

9/25/2014

To whom it may concern,

On 14 May 2013 I filed a complete restriction on my account at (b)(6); (b) (Copy enclosed) I was informed this meant no one would be able to receive any information about my student status. Only I could retrieve information with a valid photo id in person. I was told if the university was contacted, they would say "We do not have a student here by that name." I was also informed my name would not be published on school publications such as the the dean's list, graduation program, etc.

My name and city appeared in both the (b)(6); and (b)(7)(C) School of Nursing graduation programs. (Copies enclosed)

I have spoken with the university about this breach of security and they have admitted they are at fault. (Copy enclosed)

This security breach has caused great distress to me. It has caused me to relocate, which is burdensome and expensive. It has also been an emotional distress as I have had to end many friendships.

Sincerely,

(b)(6); (b)(7)(C)

ALLEGHENY-CLARION VALLEY SCHOOL DISTRICT

David McDeavitt, Superintendent
Robin Farrington, Board Secretary

Box 100 Foxburg, Pennsylvania 16036
P: (724) 659-5820 F: (724) 659-2963

Emmy Foust, Business Manager
Erin Barlett, Director of Education

ELEMENTARY SCHOOL

Box 347 Foxburg, Pennsylvania 16036
P: (724) 659-3555 F: (724) 659-2963
Joshua Tabor, Principal



JR/SR HIGH SCHOOL

Box 345 Foxburg, Pennsylvania 16036
P: (724) 659-4661 F: (724) 659-4774
William Jordan, Principal

US Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

To: Family Policy Compliance Office

From David McDeavitt

The Allegheny-Clarion Valley School District recently violated the FERPA rights of all of our student body by sending directory information to the local newspapers; this was done without the permission and/or consent of the students/parents. The transportation director was responding to a request to post bus stop times and locations in the local papers when this violation occurred. The local newspapers run back to school articles before school starts and printing class list and bus stop times. Our transportation director released the first initial and last names of all our students as well as their addresses and pick-up / drop-off times.

When the paper released the information I was astonished as to what happened and after a due process hearing with the transportation director, I immediately called the newspapers and explained to them this was an error and that we did not want the information printed and/or posted on any other publications. I also mailed a letter to all our parents/guardians of the entire student body explaining to them that this release of directory information was a mishap and will not happen again. I recently had a meeting with the entire administrative team and we used the time to review what FERPA is, how it affects us, and what our responsibilities are when it comes to student privacy. We also reviewed the two links below:

<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

Here is a link to the Family Policy Compliance Office resource website specifically for school officials—there are a lot of great resources here. Click on the tab for FERPA Resources for K-12 school officials and you will see pertinent information:

<http://familypolicy.ed.gov/ferpa-school-officials>

PSBA's legal staff also may be able to assist you if you have specific FERPA questions. Please contact our school solicitor or PSBA legal staff if you have questions or concerns about a specific FERPA issue.

We have also elected to update our school board policy #207 Confidential Communications of Students and Policy #216 Student Records and we are working on administrative regulations that will enhance policy 216 this will provide all administrators to reference when involved in a release of information. And finally, all newspaper articles are to be reviewed by the superintendent before they go to print.

If you need more information and/or details about this situation I can be reached at 724-659-5820 or david.mcdeavitt@acvsd.org.

Thank you,

(b)(6); (b)(7)(C)

David McDeavitt, Superintendent of Schools

Sent: Wednesday, September 03, 2014 5:09 PM
To: FERPA
Cc: (b)(6); (b)(7)(C)@katyisd.org; (b)(6); (b)(7)(C)
Subject: Records Release Response-Katy ISD

TO WHOM IT MAY CONCERN:

I am writing as the attorney for the Katy Independent School District (Katy ISD), a local education agency located in Katy, Texas. I spoke with Mr. Bernard Cieplak (Sp?) at phone number 202-708-9979 on September 2, 2014 to discuss an inadvertent disclosure of documents which occurred following an electronic transmission that day. Mr. Cieplak was extremely helpful in describing certain steps to take and, upon my advice, the District took additional measures as described in the attached letter.

Should there be any further actions to take in this matter, please feel free to contact me directly and I will assist the District in finalizing any further arrangements.

Thank you again for your kind attention.

Sincerely,

/s/

(b)(6); (b)(7)(C)

Thompson & Horton LLP

Attorneys for Katy ISD.

(b)(6); (b)(7)(C)

| Partner | Thompson & Horton LLP

Phoenix Tower | 3200 Southwest Freeway, Suite 2000 | Houston, Texas | 77027

T: (b)(6); (b)(7)(C) | F: 713.583.8664

(b)(6)@thlaw.com | www.thompsonhorton.com

DISCLAIMER

Pursuant to Circular 230 issued by the United States Treasury Department and relating to practice before the Internal Revenue Service, any comment or opinion in this communication relating to a federal tax issue is not intended to be used, and cannot be used, by a taxpayer for the purpose of avoiding tax-related penalties that may be imposed on the taxpayer.

