

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, ARKANSAS
CIVIL DIVISION**

ILA CAMPBELL

PLAINTIFF

V

NO. 72CV-21-_____

**FAYETTEVILLE PUBLIC SCHOOL DISTRICT
A/K/A FAYETTEVILLE PUBLIC SCHOOLS**

DEFENDANT

COMPLAINT AND REQUEST FOR IMMEDIATE HEARING

COMES NOW the Plaintiff, Ila Campbell, by and through her attorneys set forth below, and for her cause of action against defendant, Fayetteville Public School District a/k/a Fayetteville Public Schools, hereby states:

1. Plaintiff Ila Campbell is an adult citizen of the State of Arkansas, whose address is within Fayetteville, Washington County, Arkansas. She brings this cause of action as a matter of right under Ark. Code Ann. § 25-19-107.
2. This is an appeal from a denial of rights under the Arkansas Freedom of Information Act (herein "FOIA") pursuant to Ark. Code Ann. § 25-19-107(a).
3. This cause of action seeks declaratory and seeks and order for injunctive relief or otherwise compelling compliance with FOIA. This Court has subject matter jurisdiction over the Complaint for declaratory and injunctive relief pursuant to Arkansas law.
4. Defendant Fayetteville Public School District a/k/a Fayetteville Public Schools is an entity established by the Arkansas Department of Education, is supported wholly by taxpayer

monies, and is subject to the full requirements of FOIA. Its superintendent and chief executive officer is Dr. John L. Colbert, who may be served with process at 1000 West Bulldog Boulevard, Fayetteville, AR 72701. Defendant is located entirely within Washington County, Arkansas.

5. This Court has subject-matter jurisdiction pursuant to Ark. Code Ann. § 25-19-107(a) which provides:

“Any citizen denied the rights granted to him or her by this chapter may appeal immediately from the denial to the Pulaski County Circuit Court or to the circuit court of the residence of the aggrieved party, if the State of Arkansas or a department, agency, or institution of the state is involved, or to any of the circuit courts of the appropriate judicial districts when an agency of a county, municipality, township, or school district, or a private organization supported by or expending public funds is involved.”

Pursuant to this subsection, venue is proper in this action in the Washington County Circuit Court.

6. Ark. Code Ann. § 25-19-103(5) (A) defines public records as follows:

“Public records means writings, recorded sounds, films, tapes, electronic or computer-based information or data compilations in any medium required by law to be kept or otherwise kept and that constitute a record of the performance or lack of performance of official functions that are or should be carried out by a public official or employee, a governmental agency, or any other agency wholly or partially supported by public funds or expending public funds. All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.”

7. On May 17, 2021, Plaintiff made a FOIA request of the Fayetteville Public Schools, which is attached hereto as Exhibit “A” and incorporated herein by reference.

8. On May 26, 2021, the Defendant, through its employee, Alan Wilbourn, sent the response attached hereto as Exhibit “B” and incorporated herein by reference. Such response indicated essentially that some of the items requested were not “sufficiently specific to enable to custodian of the records to locate the records with reasonable efforts.”

9. On June 10, 2021, Plaintiff sent the Defendant, by electronic mail, the FOIA request and attachment, both of which are attached hereto as Exhibit “C” and incorporated herein by reference. Such FOIA request sought public records and stated in its entirety:

“As you know, I am an Arkansas resident and citizen and reside at 3917 E. Spyglass Hill Drive, Fayetteville, AR 72701. I am making this request pursuant to the Arkansas Freedom of Information Act (“FOIA”). I am requesting the documents that are requested to be produced in electronic form by return email if possible. If this is not possible and the copying costs will exceed \$100, please notify me in advance.

As used throughout this document, I have used various terms for simplicity’s sake and I identify the meaning of these terms to leave no doubt about what is meant. The term “FERPA” refers to the Family Educational Rights and Privacy Act (20 USC § 1232g) and any regulations adopted pursuant to such act. The term “FPSD” refers to the Fayetteville Public School District. The term “LGBTQ” refers to lesbian, gay, bisexual, transgender, and queer students. The term “Equity Plan” refers to the FPSD Five Year Equity Competency Plan in effect at any time during the time period from June 1, 2016 to June 9, 2021.

