



LEGAL DEPARTMENT
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By First Class Mail & E-mail: dmartin@gmmschoollaw.com

April 5, 2011

Mr. Duane A. Martin
Guin Martin Mundorf, LLC
9237 Ward Parkway, Ste. 240
Kansas City, MO 64114

**Re: North Kansas City School District/Web Filtering
Our File No.:11-0004107**

Dear Mr. Martin:

On March 28, 2011, we wrote to request that the North Kansas City School District (“NKCS D”) immediately stop censoring websites related to gay, lesbian, bisexual, and transgender (“LGBT”) people. We noted in our letter, that the NKCS D had blocked access to the websites of GSA Network and Day of Silence because they had been categorized by the District’s filtering software as “education.lifestyles.”

We have now received your response, dated April 4, 2011, in which you state that the websites for GSA Network and Day of Silence have now been unblocked. The letter further states that NKCS D does not block websites on the basis of their LGBT-related content. In a similar vein, a representative from NKCS D was quoted in an associated press article saying that the websites had been accidentally blocked because of a computer “glitch.” Although we are pleased to hear that NKCS D has unblocked the websites for GSA Network and Day of Silence, the documents provided by NKCS D in response to our Sunshine Act request demonstrate that NKCS D has in fact configured its web filtering software to systematically block sites with LGBT-related content.

The documents provided in response to our Sunshine Act request demonstrate that NKCS D has configured its web filtering software from Lightspeed Systems to block sites that are categorized as “education.lifestyles.” Enclosed is a document provided by NKCS D listing all of the filter categories that the District has affirmatively chosen to block from students. Page 6 of the document shows that a check mark has been placed next to the filter for “education.lifestyles,” blocking student access to all “education.lifestyles” websites. According to the Lightspeed, website, the filter for “education.lifestyles” blocks websites that provide: “Education about lifestyles -- gay, lesbian, alternate.” See Lightspeed Filter Categories, available at <http://reports.lightspeedsystems.com/reports/Databases/CategoriesDefault.aspx>. The “education.lifestyles” filter is not designed to block sites that violate the Children’s Online Protection Act (“CIPA”). Sexually explicit material covered by CIPA is already filtered through a separate category in Lightspeed’s software for “Adult” content. By contrast, the

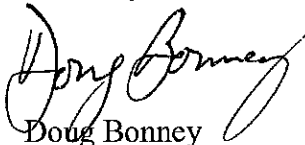
Duane A. Martin, Esq.
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“education.lifestyles” filter is designed specifically to block LGBT-related websites that do not contain sexually explicit content and is designated by Lightspeed as a “Normally Allowed Categor[y].” Indeed, according to Lightspeed’s own rating system, many websites in the “education.lifestyles” – such GSA Network and Day of Silence – contain “G-Rated Content” that is “[d]eemed suitable for viewers of all ages.”

Your letter faults our client for not submitting an internal request to school administrators asking for the GSA Network and Day of Silence websites to be unblocked. But it is not appropriate to impose on students seeking LGBT-related information the burden of contacting the administration every time they wish to access a website that has been categorized as “education.lifestyles.” Indeed, some students seeking to access such websites may be in particularly vulnerable situations and may fear the possibility that filing such a request would force them “out of the closet.” In any event, just as NKCS D may not selectively block access to fully protected speech on account of viewpoint, the school may not impose selective burdens on particular viewpoints by requiring students to seek special permission every time they wish to access such information.

Based on your April 4, 2011 letter, it appears that we all agree that NKCS D should not block access to websites on account of their LGBT-related content. In order to ensure that NKCS D no longer blocks access to such websites, we request written confirmation that NKCS D has disabled the “education.lifestyles” filter and will not activate the filter in the future. By disabling the “education.lifestyles” filter, NKCS D can ensure that its web-filtering software operates in accordance with NKCS D’s legal obligations and the policy set forth in your April 4, 2011 letter. Please call me if you would like to discuss these issues.

Sincerely,



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and

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Enclosure

Content Filter Property Sets

Select the Content Filter Set you would like to modify or [create a new set](#).

Students

This Content Filter Set is used by the following policies: Students

General

- Block search engine keywords by category
- Block Google image thumbnails by category
- Block non-HTTP traffic to blocked IP addresses
- Block non-HTTP traffic to unknown IP addresses
- Block unknown URLs
 - Block unknown URLs matching proxy patterns
- Force safe searches

Authentication lifetime timeout seconds.

Authentication idle timeout seconds.

