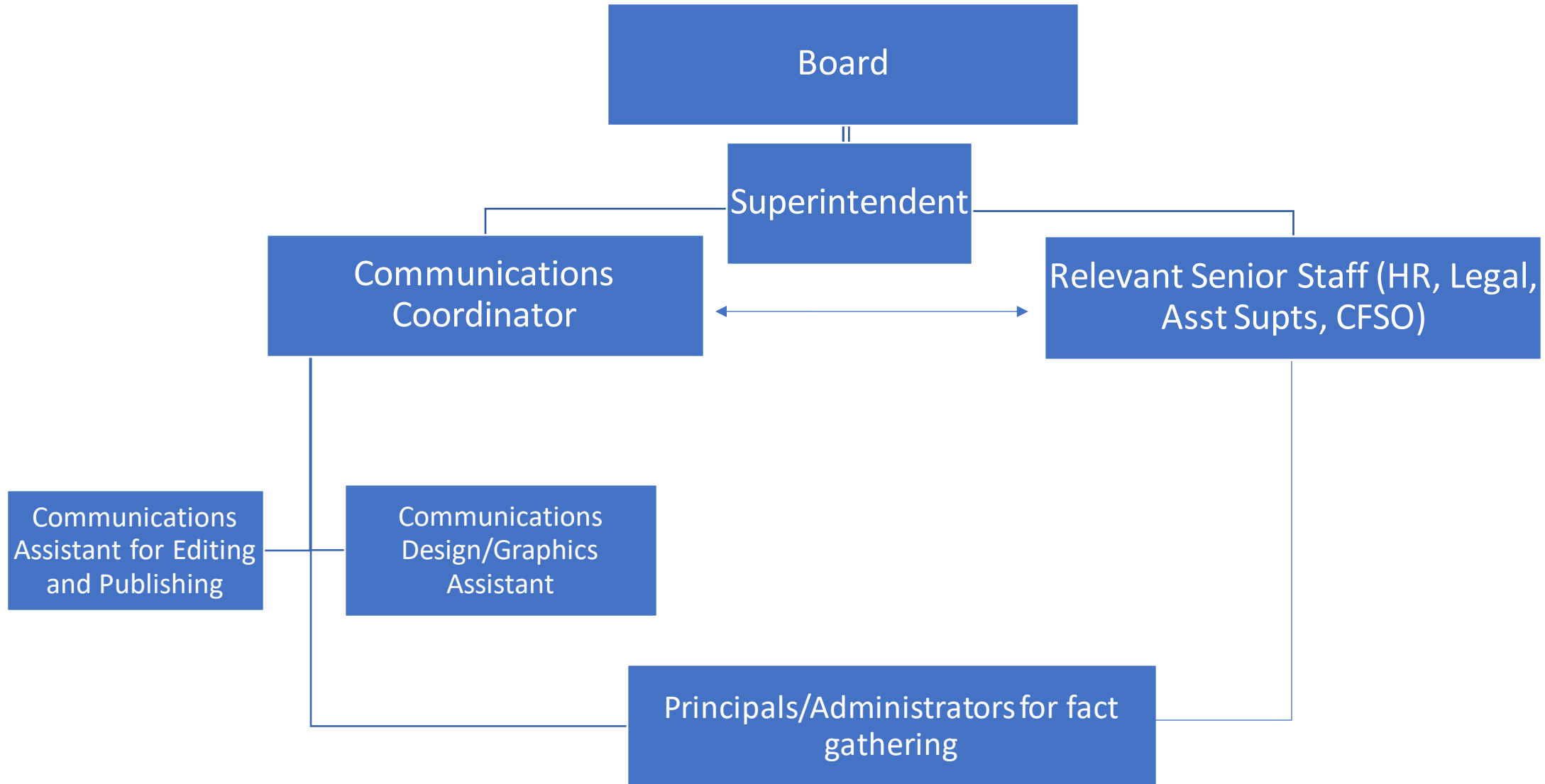
Iterative Reporting – Media Revolution

- Google's analytics give priority to whichever news outlet broke a story first—which has put pressure on reporters to work faster than ever, and not to spend too much time chasing down sources.
- If you do not pick up, you are not in the story.
- Might be updated, but who reads updates



#BaldwinProud

Communications Structure for Media Responses



The First Amendment States:

- Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.



The Public Forum Doctrine: How you address the media depends on the forum

As a preliminary matter, the First Amendment does not guarantee access to property merely because the government owns it.