In responding to my request, you may disregard any documentation previously produced as part of the FPSD Response dated May 26, 2021 to my prior FOIA Request. I am requesting the following documents or items that exist for, or were created within, the time period from January 1, 2016 to June 9, 2021:

- The Equity Plan including (a) all of the assessment processes produced through collaboration with the University of Arkansas IDEALS Institute; (b) equity values and copies of the equity audits conducted in 2019-2020 related to the Equity Plan; (c) the DEI (Diversity, Equity, and Inclusion) assessment tool or tools used through, or as part of, the Equity Plan; (d) the Intercultural Development Inventory as administered by the Ideals Institute to evaluate the equity plan; (e) the strategic communication toolkit; and (f) the racial equity toolkit.
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, regarding or discussing LGBTQ Gender Support Plans, Programs, and Policies;
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and any FPSD internal memos, notes, or other communications, regarding or discussing the American Civil Liberties Union (“ACLU”) and the ACLU “Schools in Transition” Program;
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and

internal memos, notes, or other communications referencing 'Christmas' and the issue of 'Christmas,' 'Christmas Trees,' 'Christmas Parties,' or 'Christmas Break,' including all documents obtained from outside sources regarding these matters concerning the FPSD;

- All of the FPSD documents and educational tools, other than curriculum, which discuss, reference, mention, or use any of these terms 'implicit biases,' 'implicit bias,' or 'culturally related pedagogy';
- All of the FPSD documents, emails, memos, or other written communications, redacting only those portions prohibited by FERPA, concerning periodic training given to staff and faculty pursuant to the Equity Plan.
- Any statistics received or compiled by the FPSD or FPSD School Board related to or mentioning incidents motivated by race, ethnicity, religion and gender orientation;
- All emails to or from any FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, plans, policies, rules, or procedure concerning LGBTQ students;
- All policies, rules, or procedures of FPSD concerning LGBTQ students;
- Any policies, procedures, or rules of the FPSD referencing or mentioning how to handle incidents motivated by race, ethnicity, religion, or gender orientation;
- All partnerships established as part of the FPSD Equity Plan;
- All curriculum from or established by the FPSD High School English, History, and Civics Departments Heads for the stated time periods;
- All emails to or from any FPSD employees or FPSD School Board Member and any of the following: (a) any member of the Fayetteville City Council; (b) the Fayetteville Mayor's Office for the stated time period.
- All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the Converge Social Justice Consulting Firm;
- All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the University of Arkansas' IDEALS Institute;
- All contracts, agreements, or memoranda of understandings between the FPSD and the Converge Social Justice Consulting Firm for the stated time periods;

- All contracts, agreement, or memoranda of understanding between FPSD and the University of Arkansas IDEALS Institute and well as all documents, not previously produced that reference or mention the University of Arkansas IDEALS Institute or any of its programs that are within the possession of FPSD for the stated time periods;
- All contracts, agreements, or memoranda of understanding between FPSD and TRUE NW Arkansas Train (developed by Walton Family Foundation, Walmart and the Arkansas Community Foundation), as well as all documents not previously produced that reference or mention the TRUE NW Arkansas Train that are within the possession of FPSD for the stated time periods;
- The Complete Strategic Plan of the FPSD that identifies the priorities and administrative directive for the district in line with the Vision, Mission, Values, and Goals of the School District. You may disregard any documents that are on your website, but please notify me if that is the case.
- All minutes of the FPSD School Board for the stated time periods.

Please note that if any of these requested items are freely available on the internet, you may respond by simply giving me the URL where such items are located as your response to any individual request.

Ila Campbell”

10. The second FOIA request by Plaintiff was clear, specific as to what public records were sought, and was clear as to dates involved in the request. The request was broad given the prior response of the Defendant to the Plaintiff’s first FOIA request and was intended to ensure production of the requested documents.

11. On June 16, the Defendant responded (although past the three-business day/time limitation for response as set forth in FOIA), by electronic mail with an attached document that sets forth the Defendant’s response in a table format, all of which are attached hereto as Exhibit “D” and incorporated herein by reference.