Blocked Page Options

Blocked website review option:

Override options:

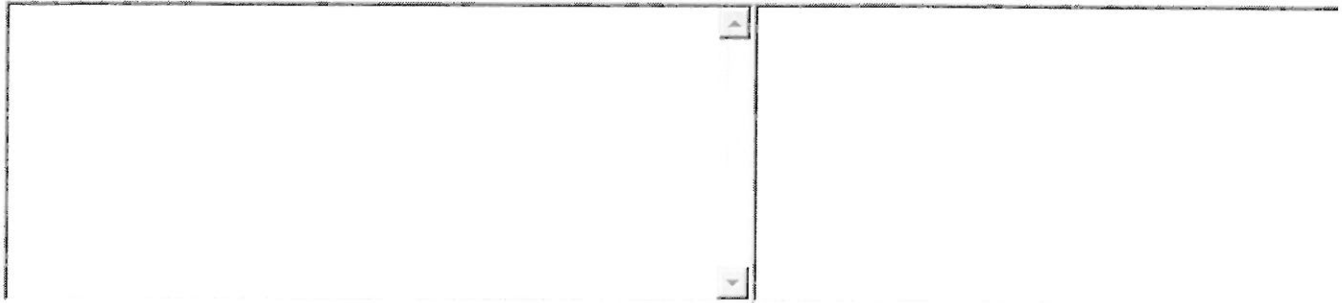
- Enable workstation override (maximum duration:)
 - Allow domain override
 - Allow category override
 - Allow full bypass override

Allowed & Blocked Website URLs

Enter one URL per line, wildcards are accepted (example: *.games.com/*)

Allowed:

Blocked:



To update the Blocked File Extension Set for all categories: 1) select a set from the menu, 2) click the Update button, 3) click 'Save Settings', and 4) click Save Settings.

Choose which categories you would like to block or allow.

▼ Custom Categories [Allow All](#) [Block All](#)

You do not have any custom categories.

▼ Normally Blocked Categories [Allow All](#) [Block All](#)

Local Category

Name	Description	Block?	Allow Override?	Blocked File Extension
local-block	Local override of allowed domains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>

Adult

Name	Description	Block?	Allow Override?	Blocked File Extension
access-denied	access-denied	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
adult.art	Adult art	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
adult.bodyart	Body art, tatoos, body piercings	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
adult.games	Adult games	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
adult.language	Strong language	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
adult.lifestyles	Adult lifestyles	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
alcohol	Production, promotion and sale of alcoholic beverages	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
drugs	Sites promoting illicit and illegal drug use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
offensive	Websites considered to be offensive to both adults and children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
porn	Pornography related sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
porn.child	Porn sites involving children	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
porn.de	German pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>
porn.es	Spanish pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="text" value="- None -"/>

porn.fr	French pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.it	Italian pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.jp	Japanese pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.nl	Dutch pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.pl	Polish pornogrphy sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.pt	Portuguese pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
porn.ru	Russian pornography sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
suspicious	Recently discovered sites with suspicious words or phrases	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
suspicious.script	Websites whose only content is javascript - frequently used to hide porn sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
violence	Sites promoting violence and anarchy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
violence.hate	Sites that promote hate against different groups	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
violence.weapons	Web sites about guns, swords, knives, and other weapons	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
adult	Adult products, services, situations and humor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
gambling	Gambling, casinos, betting, lottery and play-for-cash/sweepstakes	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Forums, chat, email

Name	Description	Block?	Allow Override?	Blocked File Extensio
forums	Unmoderated personal expression	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.blogs	Webblogs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.dating	Dating websites like friendfinder, eharmony, and match.com	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.mail	Email sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.newsgroups	Newsgroups, usenet and subscription newsletters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.personals	Personal web pages and personal ads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.social_networking	Social networking and related websites such as myspace, facebook, and orkut.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.im	Instant messaging	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
forums.p2p	Peer to peer sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Security

Name	Description	Block?	Allow Override?	Blocked File Extensio
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parked	Pay per click hosting web sites that park expired domains	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.proxy	Web proxy servers and open SMTP relays	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.warez	Sites promoting illegal access and sharing of software and other copyrighted material	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security	Security risks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.hacking	Computer hacking	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.nettools	Net tools, remote admin tools, internet server and client applications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.phishing	Web sites of internet scams that try to get personal information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.potentially_unwanted_applications	Potentially unwanted applications	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.spyware	Spyware - advertising supported software	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.test	Used for testing virus signatures and registry controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
security.virus	Viruses, malware, trojans, backdoors, hacker tools	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