CONFIDENTIALITY STATEMENT

This message and all attachments are confidential and may be protected by the attorney-client and other privileges. Any review, use, dissemination, forwarding, printing, copying, disclosure or distribution by persons other than the intended recipients is prohibited and may be unlawful. Please delete this message and any copy of it (in any form) without disclosing it. If you believe this message has been sent to you in error, please notify the sender by replying to this transmission. Thank you for your cooperation.

September 9, 2014

To Whom It May Concern:

I attended (b)(6); (b)(7)(C) Maryland on and off from 2009-2013 I was admitted into the school on a fake high school diploma which I have proof of, and given no equivalency test as I was supposed to. I left (b)(6); (b)(7) after many years of lies and false promises that never came to be. I even filed a complaint with the cosmetology board with zero success. On December 13, 2013 I was awarded with my GED, because as you know I couldn't get into any colleges without one, I started my first semester in January, and am now finding out that that semester was never paid for due to an unusual enrollment on my FAFSA. I spoke to my financial aid department and they explained to me that I must receive transcripts from the Hair Academy to continue, the only problem is that they won't release them to me, they're telling me I must pay them 2,500 to receive them. I have been trying to get my transcripts from this school for two years now with no luck. I have called negotiated and visited the school to let them see my face and know that I was serious about receiving my records. I currently attend (b)(6); (b)(7)(C) Dc and they are not allowing me to continue until I can provide documents from my previous school. I honestly believe that this school should be completely taken off of my records due to allowing me to attend under false pretenses without a High School Diploma.

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

R
AUG 21 2014
BY:

20 August 2014

U. S. Department of Education
Family Policy Compliance Office
400 Maryland Ave SW
Washington, DC 20202

Subject: F.E.R.P.A. Complaint

Dear Family Policy Compliance Officer:

We are filing a FERPA complaint against the (b)(6); (b)(7)(C) and the (b)(6); (b)(7)(C) for the denial of access to one of our son's educational records. We submitted the electronic form online, but are unsure whether it was processed. The electronic version of the form did not allow us to attach the requested supporting documentation detailing our request for access nor the response received. Please use this package, which includes a printed version of the electronic complaint form and supporting documentation, as our complaint and assist us in gaining access to the educational record in question. We requested the record on 20 June 2014 and were denied access on 07 July 2014.

Should additional information be needed to help clarify our request please let us know.

Sincerely,

(b)(6); (b)(7)(C)

FEB 10 2014

January 29, 2014

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

(b)(6); (b)(7)(C)

Re: FERPA Violation/Complaint Against (b)(6); (b)(7)(C)

To Whom it May Concern,

I filed the following complaint with the Better Business Bureau:

I completed the Education Specialist program at (b)(6); (b)(7)(C) in May of 2012 with hopes of transitioning into the Doctorate of Education program. Per (b)(6); (b)(7)(C) University, despite graduating with my first graduate degree with a cumulative GPA of 3.56 and my second graduate degree with a cumulative GPA of 3.86 I am required to take the GRE for admission into the doctoral program. Unfortunately, I did not meet the minimum score requirements for admission. I contacted (b)(6); (b)(7)(C) University to discuss alternative arrangements. I was told several times to take the GRE a second time and if I did not meet the minimum score requirements I would be allowed into the program based on my GPA.

(b)(6); (b)(7)(C) denied my request for admission. She stated it is because of my GRE scores, but I firmly believe it is because I filed a complaint against her with the department of education in 2011. In addition, I noticed (b)(6); (b)(7)(C) following me on Facebook. I contacted (b)(6); (b)(7)(C) University to speak with someone regarding my concerns and no one would take my call. I left several voice mail messages and sent a couple emails...No response. I believe without a doubt, (b)(6); (b)(7)(C) has retaliated against me and she has discriminated against because my race and national origin does not match that of a typical (b)(6); (b)(7)(C) University student.

In response to my complaint, (b)(6); (b)(7)(C) at (b)(6); (b)(7)(C) divulged my GRE scores to the Better Business Bureau to be published publicly. I did not give Jason, Liberty University, or any other entity written permission to provide any outside agency my GRE scores.

Sincerely,

(b)(6); (b)(7)(C)

DIS



Advancing Justice through Protection and Advocacy

March 5, 2015

Family Policy Compliance Office
Attn: Mr. Dale King, Director
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

Re: FEPPRA Complaint for (b)(6); (b)(7)(C) **(received by your office 8/19/14)**

Dear Mr. King:

Please be advised that the U.S. Virgin Islands' Department of Education (St. Thomas/St. John District) has complied with FERPA, and provided the parent and I access to (b)(6); (b)(7)(C) educational records last week.