12. Plaintiff’s FOIA request sought, *inter alia*:

- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, regarding or discussing LGBTQ Gender Support Plans, Programs, and Policies;

- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and any FPSD internal memos, notes, or other communications, regarding or discussing the American Civil Liberties Union (“ACLU”) and the ACLU “Schools in Transition” Program;
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications referencing “Christmas” and the issue of “Christmas,” “Christmas Trees,” “Christmas Parties,” or “Christmas Break,” including all documents obtained from outside sources regarding these matters concerning the FPSD;
- All of the FPSD documents, emails, memos, or other written communications, redacting only those portions prohibited by FERPA, concerning periodic training given to staff and faculty pursuant to the Equity Plan.
- All emails to or from any FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, plans, policies, rules, or procedure concerning LGBTQ students;
- All emails to or from any FPSD employees or FPSD School Board Member and any of the following: (a) any member of the Fayetteville City Council; (b) the Fayetteville Mayor’s Office for the stated time period.”

13. In response to each of the requests set forth above in bulleted form, the Defendant states as follows:

“With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.”

14. The second request was brought about by the Defendant’s false claim that the first request was ambiguous.

15. The response of the Defendant in this case indicates that a response *can* be made but that it would simply be easier for the Defendant to respond if the request was narrowed to only the “District Leadership Team.”

16. The Defendant is simply avoiding and evading the FOIA request by trying to force Plaintiff to limit her FOIA request for public documents (which was brought about by the evasive response to the first FOIA request, attached hereto as Exhibit B), even though the request for public documents can be satisfied.

17. Moreover, the Defendant did not produce even those records only from the “District Leadership Team,” which the District implicitly concedes is unquestionably responsive to the request.

18. The Arkansas Supreme Court has clearly held that, and this holding is currently the law, that it is not a basis to deny a FOIA request for public records just because the response was “too broad or burdensome.” See *Daugherty v. Jacksonville Police Department*, 2012 Ark. 264, 411 S.W.2d 196 (2012); *Hollis v. Fayetteville Sch. Dist. No. 1 of Washington County*, 2016 Ark.App. 132 485 S.W.3d 280.

19. With respect to the request for “[a]ll of the FPSD documents and educational tools, other than curriculum, which discuss, reference, mention, or use any of these terms ‘implicit biases,’ ‘implicit bias,’ or ‘culturally related pedagogy,’” the Defendant responded “[w]ith respect to this request, could it be limited to members of the District Leadership Team, which includes all principals, directors, and administrators?”

20. Again, instead of producing at least what it thought it could more easily produce, and which request was brought about by its essential failure to respond to the first FOIA request for public documents, the Defendant failed to produce *anything* at all.

21. The broad FOIA request for public records by Plaintiff was brought about by what is nothing more than Defendant’s playing games and semantics in responding to the request for

the public records that Plaintiff sought. Defendant's own actions brought the broad request, and Defendant's response indicates that public records exist.

22. Defendant is playing games each time it says its canned answer: "the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of records to locate the records with reasonable effort," as the Defendant's response indicates that the public records can be located but the Defendant seeks to limit its obligation to produce public records.

23. Sadly, in a now all-too-common tactic by bureaucrats seeking to either undermine transparency or enhance their indolence, Defendant intentionally conflates the size of the request with the sufficiently specific request. This chicanery was resoundingly rejected by the Supreme Court in *Daugherty v. Jacksonville Police Department*, 2012 Ark. 264, 411 S.W.2d 196 (2012) and *Hollis v. Fayetteville Sch. Dist. No. 1 of Washington County*, 2016 Ark.App. 132 485 S.W.3d 280.

24. A citizen is entitled to any amount of public records he desires. A governmental entity must produce, for, example, *all* email in the entity's possession from the last three years. That could be a large request, no doubt. But there is no ambiguity in the request.

25. Plaintiff's requests in this case are crystal clear. They lack not one iota of specificity. They are also large, as a consequence of Defendant's ongoing efforts to thwart transparency.

26. Defendant's complaints here are that it must actually do the work that it has already been paid to do through enormous taxpayer funding. Defendant behaves as if it owns the governmental entity and that the public works for it – not the other way around.

27. The Defendant failed to respond within three business days, failed to provide the requested public records within three working days pursuant to Ark. Code Ann. § 25-19-105(e), and failed to produce the requested public records at all.

28. Defendant failed to comply with the Arkansas Freedom of Information Act to provide public records to which Plaintiff was entitled under Ark. Code Ann. § 25-19-105.

