

February 14, 2005

Carol

Eugene, OR

Dear Carol,

Recently we met to review your request for the Committee for Countering Military Recruitment (CCMR) to have access to students at Springfield and Thurston High Schools. CCMR, which provides students with information on non-military options, has requested the same degree of access to students that the schools give to military recruiters. To render a decision on this issue, we consulted with school district leaders, and formally engaged the services of two separate attorneys from two different firms to render advice on this request.

Specifically, attorneys have cited several legal parameters and case law to render advice:

First Amendment (expression and free speech) limited/designated public forum  
Hills v. Scottsdale Unified School Dist. No. 48, 329 F 3<sup>rd</sup> 1044 (9<sup>th</sup> Cir. 2003)

The interpretation by both attorneys is "...case law from the Ninth Circuit Court of Appeals suggest it would be very difficult to show that exclusion of a group like CCMR is viewpoint-neutral and reasonable." As a result of this advice, I have directed Principals Chris Reiersgaard and Doug Jantzi to allow CCMR access to our high school students.

In establishing expectations for access by CCMR, I have determined three important criteria, which I shared with you previously:

1. CCMR should have the same relative degree of access as current military recruiters at both high schools.
2. The high school principals may determine appropriate time and location for access.
3. The high school principals retain the right to review of all materials to be distributed.

In our last conversation, you raised the question of criminal history verification for CCMR volunteers. This is an expectation for all adults who have direct contact with

students in our district, and certainly military recruiters fall into the scope and intent of this expectation as well. My expectation is all adults will demonstrate the appropriate verification paperwork. The forms are available here at the district, and I have enclosed one with this letter as well.

Carol, I appreciate your patience as we have worked together to answer this interesting request with complex legal ramifications. Thank you for your excellent communication and cooperative spirit. Please let me know if I can be of assistance in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Jamison". The signature is written in a cursive style with some loops and flourishes.

Dan Jamison  
Student Achievement Leader

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Enclosure