I sent the e-mail to you at 10:52 a.m. yesterday. I received certified letter at approximately 11:30 a.m. I will be happy a copy of official cum folder. In our phone conver last week, it was my impression that the items you were inte in were her most recent report card and the newsletter. On again, you can pick up a copy after 4 p.m. today in the main office.

> <FERPALtr1[1].doc>

May 14, 2009

To Whom It May Concern:

This letter is to file a formal complaint against a teacher at Early College High School (ECHS) for violating the Family Educational Rights and Privacy Act in regards to my son student at ECHS.

On May 8, I received a call from Early College High School. Ms. was calling to inform me that my son had been involved in a verbal altercation with one of the teachers at the school. Ms. read the referral to me over the phone from both parties; and Ms. the teacher involved in the verbal altercation. She asked me if I would be able to come in for a meeting. I told her that I was at lunch and I needed to go back to work, but I would be available in about 45 minutes. When I arrived at work, my task took a lot longer and it was more like an hour and a half, before I was able to leave. When I got in my car around 3:00 p.m., I received a call from who informed I was on my way, but was calling to tell me it was too late in the afternoon to meet. Dr. the then informed me that a meeting had been scheduled for Monday, May 11 for 9:00 a.m. I asked Dr. if I needed to come and pick up from school. He said that was not necessary, could finish the school day.

On Monday, May I arrived at school and entered a meeting with Dr. Ms. Ms. and Ms. The meeting started with Ms. telling her side of the story. Ms. stated that she asked for some and he refused to give her the . When he decided to give her the he took them off and threw them at her. Later in her story she mentioned that the had not only been thrown at her, but they had also hit her and caused her arm to welt. When Ms. mentioned the welt it was the first time Administration had heard of any injury, also when asked if she had any pictures to verify that there had indeed been an injury, she replied that she had not taken any photographs.

In the meeting I explained to Dr. there was another situation that had transpired and I would like addressed, concerning

On Friday, May 15, 2009 after the school day had ended, I picked up and another student. When they got in the car, I was informed that Ms. had spoken to the student's mother concerning the situation with and Ms. When we arrived home, I called the student's mother and asked her if
she had spoken to Ms. (b)(6) (c) she confirmed the conversation. The parent said she was on the phone with her child and Ms. (b)(6) asked to speak to the parent. The student gave Ms. (b)(6) the cell phone and Ms. (b)(6) went into a private area to converse with the parent. I then asked the parent for the details of the conversation. The parent informed me that Ms. (b)(6) had been listening to her child on the phone and stated it was her duty to tell her the whole story, since her child was leaving out parts of the story. Ms. (b)(6) then began to tell the parent that (calling him by name) had thrown her child's (b)(6) (c) at another teacher and that is why the (b)(6) (c) were confiscated by Ms. (b)(6). Ms. (b)(6) was not present when the situation occurred and was going strictly by what the Ms. (b)(6) told her. This was very upsetting to me because I had not received the full details of the situation from Administration or anyone else at the school.

On Monday, May 11, (b)(6) when I arrived at the meeting I asked Dr. (b)(6) if Ms. (b)(6) could be called into the meeting. Dr. (b)(6) agreed, but was unaware of the situation that occurred with other student's mother. He in turn called the teacher, Ms. (b)(6) into the meeting and she admitted on tape that she had indeed spoken to this parent and called (b)(c) name. I asked her if she was familiar with the Family Educational Rights to Privacy Act (FERPA) and if she was aware that she had violated (b)(6) privacy rights. I informed Dr. (b)(6) Ms. (b)(6) and the teacher that I would be reporting this situation to the proper authorities.

After both teachers left the room, it was decided that (b)(7) would be suspended for three days for his actions. When (b)(6) returned to school on Friday, May 15 (b)(6) there would be a meeting scheduled with Dr. (b)(6) of (b)(6) Charter School Network. The meeting was ultimately rescheduled to Thursday, May 14 (b)(7) at 8:00 a.m.

When we arrived at this meeting, Dr. (b)(6) asked everyone present if it was okay that I recorded the meeting and everyone agreed. Dr. (b)(6) had spoken to the other student's parent and had a statement corroborating what Ms. (b)(6) said in the previous meeting. Dr. (b)(6) then explained the FERPA law to Ms. (b)(6) Dr. (b)(6) explained to me that I would have to initiate the complaint to FERPA and if I would allow them a copy of the document I was sending to FERPA. I agreed.

Therefore, I am asking that the appropriate action be taken against this teacher. If you need further information, I can be reached at (b)(6) (b)(7) Thank you for your assistance in this matter.