29. For the foregoing reasons the Court should order Defendant to promptly produce the public records requested by the Plaintiff, grant Plaintiff attorneys' fees and costs in pursuing this matter, and order all other appropriate relief.

WHEREFORE, the Plaintiff, Ila Campbell, prays that the Court grant the relief requested herein; that a hearing be held within seven (7) days as required by FOIA; that the Defendant be ordered to comply with the FOIA; that the Court should assess attorneys' fees and costs against the Defendant; and Plaintiff further prays for such other relief as is just and proper.



Joey McCutchen, Ark. Bar No. 88045
Sam Sexton, III, Ark Bar No. 87-157
McCutchen Sexton Napurano – The Law Firm
P.O. Box 1971
Fort Smith, AR 72902
Phone (479) 783-0036
Facsimile (479) 783-5168
csexton@mccutchenlawfirm.com

/s/ Robert Steinbuch

Robert Steinbuch, Ark Bar#2020-007
STEINBUCH IMPACT LITIGATION
Email: resteinbuch@gmail.com
Phone (501) ATTY-804

**Ila Campbell
3917 E Spyglass Hill Dr.
Fayetteville, AR 72701**

May 17, 2021

**Dr. John L Colbert
Superintendent
Fayetteville Public Schools**

Dear DR. Colbert:

Under the Arkansas Freedom of Information Act, **Ark. Code Ann. §§ 25-19-101 through -111** (Repl. 2014 & Supp. 2019) I am requesting electronic copies of public records as described below:

- 1) Gender Support Plan for FPSD
 - a) Any and all documents and communications concerning student policies or rules regarding lesbian, gay, bisexual, or transgender students in the Fayetteville School District.
 - b) Any and all documents and communications concerning administration, faculty, or staff policies or rules regarding lesbian, gay, bisexual, or transgender students in the Fayetteville School District.
 - c) Any and all communications between administrators and faculty or staff or outside entities regarding lesbian, gay, bisexual, or transgender students in the Fayetteville School District.
 - d) Any and all documents and communications concerning plans, guidelines, services, courses, or programs being utilized by the Fayetteville Public Schools for students related to lesbian, gay, bisexual, or transgender students in the Fayetteville School District.

- 2) TRUE TRAIN Northwest Arkansas Program
 - a) Any and all documentation and communication regarding the True/Train Program
 - i) To include but not limited to any and all documentation and communication specific to the application process to the program as well as the distributions of funds originating from the grant.

<p style="text-align: center;">EXHIBIT A</p>

3) Five Year Equity Competency Plan

- a) Any and all documentation and communication regarding the partnership with the University of Arkansas IDEALS Institute.
 - i) To include, but not limited to equity training, professional development, Equity Council, Campus Equity Champions.
 - ii) Any and all documentation and communication in regard to the application process as well as the distributions of funds originating from the grant.

4) The 1619 Project

- a) Any and all documentation and communication in regard to curriculum development, plans, professional development, courses, programs, and guidelines.

5) Critical Race Theory

- a) Any and all documentation and communication in regard to curriculum development, plans, professional development, courses, programs, and guidelines.

Thank you for considering my request,

Sincerely,
Ila Campbell
479-841-3044

Your FOIA Request

Inbox



Alan Wilbourn

Wed, May 26, 11:32
AM (12 days ago)

to me

Ila,

Pursuant to the Arkansas Freedom of Information Act, we have gathered the requested documents and printed them. You may pick up the packet at our office at your convenience.

With respect to your request for records under Item 1 (a) through (d), the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort. Your request does not state whose communications you are requesting and does not include a time frame for the information sought. Please provide those parameters so that we can meet this request.

In the interests of cooperation, however, the District is providing you with the records related to the Gender Support Plan. These are included in the packet.

With respect to your request for records under Item 2, those requested records are included in the packet. We have no additional records that meet this request.

With respect to your request for records under Item 3 (i) through (ii), the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort. Your request does not state whose communications you are requesting and does not include a time frame for the information sought. Please provide those parameters so that we can meet this request.

With respect to your request for records under Item 4, we have no documents that meet this request. Critical Race Theory has not been addressed in Fayetteville Public Schools.