Keister v. Bell, 879 F.3d 1282, 1288 (11th Cir. 2018)

Non-Public Forum	Court rooms, Classrooms
Traditional Public Forum	Public thoroughfares, sidewalks, public parks
Designated Public Forum	Parades, Free Speech zones for protesters, municipal auditorium
Limited Public Forum	City council meetings, school board meetings



Public Forum Analysis for School Board Meetings

- A meeting in public, not a public meeting.
- Although cases use varying terms for the type of forum, most apply the “limited public forum” analysis to school board meetings
 - “As an initial matter, we agree with the parties that the public-comment sessions of the Board's meetings and planning sessions are limited public fora.” *Barrett v. Walker Cnty. Sch. Dist.*, 872 F.3d 1209, 1224 (11th Cir. 2017)
 - “We consider the public-comment sessions in particular and not the Board meetings or Board planning sessions as a whole because forum analysis is limited to the particular part of the forum to which the would-be speaker has sought access.” *See Bloedorn v. Grube*, 631 F.3d 1218, 1232 (11th Cir. 2011).
- A limited public forum is established when governmental entities open their property but limit its use to “certain groups or dedicate[] [it] solely to the discussion of certain subjects.” Limitations made in a limited public forum need to be only “reasonable and viewpoint neutral.” *Keister v. Bell*, 879 F.3d 1282, 1289 (11th Cir. 2018)

Policies Upheld by Federal Courts

01

Fifth Circuit: can express complaints during public comment **without** stating the names of employees or students

02

W.D. Michigan: state an initial complaint against an employee, and that employee can request further conversation occur in closed session

03

New Mexico: complete prohibition on discussing "personnel issues" during public comment

Policies Found Unconstitutional by Federal Courts

"The Superintendent can avoid scheduling an initial meeting with that critic, preventing him from complying with the Policy, which in turn bars the critic from speaking at the next meeting, thus censoring that critic's point of view."

"If Defendants wish to continue requiring potential speakers to meet with the Superintendent before submitting a request to speak, Defendants must impose a reasonable time limit within which the Superintendent must respond to the speaker's request, schedule the initial meeting, and hold the initial meeting."

Barrett v. Walker Cnty. Sch. Dist., 872 F.3d 1209, 1228 (11th Cir. 2017)

Eleventh Circuit:
required meeting
with the
Superintendent first
before being
permitted to speak
during public
comment



Northern District of Illinois: prohibited mentioning the names of students and employees during public comment



New Mexico: prohibited "negative mention" of employees or the governing body

Bottom Line

Content neutral Restrictions

Time, place and
manner

3 minutes

No names

Stay on subject
to matters
pertaining to
Board issues



Consult your Board
Attorney

What's a School District to do?



Revise policies to avoid claims of viewpoint discrimination; and

Be consistent in applying those policies OR

Ban public comment?

The issue is not whether speech should be allowed at all; as the parties agree, the comment sessions at Board meetings are limited public fora, meaning that the Board chose, but was not required, to open those portions of its meetings for public participation. See *Rosenberger*, 515 U.S. at 829-30, 115 S.Ct. 2510. Consequently, the Board has the power to close its meetings to public comment if it so wishes. The problem here, rather, is the fact that the Board allows public comment at its meetings but then maintains policies that have a significant potential to chill speech on the basis of content and viewpoint. *Barrett v. Walker Cnty. Sch. Dist.*, 872 F.3d 1209, 1230 (11th Cir. 2017)



And... It's a Public School Not a Public Park

- Public forum is applicable only when the government gives private citizens access to public property for private expressive conduct
- Most government property is not a forum at all
 - Principal's office is a nonpublic forum
 - Fourth grade classroom is a nonpublic forum
- During the instructional day, school facilities can be reserved for carrying out the mission of the school system
 - Board policy defines access and who can put access measures in place
 - Also can establish a policy or process specific to media inquiries to access
- Flip side: if facilities are generally open to public, members of media should be allowed access like everyone else, i.e. athletic competition, board meeting



First things first: Alabama Open Meetings and Public Records Laws

Alabama Open Meetings Act (OMA) and the Media




- ...the deliberative process of governmental bodies shall be open to the public during meetings...Except for executive sessions...or as otherwise expressly provided by other federal or state laws or statutes, all meetings of a governmental body shall be open to the public and no meetings of a governmental body may be held without providing notice...
- What is a meeting- Prearranged (or not) gathering of a quorum to conduct matters outlined by law or to deliberate
 - Exchanging information intended to arrive at or influence a decision on how members should vote that at the time participating members expect to come before the body
- What is not a meeting – members can meet, even with a quorum, as long as the participants do not deliberate matters they expect to come up for a board vote:
 - Press Conferences and Media events
 - Social gatherings
- **BE CAUTIOUS** - Electronic Communications- cannot circumvent OMA via email (also subject to Open Records Act)



OMA and the Media

- Notice of meetings should be provided directly to any news media who register with the Board to receive notice of meetings
- Be aware that the OMA specifically permits the meetings to be recorded by the media (or the public for that matter) - (but not executive session)
- The media can sue if it believes a Board has violated the OMA





OMA and First Amendment-
To allow comment or to not
allow public comment:
Remember....

- If have a public comment section, this would allow a media member to speak
- Also may have members of media present when members of the public speak
- Can a Board put restrictions on the public comment section of Board meetings?



Alabama Open Records Act (ORA)

- Every citizen has a right to inspect and take a copy of any *public writing* of this state, except as otherwise expressly provided by statute.
- State law defines “public records” as: All written, typed or printed books, papers, letters, documents and maps made or received in pursuance of law by public officers of the state, counties, municipalities and other subdivisions of government in the transactions of public business.
- The Alabama Supreme Court, taking both of the quoted statutes into account, defined a “public writing” as a record “reasonably necessary to record the required business and activities of a public office so that the status and condition of such business and activities can be known.”