Thank you for your assistance.

Sincerely,

(b)(6); (b)(7)(C)

cc: (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) Esquire

Main Office, Estate Cane Carlton, Frederiksted • St. Croix, USVI 00840 • Tel: 340.772.1200 • Fax: 340.772.0609
9003 Havensight Mall, Suite Number 313 • St. Thomas, USVI 00802 • Tel: 340.776.4303 • Fax: 340.774.7844
www.drcvi.org

"Disability Rights Center of the Virgin Islands is funded by the U.S. Department of Health and Human Services' Administration on Developmental Disabilities (ADD), and Center for Mental Health Services (CMHS); and the U.S. Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, and the National Institute on Disability and Rehabilitation Research (NIDRR)." Equal Opportunity Program.

January 5, 2015

Family Policy Compliance Office
Dale King
US Department of Education
400 Maryland Ave. SW
Washington, DC 20202-8520

Dear Mr. King,

I previously wrote to you on August 28, 2014 regarding a serious situation with my son Justin at (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C) PA. I have enclosed your response that you are backlogged and will get back to me.

As of this date I have not heard back from anyone at your Agency and the situation has gotten worse. As reported in the previous letter, the video of the January 17, 2014 incident was viewed on July 15, 2014 by My wife and I, my son's educational Attorney, (b)(6); (b)(7)(C), CV Director of Special Education and their Attorney, (b)(6); (b)(7)(C) At a PA Department of Education due process hearing on December 12, 2014, the video was shown as an exhibit and evidence. The video that was shown that date was ALTERED and cut out the parts where my son was physically assaulted!!! CV School would never release a copy to us or our Attorney, after repeated formal requests and a letter to you asking for help, and now the school district, or an agent for them, has altered the video which in legal terms is called spoliation. A government agency, educational agency, should be held accountable for this type of behavior, it's criminal. Not to mention the assault and excessive force they used on my son, who has a disability.

In closing, I implore you to pay some attention to this case and do the right thing for my son.

Sincerely,

(b)(6); (b)(7)(C)

CC: US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530

Brentwood Parents for Special Education Reform

1265 Dainty Ave
Brentwood, CA 94513
(925) 634-4539



April 4, 2014

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

COMPLAINT UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Dear Family Policy Compliance Officer,

We, (b)(6); (b)(7)(C) hereby submit the attached Parents complaints, which are fully executed to be officially lodged against the Brentwood Union School District on behalf of said families and their students who are enrolled in the Brentwood Union School District for what we believe to be violations of the Family Educational Rights and Privacy Act. These students include, but are not limited to (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

and (b)(6); (b)(7)(C) all of whose individual complaints are attached hereto.

There has been a systemic pattern and a long term practice of improper disclosure of Special Education student records dating back as far as 2009, by the Brentwood Union School District regarding (b)(6); (b)(7)(C)'s son Nathan Lumpkin's student records. Historically speaking, the Special Education Department was required by the California Department of Education ("CDE"), to redact all Special Education student records because they contained personally identifiable information that included student names, addresses, and social security numbers. In these incidents of third party disclosures by the District, there was not written consent, nor were parents notified of such changes.

On or about July 31st, 2013, a parent (b)(6); (b)(7)(C) found documents for (b)(6); (b)(7)(C) in her son, (b)(6); (b)(7)(C) file. *(Attached hereto as Attachment 1, please find the Declaration executed by (b)(6); (b)(7)(C) regarding her discovery of (b)(6); (b)(7)(C)'s records with attached documents, dated 07/31/2013; Declaration of Paige Lark, dated 03/18/014; and Excerpts from CDE's findings for Logan Lark regarding BUSD's Non-Compliance, dated 09/13/2013.)*

On September 13, 2013, CDE found the District out of compliance for third party disclosure of personally identifiable information about a student stating, "The District failed to meet the requirements of 34 CFR Section 300.623(a). Although the District has taken steps to ensure the confidentiality of personally identifiable information with respect to student records, evidence indicates that it failed to protect the confidentiality of personally identifiable information about the student. **The District is out of compliance.**" (*Id.*)

Please note this information is for background information purposes only in order to show the systemic issues regarding the maintenance and/or confidentiality of student records in the Brentwood Union School District.

This again highlights the District's systemic pattern and failure to have proper procedures in place that ensure nondisclosure of student's identifiable information. Furthermore, the inadvertent disclosures continue to exist. These nonconsensual disclosures are students who have suffered "standing" violations. Others are students whose personally identifiable information was improperly disclosed in other students' records, by way of record requests.