With respect to your request for records under Item 5, we have no documents that meet this request. Fayetteville Public Schools does not have a district curriculum that endorses The 1619 Project. Professional development related to The 1619 Project has not been provided to classroom teachers.

The Social Studies Task Force will meet to review curriculum, materials, and

**EXHIBIT
B**

instructional strategies in the 2022-2023 school year. This work is part of the Board Approved Curriculum Review Cycle.

Fayetteville Public Schools maintains a long-range curriculum revision plan which closely follows a prescribed cycle of activities. During the review of existing programs, courses, and curriculum, teachers, and administrators focus on alignment to state standards and the goals of the school district.

Sincerely,

Alan T. Wilbourn

Public Information Officer
Fayetteville Public Schools
1000 W. Bulldog Blvd.
Fayetteville, AR 72701
479-973-8654

FOIA

4 messages

Ila Campbell <lssc3737@gmail.com>
To: johnl.colbert@fayar.net, Alan Wilbourn <alan.wilbourn@g.fayar.net>

Thu, Jun 10, 2021 at 7:21 AM

 **FOIA Request for Ila Campbell (1).pdf**
86K

Alan Wilbourn <alan.wilbourn@g.fayar.net>
To: Ila Campbell <lssc3737@gmail.com>

Fri, Jun 11, 2021 at 9:17 AM

Ila,

We have received and are reviewing your latest FOIA request. I'll be in touch.

Alan T. Wilbourn

Public Information Officer
Fayetteville Public Schools
[1000 W. Bulldog Blvd.](#)
[Fayetteville, AR 72701](#)
479-435-1416



**FAYETTEVILLE
PUBLIC SCHOOLS**
Since 1871

On Thu, Jun 10, 2021 at 7:21 AM Ila Campbell <lssc3737@gmail.com> wrote:

Ila Campbell <lssc3737@gmail.com>
To: Alan Wilbourn <alan.wilbourn@g.fayar.net>

Fri, Jun 11, 2021 at 2:01 PM

Thanks for letting me know. Ila
[Quoted text hidden]

Ila Campbell <lssc3737@gmail.com>
To: Ginny Lauren Dowden <ginnylauren@gmail.com>

Fri, Jun 11, 2021 at 2:02 PM

[Quoted text hidden]

EXHIBIT C

As you know, I am an Arkansas resident and citizen and reside at 3917 E. Spyglass Hill Drive, Fayetteville, AR 72701. I am making this request pursuant to the Arkansas Freedom of Information Act (“FOIA”). I am requesting the documents that are requested to be produced in electronic form by return email if possible. If this is not possible and the copying costs will exceed \$100, please notify me in advance.

As used throughout this document, I have used various terms for simplicity’s sake and I identify the meaning of these terms to leave no doubt about what is meant. The term “FERPA” refers to the Family Educational Rights and Privacy Act (20 USC § 1232g) and any regulations adopted pursuant to such act. The term “FPSD” refers to the Fayetteville Public School District. The term “LGBTQ” refers to lesbian, gay, bisexual, transgender, and queer students. The term “Equity Plan” refers to the FPSD Five Year Equity Competency Plan in effect at any time during the time period from June 1, 2016 to June 9, 2021.

In responding to my request, you may disregard any documentation previously produced as part of the FPSD Response dated May 26, 2021 to my prior FOIA Request. I am requesting the following documents or items that exist for, or were created within, the time period from January 1, 2016 to June 9, 2021:

- The Equity Plan including (a) all of the assessment processes produced through collaboration with the University of Arkansas IDEALS Institute; (b) equity values and copies of the equity audits conducted in 2019-2020 related to the Equity Plan; (c) the DEI (Diversity, Equity, and Inclusion) assessment tool or tools used through, or as part of, the Equity Plan; (d) the Intercultural Development Inventory as administered by the Ideals Institute to evaluate the equity plan; (e) the strategic communication toolkit; and (f) the racial equity toolkit.
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, regarding or discussing LGBTQ Gender Support Plans, Programs, and Policies;
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and any FPSD internal memos, notes, or other communications, regarding or discussing the American Civil Liberties Union (“ACLU”) and the ACLU “Schools in Transition” Program;
- All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications referencing “Christmas” and the issue of “Christmas,” “Christmas Trees,” “Christmas Parties,” or “Christmas Break,” including all documents obtained from outside sources regarding these matters concerning the FPSD;
- All of the FPSD documents and educational tools, other than curriculum, which discuss, reference, mention, or use any of these terms “implicit biases,” “implicit bias,” or “culturally related pedagogy”;