Alabama Open Records – The right is not unlimited

Possible public writings:

- financial records
- résumés and employment applications
- reports from attorneys shared with the others
- and audit reports
- personnel files*
- records of purchases
- financial records
- minutes of meetings
- employee evaluations and Employee discipline*
- emails if maintained, not reduced to a hard copy, and recorded to conduct board business

Not public writings or public records:

Recorded information received by a public officer in confidence;

- *Sensitive personnel records;
- *Pending criminal investigations; and
- Records the disclosure of which would be detrimental to the public's best interest. (most often used for safety and security issues)



Specific examples of records that may be requested by media that may not have to be disclosed

- Discipline and specific personnel records if investigation or employee action *still pending*
 - Board needs to act on Superintendent's recommendation
- Records containing “stigmatizing information” are “sensitive personnel records” and can be withheld until the employee has had a meaningful opportunity to clear his or her name.
- Board packets and personnel action reports
 - Until Board votes
- Routine emails that are not necessary to conduct board business
- Documents that contain sensitive security protocols and law enforcement responses
- Private information on otherwise public documents, *i.e.* social security number
- Consult your Board attorney
- Consult AASB Boardmanship Series on Public Meetings and Public Records for a detailed chart with records that are typically considered public or private





ORA and the Media

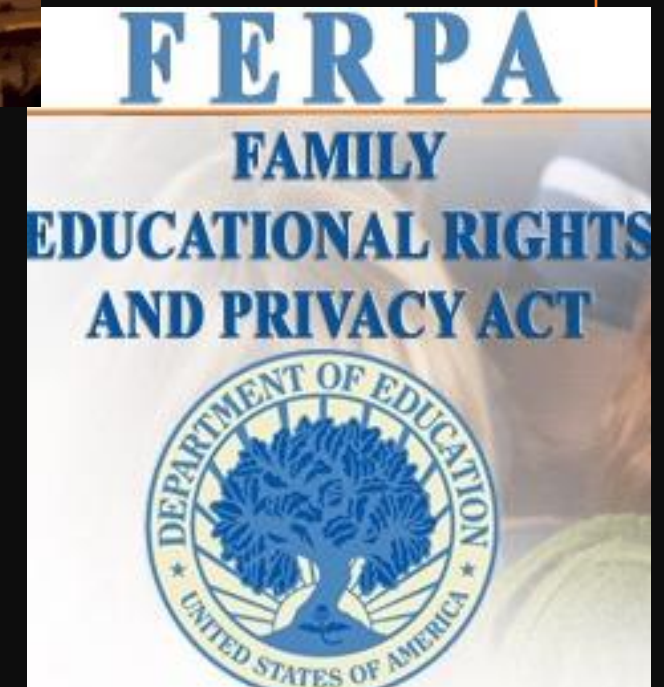
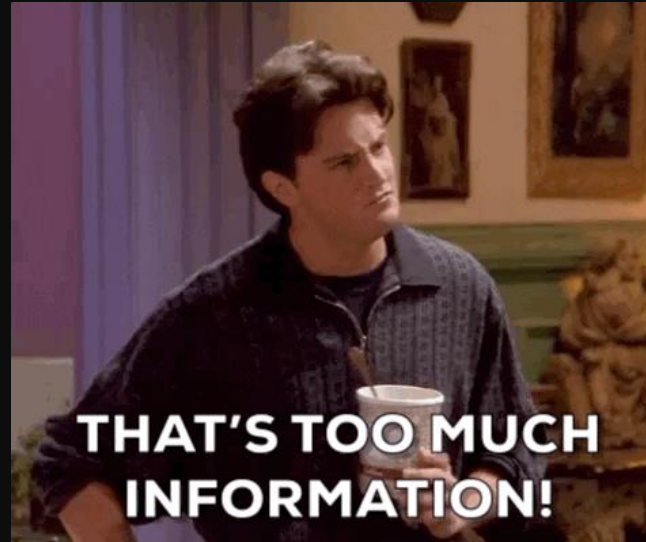
- Where is your media member from?
 - “citizen” of Alabama (media outlets doing business in Alabama are considered citizens).
- Can we require a form?
 - Yes. As long as it is not used to dissuade or prevent access to public documents
- Can we ask for a purpose?
 - Yes. Purely speculative or idle curiosity can be declined
 - Media interests are not considered “idle curiosity”
 - Consult School Board attorney
- How quickly must we respond?
 - Normal business hours and
 - Within a reasonable period of time that limits disruption of work
 - Example- reporter asks for copy of every personnel file versus request minutes approved at previous Board meeting



ORA and the Media

- Can we Charge?
 - Inspection for free unless extensive staff time
 - Copies for free unless budgetary constraints justify a nominal fee, e.g. 10-25 cents per copy
 - Fees cannot be used to restrict or discourage access
- Must we provide in a format requested?
 - No – custodian of records has authority to determine the manner that records are provided
- Does the Board have to answer written questions submitted?
 - No. It is important to remember that the laws at issue relate to records. While board personnel can answer questions, they are under no obligation to do so under the law. They are merely required to provide documents.