Before any of these meetings took place, permission was given to tape record all parties involved.
School's Information

Charter School

New Orleans, LA 70119

School Phone

School Fax
To Whom It May Concern:

I believe I have been discriminated against due to the fact that I am a non-custodial parent. My name is [REDACTED] and my son [REDACTED] attends the [REDACTED] School District in Hume MO. He is currently enrolled as a [REDACTED] I have kept the district updated on ways to be able to contact me. I am enclosing e-mails showing where I have been given false and inaccurate information and had information withheld from me regarding his educational progress. I have had to continue to request grades when it clearly states in his IEP that I am to receive such reports.

The timeline below outlines my rights as a parent being violated and a picture of discrimination occurring.

On March 22[fredacted] I sent the [REDACTED] School my change of address and asked for a grade report to be mailed to me (their quarter ended on or about March 12th).

On March 25th I hadn't had a response from my earlier e-mail and asked again if the reports had been sent out yet.

On March 29th I still had not received a report and informed them that I had not.

On March 30th Mr. [REDACTED] said he would check on the grade card.

On April 1st I was finally sent a grade report for the 3rd quarter.

On April 1st which is nearing mid-quarter for 4th quarter; I asked for an update; I did this because my son’s 3rd quarter grades were lower than what I thought they should be. By the time I received 3rd quarter grades I knew it was getting close to mid-quarter reports. I tried e-mailing the special service teacher but must have been spelling her name incorrectly, so I e-mailed the [REDACTED] asking him to forward to [REDACTED] (Mrs. [REDACTED]) a message inquiring how [REDACTED] was doing and when she had time would she give me an update on his progress.

On April 8th I finally received a response from Mrs. [REDACTED] saying that the teachers were state testing and she hadn’t received any reports but they would be sending home mid-quarters the next week.

I did not receive any update or report the next week so I e-mailed again.

April 21st I e-mailed Mrs. [REDACTED] saying I was just touching bases again and asked if I could get an update on his grades.

On April 21st she responded back by saying, “The only progress reports that go out are those below 70%, so no news is good news, I’d say”.

epic.org 14-04-15-ED-FOIA-Release-20150326 000041
At this point I felt like Mrs. [b][6], [b][7] being the case manager and knowing that his IEP stated that I, as his parent, should be getting reports, failed to comply with [b][6]. I hoped she would have been thrilled, as a professional educator, to honor my request and at least give me a quick glance at how he was performing. However, this was not the case; I was still given no indication that he was failing one class; that I find out later from the school's [b][6] and that a meeting had been held that morning with his father because of a problem in the area of math. I then replied back requesting to still be given a mid-quarter report and that his IEP stated that we would receive grade reports and I hadn't as of yet.

On April 22nd Mrs. [b][6], [b][7] replied back that she had forwarded my request to Mrs. [b][6], [b][7] the school [b][6].

On the same day I responded back to Mrs. [b][6], [b][7] I felt that since she was his case manager that she would have a better connection with the grades and his progress. I asked if she was still monitoring him.

On April 22nd she wrote back that she sees [b][6] everyday and that she talks to his teachers regularly and if there is a problem they discuss it and if he has a problem it is reported to his grades.

By April 22nd, [b][6] case manager had led to believe that since I didn’t receive any progress reports that [b][6] is having no difficulties and she still hadn’t stated there to be any concerns or problems. By this date I had asked several times for an update and I had received no kind of report from Mrs. [b][6], [b][7] or the school district regarding how he was performing academically. I knew this wasn’t right or in compliance to his IEP. I, an educator myself, know she could have very easily given me an update; she even told me that she was speaking regularly to his teachers. Becoming frustrated and being brushed to the side I e-mailed the [b][6] stating that I felt like Mrs. [b][6], [b][7] was ignoring my requests and that contacting the state department seemed to be the best solution.

On this same day, April 22nd, Mr. [b][6], the school’s [b][6], [b][7] replies back to me saying that they (Mr. [b][6], Mrs. [b][6], [b][7] and Mrs. [b][6], [b][7], [b][6], [b][7], [b][6], [b][7], [b][6], [b][7], [b][6], [b][7]) had met on April 21st with Mr. [b][6], [b][7], father because [b][6], [b][7], was struggling in [b][6], [b][7].

[b][6], [b][7], father had requested a meeting and received it; all I was requesting was a progress report and was ignored. I feel like I was discriminated against because I am the non-custodial parent. I was only asking for an update on his progress.