There was a document found in (b)(6); (b)(7)(C) file for a student by the last name of (b)(6); (b)(7)(C) but this student's information was improperly disclosed like so many others. However, we don't know who the parents are to contact them directly. Currently, there are seven special education students whose confidential and private information was improperly disclosed; eight including the (b)(6); (b)(7)(C) and we allege there are more cases of improper disclosure that are unknown to us as of the date of this letter. *(Attached hereto as Attachment 2, please find the Documents for (b)(6); (b)(7)(C) found in (b)(6); (b)(7)(C) File.)*

In another incident, the District made a Parent's Confidential Settlement Agreement readily available as the first page of the student's Special Education file. They failed to ensure these documents would remain confidential and were able to be accessed by all District staff or any inadvertently. *(See (b)(6); (b)(7)(C) individual Complaint.)*

Lastly, when certain parents requested their individual student's records, they were denied access to these records. Several parents reported that they only received partial records upon their request and have had to request these documents again. *(See attached individual Complaints.)*

These systemic issues continue to plague our District and we are in need of assistance to bring the District into compliance to protect the confidential information of our children. All of these Parents' individual complaints are attached hereto for your investigation.

Respectfully submitted,

(b)(6); (b)(7)(C)

Adrienne Guinn

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

RECEIVED
BY:

COMPLAINT UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

April 1, 2014

TO: Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605

RE: School District In Violation Of FERPA

I hereby lodge an official complaint against the Brentwood Union School District on behalf of my grandson (b)(6); (b)(7)(C) who attends (b)(6); (b)(7)(C) School violations under the Family Educational Rights and Privacy Act of 1974 as follows:

- Inappropriate maintenance of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

Challenge to Record or Content

- Inaccurate
- Misleading
- Incomplete
- Inappropriate

Record(s) challenged may be identified as:

Record #1

Title: Psycho-Educational Evaluation Report

Date: May 29, 2013

Person responsible for Entry or person currently maintaining record: (b)(6); (b)(7)(C) District School (b)(6); (b)(7)(C)

Date challenged content discovered: February 27, 2014

///

///

(b)(6); (b)(7)(C)

FERPA Complaint
April 1, 2014

Record #2

Title: Psycho-Educational Evaluation Report

Date: December 18, 2013

Person responsible for Entry or person currently maintaining record: (b)(6); (b)(7)(C) District
School (b)(6); (b)(7)(C)

Date challenged content discovered: February 27, 2014

Record #3

Title: Individual Education Program

Date: January 15, 2014

Person responsible for Entry or person currently maintaining record: Brentwood Union School District

Date challenged content discovered: February 27, 2014

[] **Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate person(s) grant denied access
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: _____

Date of Violation: _ _ _ _

Date Violation Discovered if different from above: _____

Other Relevant Information:

Psycho-Educational Report by (b)(6); (b)(7)(C) dated 05/29/2013

While reviewing my grandson's educational records with his advocate, I learned that the District's Psycho-Educational Evaluation Report completed by District School Psychologist (b)(6); (b)(7)(C) made references to three other children:

1. Page 2 Summary of SST Held on 3.14.13

FERPA Complaint
April 1, 2014

“At the time of the SST (b)(6); (b)(7)(C) was struggling to learn...”

2. Page 8 Processing Speed

(b)(6); (b)(7)(C) s performance on these timed tasks, when compared to **her** age, is within normal limits.”

3. Page 11 Response Set—Omission errors

“Omission errors occurred when (b)(6); (b)(7)(C) failed to provide a correct response to a target word within the 2-second interval associated with the target word (red, yellow, and blue).”

Psycho-Educational Report by (b)(6); (b)(7)(C) dated 12/18/2013

Also the District’s Psycho-Educational Evaluation Report completed by District School (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) contained inaccurate, misleading, incomplete and/or inappropriate information as follows:

Page 1 BACKGROUND—Social and Medical History

(b)(6); (b)(7)(C) s grandmother and guardian, (b)(6); (b)(7)(C) reported that his (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) in California since July 2013... Currently, (b)(6); (b)(7)(C) visits (b)(6); (b)(7)(C) and he receives “sporadic” phone calls from his mother. (b)(6); (b)(7)(C) reported that (b)(6); (b)(7)(C) father has a history of volatile and aggressive behaviors (e.g., domestic violence, sexual assault), drug use, and mental illness. (b)(6); (b)(7)(C) s suspects that (b)(6); (b)(7)(C) may have been exposed to physical altercations between his parents and possible neglect when he was younger.”

This was private information shared with the District in confidence and was never meant to be included in my grandson’s file. Also, (b)(6); (b)(7)(C) used this information with only 1.5 hours of total time and one formal assessment to wrongfully and inaccurately find him eligible under Emotional Disturbance, although my grandson is currently under the care of a clinical psychiatrist and only diagnosed with ADHD.

In general (b)(6); (b)(7)(C) 12/18/2013 report is inaccurate, misleading, incomplete and/or inappropriate.

