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**Scott A. Siegfried, Ph.D.**

Associate Superintendent

4700 S. Yosemite St.

Greenwood Village, CO 80111

October 27, 2016

Mr. and Dr. Paterson,

I have provided a response to each section of your letter addressed to the Board of Education and multiple other recipients. I believe the action we have and are currently taking sufficiently responds to all concerns raised regarding this issue. As we discussed, everything is available on the internet with enough “clicks” and it is not the responsibility of the Cherry Creek Schools to police the internet. It is critical that a partnership is established between reasonable protections by the district and appropriate choices by the student – I have included Board Policy that provides guidance on both.

**Members of the Cherry Creek School Board,**

- 1. Please be advised that following our presentation at the last School Board meeting, Dr. Siegfried of the CCSD has conducted only a partial shut down of the sexually graphic material and pornography from our CCSD Middle School websites and student accounts.**

CCSD Response:

- 1) At no time did any CCSD website contain sexual content such as pornography or any other obscene material.*
- 2. You are referring to third party educational sites that originate as resources from the school district primarily from my.cherrycreekschools.org. Once the link is followed, the individual is no longer on the district controlled website and by subsequently clicking multiple links on the internet it is possible to “find” material that may be inappropriate.*
- 3. When sites that contain explicit pornography or any other obscene material are brought to our attention, Information Systems acts to block them through our filtering system for all levels of students (internal to CCSD only as we do not have the ability to filter sites in private residences). The chart below lists the results of action taken with the material provided.*
- 4. Additionally, we identified resource links in some settings that inadvertently utilized the “high school” version in a middle school setting. Those were adjusted to insure the developmentally appropriate resources were consistently utilized.*

URL	Filter Category	Comments
amplifyyourvoice.org	Adult	Reclassified as Adult on 10/18/16 & blocked by CCSD filter
churchofsatan.org	Adult	Blocked by CCSD filter
loveyourcondom.co.nz	Adult	Blocked by CCSD filter
stuffmomnevertoldyou.com	Adult	Blocked by CCSD filter
tumblr.com	Porn	Blocked by CCSD filter
brenthartinger.com	Education.Literature	Manually blocked by CCSD filter as of 9/17/16
advocatesforyouth.org	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
answer.rutgers.edu	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
itsyoursexlife.com	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
mysistahs.org	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
positive.org	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
scarleteen.com	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
sexetc.org	Education.Sex	Blocked by CCSD filter for Middle as of 10/18/16
churchofsatan.com	Family.Religion	Religious site
satanicchurch.com	Family.Religion	Religious site
howstuffworks.com	Education	Contains information – review by committee
alexsanchez.com	Education.Literature	"for teens and adults" - review by committee

2. Unfortunately, he has decided to leave the sexual material on all of our High School websites, stating that it will remain in place until a committee can be formed to "review" it.

**I remind you that we are talking about links to adult erotica (with readable text) directly from the CCSD Library websites, and to other teacher-directed resource portals that lead quickly to sexually graphic websites, and even to video pornography depicting anal intercourse under the guise of sex education or "safe sex instruction". Why does the CCSD require the formation of a "review committee", with its attendant lengthy delay, in order to determine that High School websites shouldn't link to pornography?**

CCSD Response:

- 1) *At no time did any CCSD website contain sexual content such as pornography or any other obscene material.*
- 2) *When an external website is identified as containing sexual content such as pornography or any other obscene material and is not filtered, it is subsequently blocked for all students regardless of level.*
- 3) *You are referring to third party educational sites that originate as resources from the school district primarily from my.cherrycreekschools.org. Once the link is followed, the individual is no longer on the district controlled website and subsequently clicking multiple links on the internet it is possible to find material that may be inappropriate or obscene.*
- 4) *Explicit Pornography on the internet is different than text written in a book, novel, resource or curriculum. Board Policy IMB, Teaching about Controversial/Sensitive Issues guides the use of text and resources in this realm. The policy in part reads:*

*Policy IMB (in part and is accessible in its entirety at [www.cherrycreekschools.org](http://www.cherrycreekschools.org)):*

*“The Board of Education recognizes the problem inherent in dealing with ideas in a complex and many-sided culture in which conflicting ideas on religious, political, economic and social matters are held by substantial portions of the population. It is inevitable that the expression of any one opinion will come into conflict with one or more opposite opinions.”*