On April 22nd Mrs. [b][6], [b][7], [b][6], [b][7], said that when the progress reports were mailed that he was passing; I found this to be an untrue statement because on April 23rd I finally received from the school [b][6], [b][7], a mid-quarter report (which was sent out by mail to all other parents on April 19th but not to me). [b][6] had an [b][6], [b][7] and a [b][6], [b][7].
I was definitely not being treated with equality. My father requested a meeting concerning progress and a meeting was scheduled. My request for an update of grades and progress being made was repeatedly ignored. I was even lied to; I was told no news is good news and that he was passing all classes at mid-quarter reporting. I believe the information I received was misleading and inaccurate and violated my rights as a parent.

**My proposed resolution:** I am asking the School District and the case manager of my child's IEP to stay in compliance with his Individualized Education Plan. I request that grades to be sent to me as written in his IEP without me having to request them each reporting period. I wish to be given equal treatment as a parent even though I am a non-custodial parent. I also desire that the meetings or requests that I make be kept confidential and not be shared with people in the community. Lastly, I propose that if I request an update from the Special Education Department, that case manager notifies me if there is a problem or concern, not to intentionally withhold this information from me or to discriminate against me because I am a non-custodial parent.

The report finally received, has a few classes that he needs to improve in but for the most part is doing extremely well. I, as a parent, would have loved to have heard the positives from his case manager and/or school district that he was making A's in two of his classes; especially since I had requested an update. Parent's thrive on good news and what a better way to create positive home/school communications.

The timeline and e-mails I have outlined and enclosed clearly show that Mrs. was aware of a problem with at least the math class and intentionally withheld that information from me and gave me an inaccurate report of progress being made after I had repeatedly asked for an update. She had planned a meeting on the morning of April 21st with father because of his lack of progress in math, and she told me on the 21st the same day, that no news is good news. She told me he was passing all classes when mid-quarter reports were sent out which proved to be false. I ask not to be lied to or have information intentionally withheld anymore regarding his educational progress because I am the non-custodial parent.

Sincerely,
address change

Just wanted to check and make sure you had my updated info. My info is:

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

I see where good guys are living now and wanted to make sure all information was correct.

Thank you.

(0)(C)

---
Question

I was wondering if you had sent batch ready yet or not, if not, what if you include a special schedule that will

Reply  Forward
I am just checking to see if there was a basketball game today and if I could get a copy of this spring's box statistics. I notice the weather makes a lot of the outdoor games play and it's difficult to get a good idea if when they might play would be greatly determined. Also, there aren't

(6)(b)(6), (b)(7)

- Home & Away Games
- Name: Sample Name
- Date: March 20
- Notes: To check on the games.

Home: Sample Name
- Score: 12-10
- Opponent: Away Team
- Date: March 20

Away: Sample Name
- Score: 12-10
- Opponent: Home Team
- Date: March 20

Back to Team List
Back to Team List

Second quarter, first half of game.

Semifinals: Sample Name
- Score: 21-10
- Opponent: Sample Name
- Date: March 20

Finals: Sample Name
- Score: 12-10
- Opponent: Sample Name
- Date: March 20

3rd quarter, first half of game.
Subject: Lool! T Gw 11 AM

Date: Apr 1, 2010 11:07 AM

I was just wanting to touch base to see how things are going. I have not heard from you in a while and I believe that you have been busy with the school and the job. It sounds like things are not going too well. Are you still working at the school? Are you still teaching? I have heard that there is a possibility of being laid off. I am not sure what is going on, but I am trying to stay in touch. I hope that you are doing well. I have been thinking about you and your family. I hope that you are doing well.

Best regards,

[Name]
(b)(6), (b)(7)
I'm sorry you feel that way. I've been trying to help you get the best possible grades in school. I'm not sure what specifically you need help with, but I can try to help you understand the material better. If you have any questions or concerns, feel free to let me know.

I'm here to help you succeed. Let's work together to get the grades you deserve.
Regarding progress reports

From: [Name]

Subject: Regarding progress reports

Attached you will find the progress reports. These were not up to date. The data should be: [Provide specific data]. If you have any questions, you may contact me at [Contact Information].

We will have a meeting on [Date] to discuss the progress. If you have any questions or need further assistance, please let me know.

Best regards,

[Name]

4th quarter progress report

10th poll

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MAY 05 '10:2:02
Page 1 of 1

[Image of document]
To the Director:

This letter is to advise you that after a thorough investigation, Niagara University has determined that on May 28th, 2010, an unauthorized, but inadvertent, disclosure of 27 students' education records occurred via official university e-mail.