First things first: Specific Privacy Law on Student Information



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FERPA and the Media

- Generally cannot release specific information about students from their education records to the media without written consent of the parent
- More specifically....Cannot release “Personally identifiable information”
- Personally identifiable information includes demographic data like a student’s name, address, and social security number and:

“(f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or

(g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.”

See 34 C.F.R. § 99.3 and US DOE final regulations preamble at page 74,829 located at <http://www2.ed.gov/legislation/FedRegister/finrule/2008-4/120908a.pdf>.

FERPA and the Media... Be Aware

In explaining the “school community” standing under (f), the preamble to the 2008 regulations provided an example of a student that brought a gun to class last month:

“The incident was well known among students, teachers, and administrators but was unknown in the town where the school is located. In these circumstances, a school district would violate FERPA if it issued a press release saying that a student was suspended for bringing a gun to class. This information is linkable to a particular student and a reasonable person in the school community could identify the student involved.”

FERPA and the Media... Be Aware

The preamble also discusses circumstances in which a school district might get a “targeted request” under paragraph (g).

“For example, a reporter writes an article about basketball players who were expelled for taking bribes. A school district would violate FERPA if it gave the reporter (or someone else) redacted transcripts of all basketball players expelled for taking bribes in the last year. In this case the school reasonably believes the reporter knows the identities of the students.”



FERPA and the Media BUT....

It is important to note that FERPA only protects information contained in student records.

So if a member of the media asks a school for the name of a student involved in a school shooting or bringing a gun to school a few hours after the incident takes place, it is possible that the student's identity is not protected by FERPA because his or her involvement may not yet be recorded in his or her education record.

The school official that witnessed the incident could disclose, based on his or her personal knowledge or observation, what he or she observed.

The absence of FERPA protection, however, does not mean the district must release the name of the student upon the request (or demand) of a reporter.



FERPA and the Media BUT....

A note about “Directory Information Exceptions”

While FERPA in some instances does not prevent the release of personally identifiable information from student records, it also does not mandate the release of information.

So, for example, while a school may disclose directory information without consent (if it is properly designated by the district and parents and eligible students have not opted out), FERPA does not require that directory information be released to anyone.

However, in that instance, the ORA may dictate that records not restricted from disclosure by FERPA be released to the public upon request in some circumstances.

In other words, members of the media are no more (or less) entitled than anyone else to receive student information not protected by FERPA.

So..... Consult your Board Attorney



FERPA and the Media – Can't we just redact?

The 2008 changes to the FERPA regulations also explicitly allow school districts to redact or “de-identify” student records “after the removal of all personally identifiable information provided that the educational agency or institution or other party has made a reasonable determination that a student’s identity is not personally identifiable, whether through single or multiple releases, and taking into account other reasonably available information.”

But Remember : Simply redacting a student’s name from an education record does not eliminate a FERPA violation when the identity of the student is known.

For example, if a reporter asks for a copy of a particular student’s transcript, redacting the student’s name would not avoid a FERPA violation because the reporter would know who the record belongs to despite the redaction.



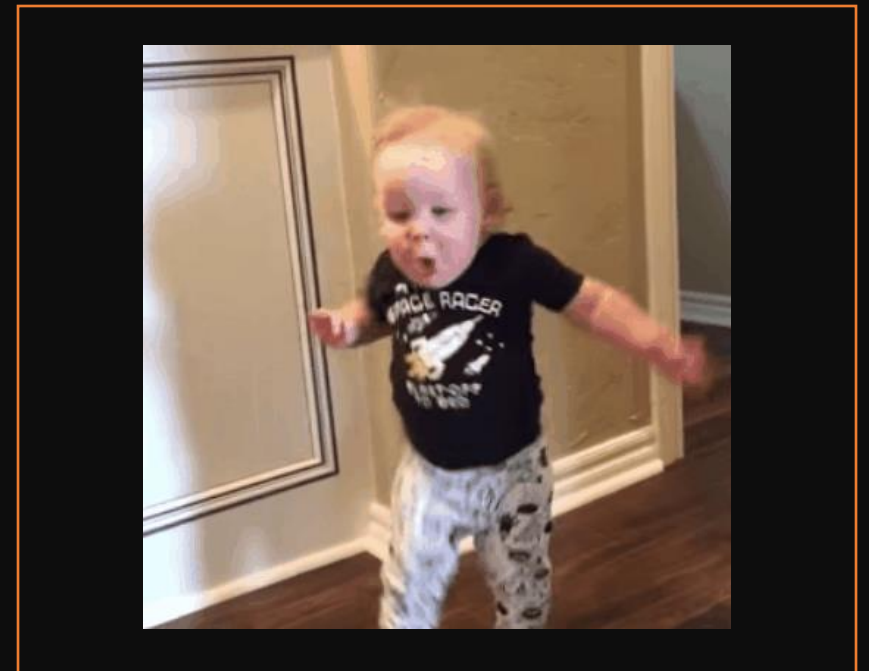
REDACT

Practical Tips and Strategies



Tips on Interacting with the Media

- Your Communications Officer/Public Relations Designated Person is key
 - Relationships (with the media, staff, and the Board attorney) are key
- Don't hide from the media
- Respond with your statements when you can with what you can
- If you miss a deadline and the story runs...
 - If you have new facts try to get a new story – not hidden in an update
- Share your story yourself
 - One of the top three drivers of whether a person finds a piece of information noteworthy and worth acting on is whether a friend tells the person about it- Social media is how the “friend” shares the information