Also, (b)(6); (b)(7)(C) inaccurately and misleadingly states (b)(6); (b)(7)(C) has also taken Risperdone [sic]”. Although my Grandson does take medication he has never taken Risperidone.

This statement is inaccurate, misleading, and/or inappropriate as it is not true.

(b)(6); (b)(7)(C)

FERPA Complaint

April 1, 2014

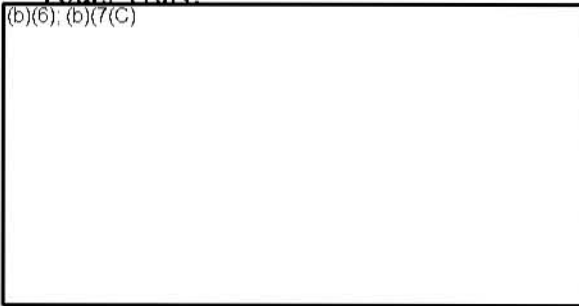
Individual Education Program (IEP), dated 01/15/2014

On page three of the IEP, it is handwritten (b)(6); (b)(7)(C) takes "Risperdone 1 tablet. This statement is inaccurate, misleading, and/or inappropriate as it is not true.

All of these records are based on incomplete information and/or contain inaccurate, misleading and/or inappropriate information.

Yours Truly,

(b)(6); (b)(7)(C)





RECEIVED
JAN 15 2014
BY: _____

**Family Educational Rights and Privacy Act (FERPA)
Complaint Form**

1. Name and address of parent or eligible student filing complaint ("Complainant"):

(b)(6); (b)(7)(C)

2. Complainant's daytime telephone number: (b)(6); (b)(7)(C)

3. Name and age of student whose education records are subject of this complaint:

(b)(6); (b)(7)(C)

4. Name of educational agency or institution (include name of specific school district, State educational agency, or postsecondary institution that is the subject of the complaint):

(b)(6); (b)(7)(C)

5. Name, title, address, and telephone number of chief school officer (superintendent of district, president of university):

(b)(6); (b)(7)(C)

6. Names and titles of school officials involved in complaint: (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

(Continued on next page.)

7(a). *If you have been denied access to education records:* Provide the specific nature of the records, the date on which you requested access, the name of the official to whom you made the request, and any responses received.

(b). *If your or your child's education records have been improperly disclosed:* Provide the date on which the records were disclosed or the date you learned the records were disclosed, the name of the school official who disclosed the records (if known), the specific nature of the records disclosed, and to whom the records were disclosed.

(c). *If you are seeking to amend education records:* Provide the nature of the record you are seeking to amend, what exact information in the record you wish to amend, the date you submitted a request to amend, the name of the official to whom you made the request, and any responses received.

Someone at (b)(6); (b)(7)(C) used my name, address, email, dob, gender, zip code, phone #, and graduation date to register for a program known as FISDAP, accepting all terms and conditions, including the privacy policy on my behalf. On or about January 16, 2013 (b)(6); (b)(7)(C) sent me a text with the website and login. Stating "it's fisdap.net. Nig. Try (b)(6); (b)(7)(C) as the password." He stated in the later text all of the passwords are universal. FISDAP allows school staff, instructors, anyone associated with the school ID to access my account unknowingly. I did not accept these terms of use; someone at (b)(6); (b)(7)(C) did without my knowledge or permission on my behalf.

On or about January 16, 2013, my instructor and preceptor, (b)(6); (b)(7)(C) sent me a text saying "Nig lover, start working on your fisdap shit or ill cut you..." (See attachment)

8. Describe briefly what steps you have taken, if any, to resolve your complaints with school officials and their response, if any:

I spoke with the school VP she said I would have to address the issue with Dean (b)(6); (b)(7)(C)

I have contacted the school president (b)(6); (b)(7)(C) and she refuses to meet with me.

I filed a complaint against (b)(6); (b)(7)(C) and he hired legal counsel forbidding me to discuss the issue.

9. Complainant's signature

(b)(6); (b)(7)(C)

Date 1/4/2014

1/29/14

In August of 2012 I received academic probation from the university. In the process of contesting this disciplinary action I asked that certain claims made against me be removed from the record.

I had been on the receiving end of what I consider retaliatory grading. I felt intimidated and expected that my written request that specific claims against me be removed would trigger a process to facilitate that.

I realize this particular incident is well beyond the timeliness ----- but this is where my altered record began so I want to give you context.

In August of 2013 I was dismissed from (b)(6); (b)(7)(C) Again, I appealed and rebutted the claims against me. I also had filed a grievance against the university for age discrimination and retaliatory grading.