*“A basic aspect of academic freedom concerns freedom of the student to learn. To keep consideration of vital and controversial topics out of the schools is to handicap students in getting facts, discussing problems and reaching conclusions on their own, both in school and in later life. Freedom to learn is an implied right in a democracy.”*

*“Nevertheless, nothing is perfect and without prospect of being improved. Clearly there are aspects of the American way of life with which few if any of its citizens are completely satisfied. If our culture is to improve, it must be examined. If it is to be examined, it must be criticized. But if it is to be improved, the criticism must be constructively aimed toward that end. The concept and tradition of academic freedom is not designed to protect the individual but rather to protect a process—the process of seeking and revealing the truth.”*

*“Controversial issues are to be presented with good judgment, keeping in mind the maturity and background of the students. The influence on values, attitudes and responsibility of the individual students must be considered in conjunction with the actual subject content.”*

- 5) *The selection of a resource utilized in an instructional environment is guided by Board Policy IJ, Instructional Resources and Materials which states:*

*Policy IJ (in part and is accessible in its entirety at [www.cherrycreekschools.org](http://www.cherrycreekschools.org)):*

*“As the governing body of the school district, the Board is legally responsible for the selection of all instructional materials. Since the Board is a policymaking body, it delegates to professional personnel of the district the authority for the selection of instructional and library materials in accordance with this policy.*

*Materials for school classrooms and school libraries shall be selected by the appropriate professional personnel in consultation with the administration, subject specialists, teachers, students and parents. Final decision on purchase shall rest with the superintendent or his designee, subject to adoption by the Board.*

*The Board believes that it is the responsibility of the district to:*

- 1. Provide materials that will enrich and support the curriculum and personal needs of the users, taking into consideration the varied interests, abilities, learning styles and age.*
- 2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards.*

3. *Provide a background of information which will enable students to make intelligent judgments in their daily lives.*
4. *Provide materials on opposing sides of controversial issues so that users may develop, under guidance, the practice of critical analysis.*
5. *Provide materials which realistically represent our pluralistic society and reflect the contributions made by all groups and individuals to our American heritage.*
6. *Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to insure a comprehensive media collection appropriate for the users. The above principles, from the School Library Bill of Rights, shall serve as a guide in the selection of all instructional and library materials."*

- 6) *Consistent with board policy, decisions regarding instructional materials and resources are delegated to the professional staff and it is the district's responsibility to provide multiple sides of controversial issues to students in an age appropriate manner whereby no single individual has the ability to determine the appropriateness of a novel, text, resource or curriculum for all. If after a process there continues to be disagreement regarding the appropriateness of specific resources, the superintendent, and ultimately the Board of Education per policy, would make the final decision.*

*For this reason, a process to review disputed content will be utilized so as to insure student learning as outlined in policy is supported, and that the selection of materials will not be unduly influenced by a single perspective.*

3. **It would also appear that Dr. Siegfried is making a game of cat and mouse with us. Surely, the CCSD is now aware of the problems with its online resources and student accounts - even if they were somehow oblivious to it before - they have now been notified repeatedly. Yet, Dr. Siegfried appears to have been careful to remove only those specific links which we were able to identify - leaving the many others which we didn't know about yet.**

**We have now identified resource portals, from the websites of all Middle and High Schools, leading to full text descriptions of sexually explicit material, including articles entitled "Give Her What She Wants", full text books with descriptions of boyhood prostitution - describing the perceived merits of this, discussions of ritual satanic sexual abuse, and even Satanic Encyclopedias complete with live-links references to Satanic websites. The ABC-CLIO tile in our child's MYCHERRYCREEK account leads to full text books such as "Pornography in America. A Reference Handbook" and this has live links to actual pornography websites.**

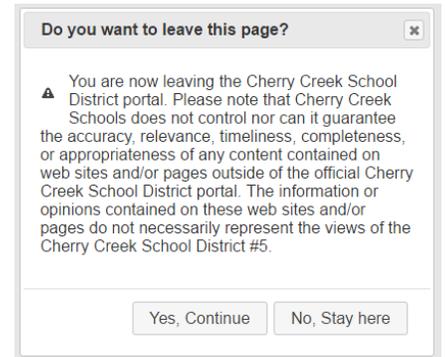
**Dr. Siegfried has the full resources of the Cherry Creek School District at his disposal and yet, apparently, he was unable to locate these inappropriate links without our assistance. And having now been notified, the tiles and links are still fully functional as of this writing.**