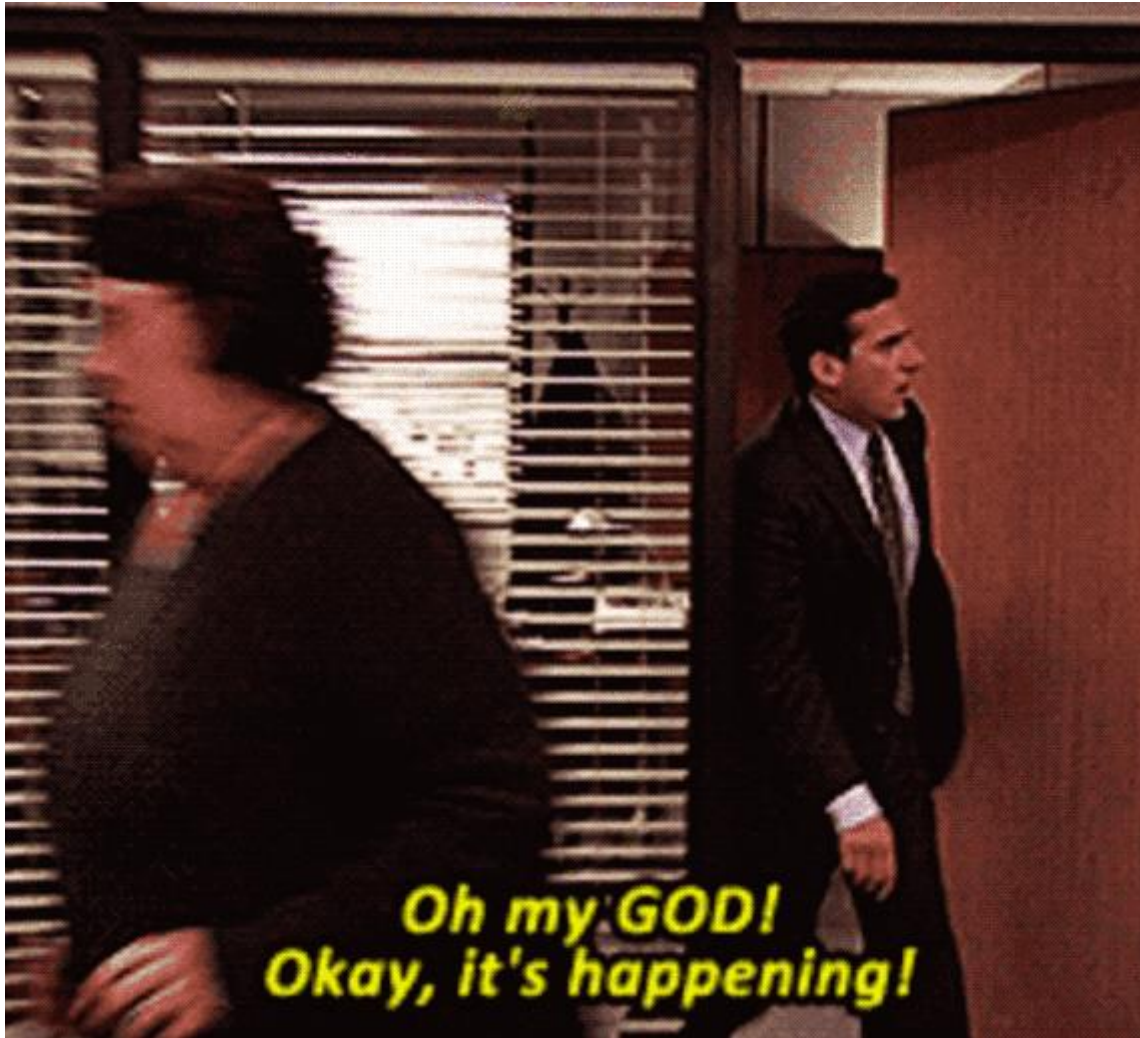
Tips on Interacting with the Media

- Tell it first
- Tell the truth
- Tell it all if all exists BUT in consultation with legal
- Tell it quick (when possible)
- Realize: media is there to tell a story so... tell your own.