On September 11, 2013 I met with investigator or consultant (b)(6); (b)(7)(C) to discuss what I believed were the merits of my grievance. I had been assured by the Provost that (b)(6); (b)(7)(C) University takes claims of discrimination seriously. I had no idea that I would be the focus of the investigation. I was not informed that my record would be reviewed and that my record had been altered by the Program Director, (b)(6); (b)(7)(C) (see appendix K).

I feel the university misrepresented the purpose of the investigation of age discrimination. I believe (b)(6); (b)(7)(C) took advantage of her position of authority by not informing me of the steps I should take to amend or contest claims made against me in previous disciplinary actions.

My record was not only altered but important pieces such as 30 pccr/colleague performance reviews were missing from the record. The university has asserted that I am being dismissed from the Masters of Healthcare Administration due to "poor interpersonal skills" yet these peer evaluations are deleted from my record.

I am claiming FERPA violation because I did not give permission for my record to be reviewed by an outside agent (especially not knowing what my record contains) on September 11, 2013. I claim the university ignored my request to amend my record the previous year which impacts the circumstances around the "findings" of the outside investigator.

It's difficult to sort out each breach of privacy I feel I've been subjected to – I understand some of my comments about this situation are outside of the boundaries of the time limitation for filing this complaint.

Signature:
(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

March 19th, 2015

United States Department of Education
Office of Management
400 Maryland Ave S.W.
Washington, DC 20202-4500

(b)(6); (b)(7)(C)

Re: Complaint concerning FERPA

Dear Ms. Brault,

Thank-you for following up with me regarding my complaint. The complaint has been resolved.
You may close my file.

Sincerely,

(b)(6); (b)(7)(C)

CHILDERS & MCCAIN, L.L.C.

Attorneys at Law

AUG 01 2013

Christy Crowe Childers
David H. McCain

577 Mulberry Street
Fifteenth Floor, Suite 1520
Macon, Georgia 31201

Christy Crowe Childers
christy@childersmccain.com

Mailing Address:
Post Office Box 1752
Macon, Georgia 31202

Telephone (478) 238 6692
Fax (478) 238 6577
Website: www.childersmccain.com

July 31, 2013

VIA FEDEX OVERNIGHT

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

Dear Sir or Madam:

(b)(6); (b)(7)(C) Porter hereby lodges an official complaint against the School District of Jones County, Georgia on behalf of (b)(6); (b)(7)(C) who attended (b)(6); (b)(7)(C) School, for what I believe to be a violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as follows: I represent (b)(6); (b)(7)(C), the legal guardian of (b)(6); (b)(7)(C) a special needs student that attended (b)(6); (b)(7)(C) School. On February 5, 2013, (b)(6) was left on a school bus unattended by the bus driver for hours, and, after he was discovered, the school and the officials, including Jones County School Superintendent William Matthews, disclosed confidential information to the news media concerning Aaron's examination by a school nurse, Aaron's disability, and other information concerning the incident. I have attached copies of the media reports.

Challenge to Record or Content that is: inappropriate

Date of Incident: February 5, 2013

Date of Violation: February 5, 2013

Date challenged content discovered: February 6, 2013

Alleged Violations of Act or Regulations: inappropriate sharing of confidential information

(Please see attached documentation)

Sincerely,

(b)(6); (b)(7)(C)

(b)(6); lfs

Enclosures

cc: (b)(6); (b)(7)(C) (w/enc.)

14-04-15-ED-FOIA-20150527-Release

(b)(6); (b)(7)(C)

January 29, 2013

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

Subject: Complaint-FERPA violation, denial of access

Dear Family Policy Compliance Office:

Per the guidance I found online at <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>, in the document titled "FERPA General Guidance for Students," I, an eligible student, am filing a complaint for denial of access. As further directed by this guidance page, I am providing the following information:

- 1) The date of the request for access to the education records; --- November 29, 2012
- 2) The name of the school official to whom the request was made (a dated copy of any written request to the school should be provided, if possible); (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) I enclosed dated copies within this complaint).
- 3) The response of the school official, if any: On January 24, 2013 (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) "Legal Counsel/Internal Auditor" responded, "We completed your request. This matter is now closed. Please refer your complaint to the Department of Education." (b)(6); (b)(7)(C)'s phone number is listed as (b)(6); (b)(7)(C)
- 4) The specific nature of the information requested: On November 29, 2012, I provided 3 separate FERPA requests to (b)(6); (b)(7)(C) College in 3 separate emails. Those FERPA requests were:
 - 1) "Please let me know, at your earliest convenience, if (b)(6); (b)(7)(C) College is maintaining, in any format, documentation of the complaint from the (b)(6); (b)(7)(C) "Surgery Manager" regarding (b)(6); (b)(7)(C). If so, please provide access to that complaint, at your earliest convenience."
 - 2) Please let me know, at your earliest convenience, if (b)(6); (b)(7)(C) College (b)(6); (b)(7)(C) is maintaining, in any format, documentation of "concern over the tone and nature of" (b)(6); (b)(7)(C) communication with "several faculty in the Associate Degree Nursing program" at (b)(6); (b)(7)(C) College, or complaints regarding such. If so, please provide access to that information, at your earliest convenience.