CCSD Response:

1) *In review of your complaint there are items which were identified that would more responsibly protect students from possible exposure to obscene materials.*

a. *Changes that have been made in light of this conversation:*

i. *Due to the fact that once students follow the link off of the district website to the internet, and CCSD is no longer in control of the content to which they can link, it is important to provide an appropriate warning. Effective immediately, the following warning will appear and must be acknowledged when following a link off of my.cherrycreekschools.org. This warning already exists on the district website.*



ii. *In accordance with the reasonable expectation created in policy JS, no inappropriate material, explicit pornography or obscene material exists on the “landing page” for any resources linked from the district (Children’s Internet Protection Act [CIPA] compliant). After this point it becomes the responsibility of the user to make appropriate decisions regarding what links they choose to access or information they choose to search – no different than using a Google search engine (inside of the district, the internet filtering system provides additional protections).*

Board Policy JS, Student Use of the Internet and Electronic Communications provides guidance for staff and students when utilizing the internet, and states in part:

*Policy JS: (in part and is accessible in its entirety at [www.cherrycreekschools.org](http://www.cherrycreekschools.org)):*

*“While it is impossible to predict with certainty what information students might locate or come into contact with, the district shall take reasonable steps to protect students from accessing material and information that is obscene, pornographic or otherwise harmful to minors, as defined by the Board. Students shall take responsibility for their own use of district technology devices to avoid contact with material or information that may be harmful to minors.*

*Blocking or filtering obscene, pornographic and harmful information*

*Technology that blocks or filters material and information that is obscene, child pornography or otherwise harmful to minors, as defined by the Board, shall be implemented or installed on each technology device provided by the district that allows for access to the Internet by a minor, from any location. Students shall report access to material and information that is obscene, pornographic, harmful to minors or otherwise in violation of this policy to the supervising staff member. If*

*a student becomes aware of other students accessing such material or information, he or she shall report it to the supervising staff member.*

*Because technology and ways of using technology are constantly evolving, every unacceptable use of district technology devices cannot be specifically described in policy. Therefore, examples of unacceptable uses include, but are not limited to, the following:*

*No student shall access, create, transmit, retransmit or forward material or information or software:*

- That is not related to district education objectives*
- That promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacturing or purchasing of destructive devices or weapons*
- That contains pornographic, obscene or other sexually oriented materials, either as pictures or writings, that are intended to stimulate erotic feelings or appeal to prurient interests in nudity, sex or excretion*
- That harasses, threatens, demeans, or promotes violence or hatred against another person or group of persons in violation of the district's nondiscrimination policies*
- For personal profit, financial gain, advertising, commercial transaction or political purposes*
- That plagiarizes the work of another without express consent*
- That uses inappropriate or profane language likely to be offensive to others in the school community*
- That is knowingly false or could be construed as intending to purposely damage another person's reputation*
- That is in violation of any federal or state law, or district policy, including but not limited to copyrighted material and material protected by trade secret*
- That impersonates another or transmits through an anonymous remailer*
- That accesses fee services without specific permission from the system administrator*
- That accesses another individual's Internet or electronic communications account without written permission from that individual*
- That runs port scans, network scans, network monitoring, keyloggers, password-cracking programs, hacking software or unauthorized file-sharing. Hacking is defined as "to gain access to a computer, computer file or network illegally or without authorization; or to view, alter, steal, damage or destroy computer data without authorization"*

*"School district makes no warranties*

*The school district makes no warranties of any kind, whether expressed or implied, related to the use of district technology devices, including access to the Internet and electronic communications services. Providing access to these services does not imply endorsement by the district of the content, nor does the district make any guarantee as to the accuracy or quantity of information received. The school district shall not be responsible for any damages, losses or costs a student suffers in using the Internet and electronic communications. This includes loss of data and service interruptions. Use of any information obtained via the Internet and electronic communications is at the student's own risk."*

iii. *Parents have always received notification regarding student use of the internet and their responsibilities under Policy JS. Parents can simply select “no” to opt their children out of the use of the internet while at school. Acknowledgement is a required step for all parents prior to completing registration at the start of each school year.*