Set forth below is a report of this unprecedented event at our institution, and our ongoing remedial action.

I. Inadvertent Disclosure

At the end of every semester, Niagara University determines if students have made "Satisfactory Academic Progress" (SAP). Those who have not met our criteria are dismissed, and receive a letter with standard language stating the terms of dismissal and setting forth the process for appeal. The address, name, "Attempted Semesters," and GPA of the affected students ("Variable Data") are plugged into this standard letter ("Template") and sent via both certified mail, and official university e-mail, at the appropriate time.

On May 28th, a university employee in the office of Academic Support prepared the individual SAP letters to be sent to the 27 affected students as described above. These letters were sent to the students via certified mail without incident.

After mailing the letters, the employee prepared an electronic copy to send to the affected students. Per procedures successfully implemented the previous semester, this preparation involved the use of the "mail merge" function of the program "Microsoft Access" to insert the Variable Data into the Template. However, owing to previous manipulation of that particular copy of the Variable Data using the program, "Microsoft Excel," the copy sent to each student contained a copy of every other students' letter.
The university became aware there was a problem on June 1, when a student reported receiving a 37-page document containing not only his information, but that of 26 others. This report was referred to the University Counsel, who confirmed the receipt with the University Counsel. While various remedies were immediately initiated (see "II. Remedial Action" below), the university also began a thorough analysis of what occurred, and concluded that while the matter was attributable to the employee’s failure to adhere to the established protocol for the generation of SAP notices, enhanced focus on technical considerations should be added to the FERPA training the University routinely conducts.

II. Remedial Action
The university’s response upon confirming the inadvertent disclosure was immediate.

June 1: Disclosure confirmed by General Counsel and informed.

June 1: Disclosure confirmed and investigation directed.

June 1: Emergency meeting of the FERPA Officer and General Counsel to establish awareness of the issue, ensure no other complaints had been received, and draft a letter of notification to the affected students. The group also agreed on a course for the investigation, which involved the General Counsel.

June 2: A letter of notification was sent to all 27 students via mail and e-mail. The letter set forth the content of the disclosure, warned the students that the information is confidential, and asked that they send confirmation of deletion to ferpa@niagara.edu. An redacted sample copy is included as “A”.

June 2nd—June 8th: The General Counsel conducted two one-hour sessions called "Mass Communication and Privacy: Using Technology While Following FERPA" (announcement attached as “B”). While open to all, every department that routinely handles education records in an electronic format was required to attend. At that session, a document generated by the IT Department and General Counsel was distributed and reviewed (attached as "C").
June 17th: The General Counsel met with the employees of the office of Academic Support, including the employee who made the inadvertent disclosures, to specifically discuss the educational records generated/maintained by the office, and review the suggestions from IT for avoiding technical issues that can create privacy concerns.

Going forward:

- The routine FERPA trainings will have a specific technical component;
- The university established a “FERPA Alert” code for its Information Technology Help Desk, to ensure FERPA matters with a technical component get immediate attention;
- The University has printed up “FERPA Alert” cards that ask fundamental questions about managing/disclosing education records, and listed helpful contacts on the other side;
- A faculty-specific training is being planned for the Fall, again with a focus on compliance when using technology and social networking.

It is my hope that your Office can conclude that Niagara University properly investigated this unusual breach, took reasonable and appropriate steps to prevent any further unauthorized disclosures, and is diligent in its protection of the education records it maintains.

On a personal note, I can add that the employees at the heart of this incident were personally dismayed and saddened to have occasioned the above actions, which are an anomaly for both their Department and Niagara University. We respectfully request that you and the Department consider these good-faith actions as you review this self-disclosure, and please consider us open to any suggestions you might have for further action.

Very truly yours,

Attachments
June 3, 2010

@mail.niagara.edu

RE: FERPA Disclosure
E-mail you were sent on May 28, 2010 regarding "Notice of Academic Status"

Dear:

On May 28th, your e-mail address of: @mail.niagara.edu was inadvertently sent a large e-mail containing drafts of letters addressed to various other people. Unfortunately, this e-mail was sent to 26 other people, and contained your GPA and credit hours to date, in addition to those of others. The University enormously regrets this error.

If you have not opened the May 28th e-mail, please do not do so. If you have opened it, please do not forward or otherwise duplicate the contents, which are privileged and confidential. Whether you have opened it or not, please delete the contents, and send confirmation of their having been deleted to our FERPA Officer at FERPA@niagara.edu.