- 3) "Please provide access to my complete record, at your earliest convenience."

I am a male student attempting to complete the (b)(6); (b)(7) College Nursing Program, in (b)(6); (b)(7) WI. (b)(6); (b)(7) College allowed and encouraged instructors and administrators to target, harass, retaliate, verbally abuse, ambush, bully, defame, discriminate, subjectively grade, falsely accuse, and/or fail me from nursing courses, as well as dismiss me without cause and without due process, and in general, obstruct my education. I only need to complete two classes, which are normally completed in one semester, to obtain an LPN. On Wednesday, September 26, 2012 (b)(6); (b)(7)(C) the Dean of the (b)(6); (b)(7) College (b)(6); (b)(7)(C) School of Health Education, dismissed me from the (b)(6); (b)(7) Nursing program via email. Dean (b)(6); (b)(7) dismissed me without even informing me of the allegations against me, let alone providing me any opportunity to defend myself. This is in violation of (b)(6); (b)(7) College's own "Procedures for Addressing Allegations of Academic Misconduct" policy which provides me "the opportunity to respond" before enforcing sanctions against me. (b)(6); (b)(7) has repeatedly disregarded my information requests so that I may obtain information, prepare my appeal, and otherwise defend myself. Thus far, (b)(6); (b)(7) has even denied my access to the rules, process, and procedures of my upcoming Academic Appeal Board hearing so that I may know if I am even allowed to ask questions. During a previous hearing, I was even denied the opportunity to ask questions and present my full case.

After I made numerous written requests for written documentation of the reasons and/or justifications for dismissing me, I finally received vague allegations, filled with misinformation, omissions of mitigating circumstances, and defamatory statements, on October 6, 2012, 10 days after I was dismissed via email. (b)(6); (b)(7) repeatedly denied my requests for clarification or further explanation and continues to do so.

On November 29, 2012, I provided 3 separate FERPA requests to Madison College in 3 separate emails. Those FERPA requests were:

- 1) "Please let me know, at your earliest convenience, if (b)(6); (b)(7) College is maintaining, in any format, documentation of the complaint from the (b)(6); (b)(7)(C) "Surgery Manager" regarding Todd Mau. If so, please provide access to that complaint, at your earliest convenience."
- 2) Please let me know, at your earliest convenience, if (b)(6); (b)(7) College (b)(6); (b)(7)(C) is maintaining, in any format, documentation of "concern over the tone and nature of" (b)(6); (b)(7)(C) (b)(6); (b)(7) communication with "several faculty in the Associate Degree Nursing program" at (b)(6); (b)(7) College, or complaints regarding such. If so, please provide access to that information, at your earliest convenience.
- 3) "Please provide access to my complete record, at your earliest convenience."

On January 15, 2013, Forty-seven (47) days after my specific FERPA requests, I emailed (b)(6); (b)(7)(C) Please insure that the documents (b)(6); (b)(7) College provided in response to each one of

my FERPA requests complies with the intent and spirit of each FERPA request." On January 16, 2013, Forty-eight (48) days after my aforementioned, specific FERPA requests, (b)(6); (b)(7)(C) College provided me with a 236 page (based on (b)(6); (b)(7)(C) count), unorganized stack of papers. Also on January 16, 2013, I requested, "Please let me know when (b)(6); (b)(7) College will provide the documents I requested in my FERPA request and make clear which documents provided respond to which FERPA request." On Thursday, January 24, 2013 2:43 PM, (b)(6); (b)(7)(C) emailed me, "We completed your request. This matter is now closed. Please refer your complaint to the Department of Education."

On January 28-29, 2013, in a spirit of full disclosure, cooperation, and open communication I again requested that (b)(6); (b)(7)(C) comply with my FERPA request. Given (b)(6); (b)(7)(C)'s history of targeting, harassing, and falsely accusing me, as well as denying me access to information, let alone due process, I am not confident that (b)(6); (b)(7)(C) will comply with my FERPA requests.