▼ **Normally Allowed Categories** [Allow All](#) [Block All](#)

Local Category

Name	Description	Block?	Allow Override?	Blocked File Extension
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local-allow	Local override of blocked domains	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
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Advertising

Category	Description	Block?	Allow Override?	Blocked File Exter
ads	Ad servers and advertising companies	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
ads.banner-ads	Banners ads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
ads.html-ads	HTML ads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
ads.popup-ads	Popup ads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
shopping.spam	Shopping websites that use spam email for marketing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
spam	Sources of spam mail that does not involve porn, gambling, or drugs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Business and work

Category	Description	Block?	Allow Override?	Blocked File Exter
ads.javascript-ads	Javascript ads	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
automobile	Automobiles and motorcycles	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business	Business	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business.construction	Constuction, building, plumbing, home improvement	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business.finance	Banking, stock markets, insurance, and financial news	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business.jobs	Employment search, offerings and support	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business.manufacturing	Manufacturing, industrial, and shipping companies	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
business.real_estate	Real estate, homes, offices	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
computers	Computers & Internet	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
computers.consumer_electronics	Consumer electronics - TVs, cell phones, MP3 players, etc.	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
computers.filehosting	Image, filehosting, shareware, freeware websites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
ham	Legitimate sources of email	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
law	Law firms, courts, and legal matters	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
microsoft	Microsoft and related sites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

Education

Category	Description	Block?	Allow Override?	Blocked File Exter
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education	Education and reference sites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.arts	Art, art history, architecture, graphic design,and illustration	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.games	Educational games for kids	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.history	History	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.lifestyles	Education about lifestyles - gay, lesbian, alternate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
education.literature	Literature, libraries, writers	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.media	Educational streaming media resources	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.music	Music education, history, instruments, marching, and museums	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.science	Science and technology	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.sex	High school level sex education websites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
education.social_science	Social sciences	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

Family Life

Category	Description	Block?	Allow Override?	Blocked File Exter
family	Family life, cooking, gardening, home improvement	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
family.food	Restaurants, grocery stores, recipes	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
family.health	Health care	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
family.religion	Religion & Spirituality	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

Kids and teens

Category	Description	Block?	Allow Override?	Blocked File Exter
kids_and_teens	Kid safe web sites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
kids_and_teens.animals	Cats, dogs, horses and other animals	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
kids_and_teens.chat	Monitored chat websites suitable for kids	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Miscellaneous

Category	Description	Block?	Allow Override?	Blocked File Exter
errors	Content database errors waiting to be purged	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
expired	Domains whose registration has expired	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
general	General interest	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
plagiarism	Web sites that sell term papers, research papers, and other ways to help students cheat	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Recreation

Category	Description	Block?	Allow Override?	Blocked File Exter
hobby	Hobbies, crafts, collecting	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
humor	Humor, puzzles, and brain-teasers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
music	Bands and artists, concerts, DJs, lyrics, songwriting, and record labels	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
shopping	Shopping sites	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
shopping.auctions	Auctions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
shopping.office_supplies	Major office supply websites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
sports	Sports sites	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
sports.fantasy	Fantasy football, baseball, soccer, etc.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
sports.martial_arts	Martial arts	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
sports.youth	High schools sports teams and youth sports leagues	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
travel	Hotels, resorts, cruises, transportation and vacation offerings	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
audio-video	Sources of MP3s, mpegs, and streaming audio/video	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
entertainment	Movies, television, radio, and celebrities	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -
games	Games, anime, cartoons, wallpapers and screen savers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	- None -

Reference

Category	Description	Block?	Allow Override?	Blocked File Exter
directory	Directories and portals about specialized topics	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
news	News and magazines	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
search	Major search engines	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

Society

Category	Description	Block?	Allow Override?	Blocked File Exter
government	Federal, state, local and international government	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
society	Culture, issues, ethnicity, people	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
society.crime	Crime and the justice system	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
society.politics	Politics, political activism, political issues	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world	Sites about regions and languages of the world	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.cn	World websites - Chinese	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.de	World websites - German	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.es	World websites - Spanish	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

world.fr	World websites - French	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.it	World websites - Italian	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.jp	World websites - Japanese	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.kr	World websites - Korean	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.nl	World websites - Netherlands	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.pl	World websites - Polish	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.pt	World websites - Portuguese	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre
world.ru	World websites - Russian	<input type="checkbox"/>	<input type="checkbox"/>	Executable/Compre

[Save](#)