Internet & Network Resources Acceptable Use Waiver
<p>The Board of Education strongly believes in the educational value of the Internet and other electronic network resources. Such resources offer students an opportunity to participate in distance learning, collaborate with other students and outside experts, publish works, and locate material to meet educational needs. These activities instill problem-solving skills, hone computer publishing and research skills that employers demand, encourage life-long learning, and require students to think critically, analyze information, create media, and write clearly. As an important part of education, the District utilizes online tools such as Google Apps for Education, Microsoft Office 365, Schoology (online learning), various library systems, and iOS/Android apps. The District also utilizes online tools for standardized testing such as Measures of Academic Progress (MAP), Colorado Measures of Academic Success (CMAS), and Schoology. When students are online the district takes reasonable steps to protect students from inappropriate information. When using online resources students are responsible for compliance with school district policies, including but not limited to the following:</p> <p><a href="#">Cherry Creek School District Policy JS: Student Use of the Internet and Electronic Communications</a></p> <p>Please note, in order to comply with Colorado Department of Education standardized assessment and District testing initiatives, all students will utilize electronic devices for testing purposes regardless of the Internet &amp; Network Resources Acceptable Use Waiver. Only students with state approved accommodations will be allowed exceptions to testing with electronic devices.</p> <p>Do you give permission for your student to utilize the Internet and other electronic Network Resources?</p> <p><input type="radio"/> Yes <input type="radio"/> No</p>

iv. *A representative review committee will make recommendations regarding appropriateness of other specific content/resources/curriculum not deemed explicitly obscene or pornographic for level and age of student.*

v. *All “sponsorship” of external sites (e.g. school name on a third party site) is being removed as that may provide a false sense of security and imply support of the material.*

vi. *As was shared, I temporarily “turned-off” some links at the middle level to:*

- a. *Insure the proper link, by level, was being utilized.*
- b. *Insure content appropriate for older students was not readily accessible at lower levels.*
- c. *Allow for a review of the material by a representative committee as no single perspective should unduly influence educational materials.*
- d. *Insure that content on the landing page of resources linked from the district were clear of explicitly obscene or pornographic material.*

*Once assurances are provided all sites will again become accessible.*

**4) There does seem to be a pattern of obfuscation, deflection, and even threats as regards our ongoing attempts to communicate with the CCSD. We have been raising similar concerns, about teachers misusing classtime to present sexual material, sometimes quite graphic, to our children without parental disclosure - and these were dismissed. Recently, we received a letter from the CCSD Administration which actually presented various lines of justification for the sexual and pornographic material - refusing to shut it down. We were also threatened to avoid talking about our findings or "something" might happen to us. It was only after we spoke at the School Board Meeting that the CCSD expressed any willingness to take, even partial, remedial steps.**

**We are asking for your assistance in pressuring the CCSD to remove sexual material and pornography from its websites. There seems to be a great deal of this material, embedded across the library catalogs, and embedded into tiles within student accounts - being age-inappropriate, consisting of medically inaccurate, unhealthy, pro-sexualizing messaging, graphic "how - to" material, and in some cases being overtly pornographic. In all cases, this material is not parentally disclosed - there are no warnings to these tiles and links - unsuspecting parents and students would be led to believe that school sponsored resources have been vetted for safety and are being grossly misled.**

**We now request a meeting with the members of the Cherry Creek School Board. We would like to sit down, walk you through the material and ask for your assistance in filtering, blocking and removing the sexual material and pornography. We also encourage the Board to identify and hold responsible the individual/s within the CCSD who have placed thousands of kids at risk through insertion of inappropriate material onto student accounts and libraries. When we asked Dr. Siegfried to name those responsible, he replied: "I will never tell you that".**

**We respectfully remind the Board that CCSD's Policy IMB clearly names the School Board Members as bearing the ultimate responsibility for all decisions regarding media.**

**Thank you,  
Mr. and Dr. Paterson**

CCSD Response:

1. *Per policy, when explicitly obscene sites were identified they were appropriately addressed.*
2. *Additional safeguards have been added and were enumerated above.*
3. *A representative committee is the correct manner in which to determine the appropriateness of specific text, novels, resources and curriculum when a complaint is presented.*
4. *No staff took any malicious action to purposefully introduce students to pornography as you imply and subsequently no names are known or will be shared.*
5. *As outlined in policy, it is the responsibility of district staff with the appropriate expertise to resolve day to day operational matters and they have diligently worked to address your concerns.*