Within the approximately 236 pages provided to me by (b)(6); (b)(7) College, I found several emails and documents related to me, (b)(6); (b)(7)(C) discussing various topics, including but not limited to: requesting copies of documents that I signed; suggestions to save time and money; whether or not duplicate tests and background checks were needed of me; course schedules; why individuals want to meet with me; FERPA requests; financial aid, tuition, student loans, transcripts, waiting lists, etc. (b)(6); (b)(7) College provided no organization or labeling of the 236 page, unorganized stack of papers given in response to my FERPA request. Most of these papers do not relate to the "(b)(6); (b)(7)(C) Surgery Manager" or "(b)(6); (b)(7)(C) communication with several faculty in the Associate Degree Nursing program at (b)(6); (b)(7) College". However, my interpretation of the relationship between the papers (approximately 236) that (b)(6); (b)(7) College provided and how those papers relate to the "(b)(6); (b)(7)(C) Surgery Manager" or "(b)(6); (b)(7)(C) communication" may be different. Given that (b)(6); (b)(7) College is using complaint/s from the "(b)(6); (b)(7)(C) Surgery Manager" and "(b)(6); (b)(7)(C) communication with several faculty in the Associate Degree Nursing program at (b)(6); (b)(7) College" as 2 of the 3 justifications to dismiss me from the (b)(6); (b)(7) College Nursing Program, it is imperative that (b)(6); (b)(7) College comply with my specific FERPA requests. For the sake of completeness, (b)(6); (b)(7) College's 3rd justification for dismissing me from the (b)(6); (b)(7) College Nursing Program is that I did not sign and submit a 16 page nursing student handbook addendum when an (b)(6); (b)(7) administrator wanted it (or sign the addendum without reading and understanding the addendum). I am not opposed to signing the addendum but I would like to read and understand it before signing it, especially when (b)(6); (b)(7)(C) instructors and administrators repeatedly attack me.

Given the need for clarification described above, please encourage (b)(6); (b)(7) College to provide each and every document demonstrating "concern over the tone and nature of" (b)(6); (b)(7)(C) communication with "several faculty in the Associate Degree Nursing program" at (b)(6); (b)(7) College, or complaints regarding such, and indicate that (b)(6); (b)(7) College is responding specifically to this FERPA request.

Similarly, please encourage (b)(6); (b)(7) College to provide each and every document, in any format, related to the complaint from the (b)(6); (b)(7)(C) "Surgery Manager" regarding (b)(6); (b)(7)(C) and indicate that (b)(6); (b)(7) College is responding specifically to this FERPA request.

Furthermore, the unlabeled, unorganized stack of 236 pages that (b)(6); (b)(7)(C) College submitted to me on January 16, 2013, did not contain documents demonstrating that I am a Phi Theta Kappa member as well as other documents, so I have some concerns that (b)(6); (b)(7) College did not properly respond to my FERPA request for "my complete record" either.

20 U.S.C. §1232g(a)(1)(A) affords (b)(6); (b)(7) College, "a reasonable period of time, but in no case more than forty-five days after the request has been made" to comply with my request for education records. On Wednesday, January 16, 2013, forty-eight (48) days after I made my aforementioned FERPA requests, (b)(6); (b)(7) provided me with an unorganized, unlabeled stack of papers. Regardless of the Family Policy Compliance Office's (FPCO) determination of whether or not (b)(6); (b)(7) College properly complied with my FERPA requests, it indisputable that (b)(6); (b)(7) College did not comply with my FERPA requests in a timely fashion.

Since (b)(6); (b)(7) College typically denies me due process and access to information, I also provided copies of more recent FERPA requests (Definitions of "school official" and "legitimate educational interest"; documents which demonstrate (b)(6); (b)(7)(C) "lack of respect for faculty"; and "Documents which provided the reasons, justifications, or evidence utilized to dismiss me, (b)(6); (b)(7)(C), from the (b)(6); (b)(7) College Nursing Program on "Wednesday, September 26, 2012, 2:00pm") so the FPCO can encourage (b)(6); (b)(7) College to comply with these FERPA requests as well.

(b)(6); (b)(7) administrators have repeatedly disregarded in whole or in part, the majority of my information requests so that I might know and understand the vague, defamatory, and inaccurate allegations against me. It is disturbing that (b)(6); (b)(7) forced me to submit FERPA requests just so that I might know and understand the allegations against me which lead to my dismissal. It is even more concerning that after I submitted FERPA requests; (b)(6); (b)(7) College purposefully evaded properly responding to my FERPA requests to avoid providing the clarification I seek. I suspect that (b)(6); (b)(7) College is evading the clarification I seek because (b)(6); (b)(7)(C) College knows the allegations against me are false and lack merit.

Why is (b)(6); (b)(7) College permitted to treat me like an expendable, second class citizen, living in a third-world country without civil rights? Students should not be forcibly distracted and obstructed from their studies and career goals by college administrators that either support harassing students or fail to properly investigate the facts before making rash decisions, subjectively applying college disciplinary procedure, using the college disciplinary system as a weapon to target and attack some students, and/or fabricating facts and events. Treating a veteran, or any student for that matter, like a second class, expendable citizen is inappropriate.

I look forward to answering any questions or concerns you might have. Please let me know what further information, if any, would be helpful and let me know your decision at your earliest convenience. Thank you for your assistance.

Sincerely,

(b)(6); (b)(7)(C)