- All of the FPSD documents, emails, memos, or other written communications, redacting only those portions prohibited by FERPA, concerning periodic training given to staff and faculty pursuant to the Equity Plan.
- Any statistics received or compiled by the FPSD or FPSD School Board related to or mentioning incidents motivated by race, ethnicity, religion and gender orientation;
- All emails to or from any FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, plans, policies, rules, or procedure concerning LGBTQ students;
- All policies, rules, or procedures of FPSD concerning LGBTQ students;
- Any policies, procedures, or rules of the FPSD referencing or mentioning how to handle incidents motivated by race, ethnicity, religion, or gender orientation;
- All partnerships established as part of the FPSD Equity Plan;
- All curriculum from or established by the FPSD High School English, History, and Civics Departments Heads for the stated time periods;
- All emails to or from any FPSD employees or FPSD School Board Member and any of the following: (a) any member of the Fayetteville City Council; (b) the Fayetteville Mayor's Office for the stated time period.
- All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the Converge Social Justice Consulting Firm;
- All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the University of Arkansas' IDEALS Institute;
- All contracts, agreements, or memoranda of understandings between the FPSD and the Converge Social Justice Consulting Firm for the stated time periods;
- All contracts, agreement, or memoranda of understanding between FPSD and the University of Arkansas IDEALS Institute and well as all documents, not previously produced that reference or mention the University of Arkansas IDEALS Institute or any of its programs that are within the possession of FPSD for the stated time periods;
- All contracts, agreements, or memoranda of understanding between FPSD and TRUE NW Arkansas Train (developed by Walton Family Foundation, Walmart and the Arkansas Community Foundation), as well as all documents not previously produced that reference

or mention the TRUE NW Arkansas Train that are within the possession of FPSD for the stated time periods;

- The Complete Strategic Plan of the FPSD that identifies the priorities and administrative directive for the district in line with the Vision, Mission, Values, and Goals of the School District. You may disregard any documents that are on your website, but please notify me if that is the case.
- All minutes of the FPSD School Board for the stated time periods.

Please note that if any of these requested items are freely available on the internet, you may respond by simply giving me the URL where such items are located as your response to any individual request.

Ila Campbell



Ila Campbell <lssc3737@gmail.com>

Response to FOIA Request

Alan Wilbourn <alan.wilbourn@g.fayar.net>
To: Ila Campbell <lssc3737@gmail.com>

Wed, Jun 16, 2021 at 5:05 PM

Ila,

In response to your FOIA request of June 11, please see the attached documents.

Sincerely,

Alan T. Wilbourn
Public Information Officer
Fayetteville Public Schools
1000 W. Bulldog Blvd.
Fayetteville, AR 72701
479-435-1416



2 attachments

-  **_Equity and Inclusion Q & A for FPS Board 6_8.pdf**
173K
-  **FOIA Request from Ila Campbell_ 6-11-21 - Sheet1 (1).pdf**
54K

<p style="text-align: center;">EXHIBIT D</p>
--

FOIA Request: Records from January 1, 2016 to June 9, 2021:	Response
<p>The Equity Plan including (a) all of the assessment processes produced through collaboration with the University of Arkansas IDEALS Institute; (b) equity values and copies of the equity audits conducted in 2019-2020 related to the Equity Plan; (c) the DEI (Diversity, Equity, and Inclusion) assessment tool or tools used through, or as part of, the Equity Plan; (d) the Intercultural Development Inventory as administered by the Ideals Institute to evaluate the equity plan; (e) the strategic communication toolkit; and (f) the racial equity toolkit.</p>	<p>Please see the attached document.</p>
<p>All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, regarding or discussing LGBTQ Gender Support Plans, Programs, and Policies;</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.</p>
<p>All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and any FPSD internal memos, notes, or other communications, regarding or discussing the American Civil Liberties Union ("ACLU") and the ACLU "Schools in Transition" Program;</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.</p>
<p>All emails to and from FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications referencing "Christmas" and the issue of "Christmas," "Christmas Trees," "Christmas Parties," or "Christmas Break," including all documents obtained from outside sources regarding these matters concerning the FPSD;</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.</p>
<p>All of the FPSD documents and educational tools, other than curriculum, which discuss, reference, mention, or use any of these terms "implicit biases," "implicit bias," or "culturally related pedagogy";</p>	<p>With respect to this request, could it be limited to members of the District Leadership Team, which includes all principals, directors, and administrators?</p>
<p>All of the FPSD documents, emails, memos, or other written communications, redacting only those portions prohibited by FERPA, concerning periodic training given to staff and faculty pursuant to the Equity Plan.</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.</p>
<p>Any statistics received or compiled by the FPSD or FPSD School Board related to or mentioning incidents motivated by race, ethnicity, religion and gender orientation;</p>	<p>We have no records that meet this request.</p>
<p>All emails to or from any FPSD employees and FPSD school board members (redacting those portions that are prohibited from disclosure by FERPA), and internal memos, notes, or other communications, plans, policies, rules, or procedure concerning LGBTQ students;</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the District Leadership Team.</p>