Tips on Communicating in a Crisis

- First, **communicate** in a crisis – be prepared to tell the **facts** you can, as soon as you can
 - Board
 - Faculty and staff
 - Parents
 - Media – one spokesperson
- Be careful about delegating to another public entity
- Consult with Board attorney, key administrators, and outside agencies on crisis response plan





Your Board attorney's role in media matters

- Provide guidance to your Board attorney on in general how and when the Board attorney should be involved in media matters with your staff
- Primary function of school attorney is to keep district out of legal trouble so educators can focus on the mission of educating children
- Obtain Guidance on Access to School Facilities
 - Public School does not equal Public Park (Remember the forum)
- Guidance on Open Records Requests
- Hard boundaries on Media Requests for Statements:
 - Employee sensitive issues
 - Student privacy issues
 - Current lawsuits
 - Facts and issues that could result in lawsuits

A Note How to do social media well and the First Amendment ... coming in the Fall



Scenarios



Political Inquiries... Roe v. Wade

- Reporter reaches out to Communications Coordinator with the following:

“I am working on stories for my paper about what has changed the year after *Roe v. Wade* was overturned in Alabama. What does your school system do for sex education? Thank you for your help?

- What do you do/how do you respond?

Response

Thank you again for reaching out on this subject. Despite the Supreme Court having overturned its *Roe v. Wade* decision, we did not make any changes in the school system regarding our teaching of sex education. After reaching out to several departments including our Academics Department and our Prevention and Support Services Department that houses our counselors, I have been provided with the following details.

We have continued our long-standing partnership with the Women's Care Medical Center in Robertsdale. They teach the *You Are Unique* curriculum to our seventh-grade students, as well as the *In the Buff* curriculum to our tenth-grade students. Both of these curricula pertain to some aspect of sex education. There is also eighth-grade curriculum about social media entitled *Socially Unacceptable* that also may be considered in the category you are referencing.

Attached as a reference for you are copies of the parent letters that are sent home about the two curricula pertaining to sex education. Please let me know if you should have any additional questions or concerns.

I hope this helps answer some of your questions. Please feel free to reach out if you need anything further.

Hot topics: Library Materials Challenges

“Good morning. Will you please provide any information about challenges parents or other community members have brought against school curricular or library materials in Baldwin County Schools between Jan. 1, 2021, and the present date?”

If you are unable to retrieve the actual challenge, will you please provide information on which books or materials have been challenged and what the outcome of the challenge was? As in, were the materials removed or approved for further use?

And are those challenge policies different for each school or does the district have a single policy that is required to be followed?”

- What do you do/how do you respond?



Response

“Good afternoon. In response to your request for information about challenges parents or other community members have brought against school curricular or library materials in the Baldwin County Public School System between January 1, 2021 and the present, the following is a summary of the types of “challenges” we receive and the policies and procedures in place for formal reviews of instructional and/or library materials.

First, in answer to your question regarding the specifics of the challenge process, the school system has a process that is followed system wide for challenging either instructional materials and/or library books. In a nutshell, the formal review procedures provide that upon receipt of a formal review request, a school media review committee will notify the curriculum department and the Superintendent. The committee’s review includes reading the book in question, reading peer reviewed reviews of the book, discussing the book as a whole and its age appropriateness as well as its relation to Alabama content standards if applicable. The procedures that are currently used are attached for your information (do we want to attach? If so, I think we just attach the relevant procedures and forms starting on page 9-14). With the growth of digital media, the curriculum department also has plans to review these procedures this summer and determine if any revisions may need to be made for next school year.

While not every community member or parent submits a complaint on the formal review form, below is a summary of those books that have been reviewed through the system’s formal review process along with the outcome of the review.

Finally, there is a third type of category of concerns that are vetted in regard to instructional and library materials and that is misinformed complaints that are received from time to time. These concerns fall into a category that have nothing really to do with the school system but might be based on misinformation regarding the material being taught in another system, believing the novel is identical to the cinematic feature or TV series, or a belief that a student is being forced to read the materials. For example, if a parent has a concern about a particular literature piece, the child is provided an alternative book to read. The vast majority of these type of complaints are vetted informally and resolved once additional information is provided to the parent or community member.”

Litigation/lawsuit inquiries

“I’m a reporter at XXXXXX’s Education Lab, and just got a notice that Tuscaloosa City is one of three Alabama school districts involved in litigation against Meta, TikTok, YouTube and Snapchat. I understand a lawsuit is ongoing, but is there any information you can share with us how much this lawsuit is costing the district, and why the district felt this was an important issue to tackle?

I’m attaching the full press release that I got below.”

- What do you do/how do you respond?





Response:

Social media is having a significant impact on our schools from mental health of students to code of conduct and security issues on campus. Just this past year we have been battling the new fad of TikTok challenges here in Baldwin County. There is no expense to the Board of Education with the firm we contracted with, as they get paid only if the school districts are ultimately successful in the litigation. We defer all other responses regarding the facts surrounding this case to the law firm of Beasley Allen.

Employee/Personnel Inquiries



On social media parents are communicating about a teacher who allegedly “hit a child while driving her bus.” The teacher was not placed on administrative leave while investigating, because the issue occurred on a bus. Teacher was removed from bus duties pending investigation. A member of the media who is also a parent at the school where the teacher teaches reaches out with the following question and request:

“Good afternoon. I am inquiring about some comments spreading on Facebook concerning Ms. _____ and the allegation that she is frequently aggressive with her students, has recently hit a child, and has been put on administrative leave. Can you confirm and provide details?”

- What do you do/how do you respond?



