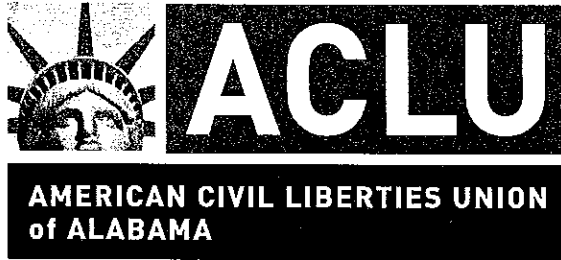


**AMERICAN CIVIL
LIBERTIES UNION
of ALABAMA**

207 Montgomery St., Suite 910
Montgomery, Alabama 36104
334-262-0304
www.aclualabama.org



December 15, 2008

Superintendent Reba Anderson
Fayette County Public School System
P.O. Box 686
103 1st Ave NW
Fayette, Alabama 35555
P: (205) 932-4611
F: (205) 932-7246

Dear Superintendent Anderson:

We understand that Fayette County Public School System is currently operating sex-segregated classes in Fayette Middle School. We are writing to seek additional information about these sex-segregated programs, through the enclosed Open Records Act request.

We also wish to alert you to questions about these programs' legality. For example, Title IX regulations issued by the United States Department of Agriculture (USDA) and applicable to Fayette County Public School System as a result of its participation in the USDA-funded school lunch program flatly prohibit single-sex classes. 7 C.F.R. § 15a.34 ("A [USDA funding] recipient shall not provide any course or otherwise carry out any of its education program or activity separately on the basis of sex, or require or refuse participation therein by any of its students on such basis . . .").

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that appears to read 'Allison Neal'.

Allison Neal
ACLU of Alabama

Emily J. Martin
ACLU Women's Rights Project

So long as we have enough people in this country willing to fight for their rights, we'll be called a democracy
Roger Baldwin, ACLU Founder

**FAYETTE COUNTY PUBLIC SCHOOL SYSTEM
OPEN RECORDS ACT REQUEST
DECEMBER 15, 2008**

Pursuant to Alabama open records law, Ala. Code § 36-12-40 to § 36-12-41, the American Civil Liberties Union of Alabama and the national American Civil Liberties Union Women's Rights Project request within 30 days the Fayette County Public School System produce and permit inspection and copying of the following documents.¹ Specifically we seek all policies, memoranda, letters, emails, directives, minutes, handbooks, and all other documents within your possession from the past two years addressing sex segregation² in Fayette County public schools including:

- a) Any and all documents reflecting the classes and schools segregated by sex;
- b) Any and all documents describing any sex-segregated education program offered in Fayette County public schools.
- c) Any and all documents concerning the planning, analysis, implementation and/or assessment of sex-segregated education, including but not limited to materials provided to and materials prepared by any employee of Fayette County Public School System;
- d) Any and all documents setting forth the basis or rationale for any sex-segregated education program;
- e) Any and all documents setting forth the methods by which students have been assigned to or by which students or parents have chosen to participate in any sex-segregated education;
- f) Any and all documents concerning the decision to institute sex-segregated education;
- g) Any and all documents setting out feedback from parents, students, teachers, or others addressing sex-segregated education;
- h) Any and all complaints regarding sex-segregated education, whether from parents, students, teachers, or any other individual;
- i) Any and all documents setting out the data and studies relied on in instituting sex-segregated education;
- j) Any and all documents reflecting any differences in teaching methods for girls and

¹ The term "documents" is to be construed in its broadest sense to include anything upon which information is recorded.

² The terms "sex segregation" and "sex-segregated" are used to refer to any class or program to which admission is limited by students' sex, whether or not participation in such a class or program is voluntary.

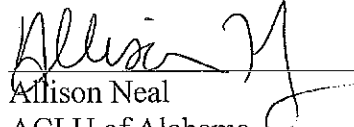
boys in sex-segregated education;

- k) Any and all documents reflecting any differences in curricula for girls and boys in sex-segregated education;
- l) Any and all documents reflecting any differences in curricula or teaching methods for sex-segregated classes/schools in comparison to curricula or teaching methods used in coeducational classes/schools;
- m) Any and all documents that explain the method that will be used or has been used to evaluate the success or failure of sex-segregated education;
- n) Any and all educator training materials addressing sex-segregated education;
- o) Any and all notes from any trainings addressing sex-segregated education.

If this request is denied in whole or part, the ACLU asks that you justify all denials or deletions by reference to specific exemptions of the Open Records Act. We expect you to release all segregable portions of otherwise exempt material. We reserve the right to appeal a decision to withhold any requested information.

Responsive documents should be sent to the following address:

ACLU of Alabama
207 Montgomery St., Ste. 910
Montgomery, AL 36104


Allison Neal
ACLU of Alabama
207 Montgomery St., Ste. 910
Montgomery, AL 36104
(p) (334) 265-2754, ex. 203
(f) (334) 269-5666

Emily J. Martin
Lenora M. Lapidus
ACLU Women's Rights Project
125 Broad St., 18th Fl.
New York, NY 10004
(p) (212) 549-2615
(f) (212) 549-2580