



KILLEEN INDEPENDENT SCHOOL DISTRICT

200 North W.S. Young Drive, Killeen, Texas 76543
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(254) 336-0000

Jo Ann Fey, Ed.D.
Superintendent

Via Electronic-Mail Only: [REDACTED]

May 22, 2025

Kelsey E. McGee, Associate Counsel
Nathan Moelker, Associate Counsel
American Center for Law & Justice
[REDACTED]

RE: Response to Letter concerning [REDACTED]

Dear Ms. McGee and Mr. Moelker:

The District appreciates your concern for one of our students. In response to your letter, I have personally spoken with the principal at Cedar Valley Elementary. I discussed with the principal that a student may distribute religious materials during non-instructional time, when the distribution does not interfere with work in the classroom. I explained that the Fifth Circuit Court of Appeals has held in a similar case that a student may be allowed to distribute religious messages and that Killeen ISD Board Policy has incorporated the holding of this case and its progeny in its policy FNAA(LEGAL). Based on the law in the Fifth Circuit and Board Policy, we further discussed that if a student brings small slips of paper with Bible verses to distribute to classmates, she should be allowed to distribute these during non-instructional time. The principal assured me that she understood and confirmed that Board policy will be followed in the future.

For your convenience, I have attached a copy of Killeen ISD Board policy FNAA(LEGAL), which notes the protection of "private, non-disruptive, student-to-student speech expressing a religious viewpoint." If you should have any concerns in the future, please feel free to contact me at [REDACTED]

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Harper".

Mike Harper
General Counsel