Response

“At this time, due to confidentiality and privacy rights of employees, we cannot share any information with you regarding any personnel matter nor can we comment on matters being reviewed by law enforcement. I can share that we do not currently have any information that would indicate that there is a safety concern within any of our classrooms.”

Employee/Personnel Inquiries



News media member learns that a former employee (who resigned after investigation was conducted) has been arrested. Media member reaches out with the following request:

“Good morning. Does the system has a statement on the arrest of Mr. _____ this morning? What is his current employment status with the system?”

- What do you do/how do you respond?

Response

“Good morning Burt, thank you for reaching out.

We have been made aware of the arrest and we are grateful to the XXXXX Police Department and the Baldwin County District Attorney’s Office for their dedication to prosecuting those who would take advantage of children.

Mr. XXXXX is no longer employed with Baldwin County Public Schools.”



A Case of Bad Behavior with a Records Twist

Say the previous teacher was accused of sexually assaulting student A recently. This accusation has led to rumors the teacher also sexually assaulted student B 10 years ago and the district “knew about it but did nothing.”

Now the reporter requests a copy of the teacher’s performance evaluations for the last 10 years, any information related to the current investigation of the accusations involving student A, and any information related to the investigation of the alleged sexual assault of student B from 10 years ago.





Possible things to think about for a Response:

- Personnel file is likely a public record, BUT some exceptions.
- Alabama “sensitive personnel information.”
- Is it a current investigation of misconduct or criminal offense prior to employee disposition?
- Is it still pending in criminal court? Grand Jury? Indictment but no trial?
- ORA “reasonable period of time.”

Student Athletic Issues and AHSAA

- WMDR is requesting, under the Alabama Public Records Act, copies of the appeal letters sent to the AHSAA regarding the disqualifications of the High School Boys and Girls tennis teams.
- What do you do?





Response

“Please see the attached communications in regards to your Open Records Request and please note that the parent provided written consent allowing us to disclose the name and information of the initial student without redaction.”

*All AHSAA appeal letters and responses from high school were provided under Alabama Open Records Act

Superintendent Message Clarification Inquiries

“Good afternoon,

I was hoping you could clarify something for me. In the superintendent's message to parents last week, he highlighted the updated CDC guidance changing the quarantine period from 10 days to 5 days:

"Over the holiday break, the CDC reduced the number of days to quarantine down to only five days. This appears to be good news again in the progression of COVID."

However, a parent just called and said her child was sent home from school (Spanish Fort HS) and told to quarantine for 10 days.

Is this correct? Is the district sticking with a 10-day quarantine period?”

What do you do?



Response

“Hi Ernie, thank you for reaching out. I cannot comment on specific student’s health information but I can speak generally on our COVID protocols. Although the CDC did make that updated recommendation, we have not changed our COVID protocol as of today. If a child has been diagnosed with COVID, we need their positive test or a doctors release on when to return. If they do not have a doctor’s note on when to return, we will start their 10 days excused absence from the date of their test (home test, doctor’s office test or drive thru test)

I believe in Mr. Tyler’s email he was just referencing the newly released recommendations as “good news” on fight against COVID and not stating that we have changed our protocol.

I hope that helps. Please let me know if you have any other questions.”



Security Inquiries/Student Discipline



“WTAB would like to speak with a district representative today, regarding the incident at XXXX High School Wednesday and what parents and students tell us is lax security at the school. The information the district has disclosed about where the intruders were found and how long they had been in the school, differs from what students are telling us. In addition we are told by parents, that they are frequently allowed access to the building without presenting an I.D. While we understand the district doesn’t want to reveal exact security measures, we would hope somebody can speak to these issues raised by students and parents. We appreciate your assistance in facilitating an interview to address this incident and their concerns.”

What do you do?

First Response:

“To my knowledge the only thing we have released about the incident is what was included in Mr. Lax Security’s email. I am unaware of any released timeline by the district nor did we ever release the location of where the students were found.