<p>All policies, rules, or procedures of FPSD concerning LGBTQ students;</p>	<p>All policies and procedures are available on the district website at: https://district.fayar.net/o/fps/page/school-board-policies--16</p>
<p>Any policies, procedures, or rules of the FPSD referencing or mentioning how to handle incidents motivated by race, ethnicity, religion, or gender orientation;</p>	<p>All policies and procedures are available on the district website at: https://district.fayar.net/o/fps/page/school-board-policies--16</p>
<p>All partnerships established as part of the FPSD Equity Plan;</p>	<p>FOIA deals with records only.</p>
<p>All curriculum from or established by the FPSD High School English, History, and Civics Departments Heads for the stated time periods;</p>	<p>All of our high schools teach the mandated state curriculum, which can be found here: https://dese.ade.arkansas.gov/Offices/learning-services/curriculum-support</p>
<p>All emails to or from any FPSD employees or FPSD School Board Member and any of the following: (a) any member of the Fayetteville City Council; (b) the Fayetteville Mayor's Office for the stated time period.</p>	<p>With respect to your request for records under this item, the District has reviewed your request and determined that it is not sufficiently specific to enable the custodian of the records to locate the records with reasonable effort, given that there are over 1,500 staff email accounts. Please consider narrowing this request to include only the Superintendent's Cabinet.</p>
<p>All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the Converge Social Justice Consulting Firm;</p>	<p>With respect to this request, could it be limited to members of the Superintendent's Cabinet?</p>
<p>All documents, memos, emails, or other written communications within the possession of the FPSD that were generated or created by, or sent to or otherwise mention, the University of Arkansas' IDEALS Institute;</p>	<p>With respect to this request, could it be limited to members of the Superintendent's Cabinet?</p>
<p>All contracts, agreements, or memoranda of understandings between the FPSD and the Converge Social Justice Consulting Firm for the stated time periods;</p>	<p>With respect to this request, could it be limited to members of the Superintendent's Cabinet?</p>
<p>All contracts, agreement, or memoranda of understanding between FPSD and the University of Arkansas IDEALS Institute and well as all documents, not previously produced that reference or mention the University of Arkansas IDEALS Institute or any of its programs that are within the possession of FPSD for the stated time periods;</p>	<p>With respect to this request, could it be limited to members of the Superintendent's Cabinet?</p>
<p>All contracts, agreements, or memoranda of understanding between FPSD and TRUE NW Arkansas Train (developed by Walton Family Foundation, Walmart and the Arkansas Community Foundation), as well as all documents not previously produced that reference or mention the TRUE NW Arkansas Train that are within the possession of FPSD for the stated time periods;</p>	<p>With respect to this request, could it be limited to members of the Superintendent's Cabinet?</p>
<p>The Complete Strategic Plan of the FPSD that identifies the priorities and administrative directive for the district in line with the Vision, Mission, Values, and Goals of the School District. You may disregard any documents that are on your website, but please notify me if that is the case.</p>	<p>We have no records that meet this request other than our Strategic Plan that is posted online</p>
<p>All minutes of the FPSD School Board for the stated time periods.</p>	<p>These are available on the district website at https://district.fayar.net/o/fps/page/minutes-of-school-board-meetings</p>