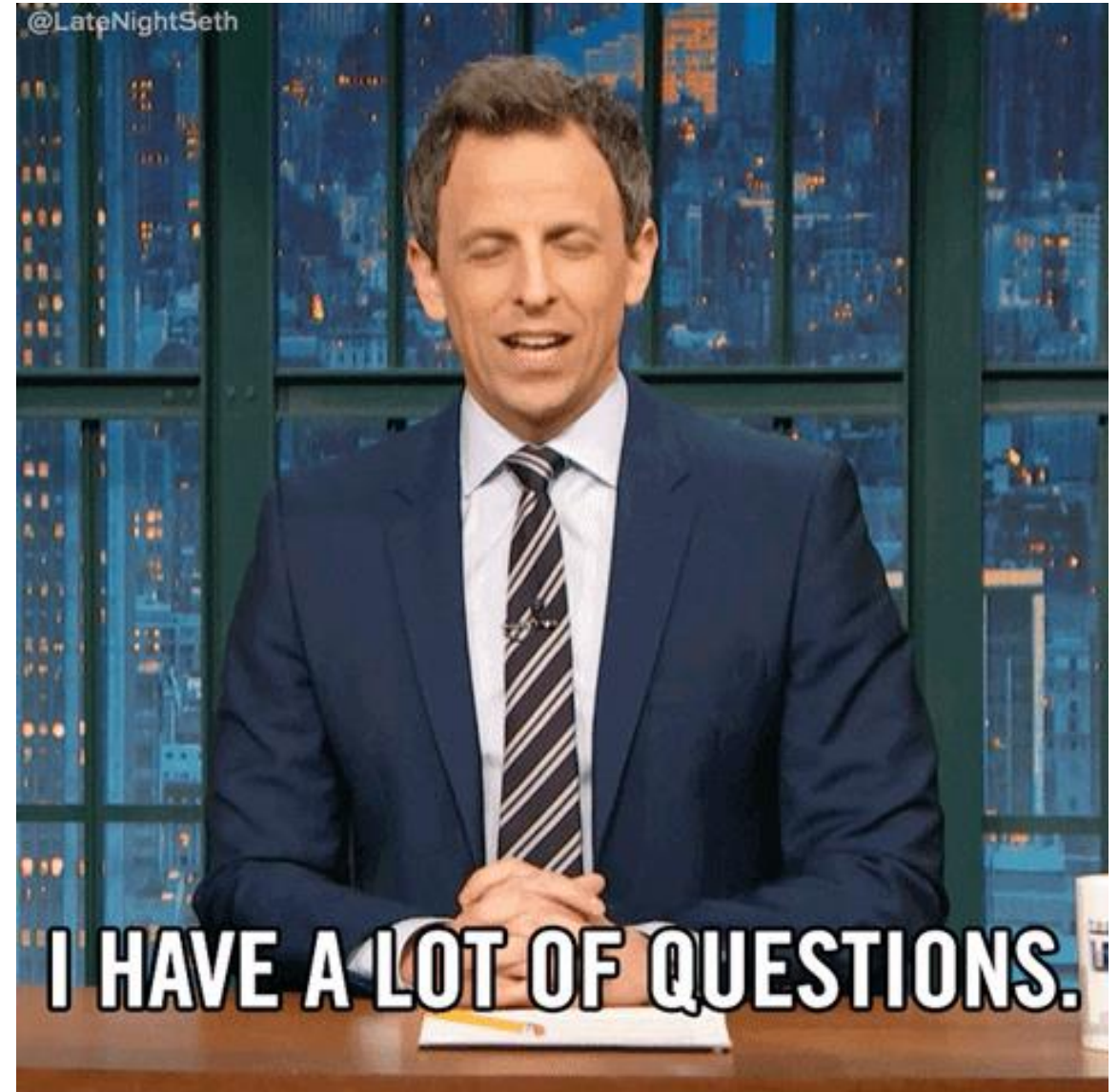
This is also a matter being handled by the XXXX Police Department so we are limited in what we can release.”

Security Inquiries/Student Discipline

Media Reply:

“So we are clear, is the district willing to address the everyday building access safety issues that are being raised? That, to my knowledge, would not be a part of the Police investigation into Wednesday’s incident? We would like to know the time the intruders were noticed and the time police were called. If this requires a public record request please advise.”

What do you do?



Response

Nosy Rosy, I appreciate your focus on this. I've spoken with our SRO and administration at XXXXX High and they informed me that their timeline shows the trespassing students were on campus for less than 30 minutes. We are confident in this information from the police department, but you are welcome to make direct inquiries to them.

You are also welcome to make a public records request through us, but it will garner the same information I am providing you today. I will forward those to our School Legal Counsel, but they have previously informed me that security issues and student discipline information are exempted under the law, so I'm sharing with you the best of what we can here in this email. If you have any other questions please let me know.

The following is our official written statement in response to your inquiry on behalf of Mr. Marty McRae Assistant Superintendent.

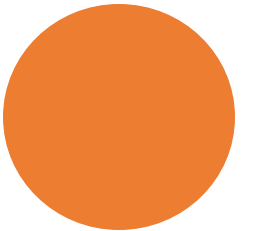
"On Wednesday, enrolled students from another Baldwin County school were provided access to the XXX High School campus. These students gained access to this secured campus by an XXX student who unsecured the door from the inside. The students then went into a bathroom to try to avoid detection. During this time, other students notified staff, who notified administration and the SRO of suspicious persons on campus and they responded immediately.

The trespassing students were arrested and are being processed by XXX Police. The police investigation revealed they were on campus for less than 30 minutes before being apprehended in the bathroom.

We are disappointed a student would grant access from inside one of our buildings. Even if they know the students, this creates a tremendous threat to our campus. While we cannot discuss the specific disciplinary action of the student who granted the trespassers access to campus, we can tell you such a violation would generally result in suspension or expulsion.

While we are disappointed in the student granting access, we are also pleased in how other campus students, our staff, our SRO officer and the XXXX Police handled this matter. Knowing that our students and our staff are keeping their eyes open and reporting concerns to school security gives us confidence our systems are working, even when compromised.

Regardless of this outcome, we will be reviewing all our security protocols including internal and external vulnerabilities as well as guest visitation protocols. We understand one of the greatest security threats can come from inside our campus and as a result we will be educating the students on the disciplinary results for providing access to the campus."





THANK YOU