Again, the University cannot stress how much it regrets this technological error. Please know that we are already moving to correct the situation, and very soon will be holding a mandatory training for all personnel involved in this regrettable mistake.

However, we wish to stress that this accidental disclosure is a one-time occurrence. The University goes to great lengths to protect your privacy. With that in mind, the correction of this lapse is a top priority.

Please feel free to contact me with any concerns.

Sincerely,

(b)(6), (b)(7)(C)

CC(b)(6), (b)(7)(C)
One-Hour FERPA Training, Open to All
Wednesday, June 16th
Mass Communication and Privacy: Using Technology While Following FERPA

Technology changes with the blink of an eye, but FERPA has been pretty much the same since 1974. The rules: education records (including grades, gpa, e-mails, marked papers, disciplinary records, bills, attendance) cannot be disclosed to third parties—even parents—without specific authority to do so. We are all careful to respect our students’ privacy, but in a world of increasing automation and lightning-fast communication, a FERPA violation can happen with both alarming speed, and volume. Please join the General Counsel, the \[\text{b}(7)(C)\] team for this one-hour discussion designed to refresh your memory of the FERPA rules, their many exceptions, and techniques for using the latest technology while honoring the Family Education Rights Privacy Act.

Session I: Wednesday, June 16th, 10AM, Bisgrove 350

Session II: Wednesday, June 16th, 2PM, Bisgrove 350

Please rsvp to scole@niagara.edu to let us know which session you will be attending.
Top Ten IT/FERPA "Do's"

1. The deletion of communications with students should only be conducted on a routine, regular basis, with critical communications identified and archived for 2 years, or as defined by your department.
2. Use caution when storing education records on USB sticks and other portable devices.
3. Inform IT promptly when you believe there has been an unprivileged disclosure via an electronic communication.
4. Do check a student’s FERPA preferences via myNU prior to disclosing any information to a third party.
5. Do store critical communications, including e-mail, on your network, home, or shared drives. If you are uncertain how to do this, call IT at 8040.
6. Do always look to see who is copied on an e-mail prior to responding to it.
7. Do maintain business process documentation regarding the creation of essential documents and communications.
8. Do create PDF's to send information when you want the best assurance that the final document can't be altered.
9. Always log off your computer if you leave it, even for 1 minute.
10. Change passwords routinely.

Top Ten IT FERPA "Do Nots"

1. Do not hit "reply all," without reading the reply list and being really, really sure about it.
2. Do not store critical files on your C drive; ensure they are routinely saved on a home or departmental drive.
3. Do not download and store data in Excel spreadsheets or Access databases; this can generate confusing, irregular copies of the data.
4. Do not send information to the care of employees via non-university accounts.
5. Do not engage in speculation, gossip, and other subjective communication about students via university e-mail; it could create an educational record subject to mandatory disclosure at the request of the student.
6. Do not leave your computer logged in when you are away from your desk.
7. Do not leave your password taped to your monitor.
8. Do not rely on "auto-complete" to address your messages without carefully checking the listed recipient.
9. Never give your password out to anyone, whether via e-mail or otherwise. IT will not need to ask for it to help you.
10. Never comment about education records on social network sites.
Dear Sir or Madam:

This letter is for purposes of inquiry and complaint under the rules administered by the Family Policy Compliance Office (FPCO). The underlying issue concerns a graded research paper assignment I submitted to Seminole Community College’s (SCC) ANGEL electronic distance learning environment. Sometime after I submitted the paper, it appears the system corrupted the paper electronically, such that the paper received by the professor and stored within the system is not what I submitted.

During the week of September 7, I contacted Ms. of SCC, who is listed as the point of contact for SCC’s administration of records requests under FERPA. I explained my desire make a written hearing request for the purposes of obtaining this corrupted “education record” and having it corrected. The document bears my personal identifying information indicated she was no longer connected with administering rules or requests related to my inquiry and suggested I contact other departments within the college. After numerous telephone contacts to various college departments since that time, I have yet to find any party who acknowledges him or herself as the appropriate point of contact. I spoke to the Registrar’s office, and an individual there stated his department could not accept a hearing request because the document in question fell outside the scope of FERPA.

I subsequently contacted at the Registrar’s suggestion, but my formal hearing request has yet gone unanswered. I therefore redirect my request for a hearing to so that she will forward it to whomever has the proper authority. I ask for an affirmation of the hearing request or a denial in writing along with the reasons for the denial. I have reviewed a policy letter from FPCO, and it would appear that “term papers” and similar academic writings fall within the scope of FERPA. I further ask that the FPCO forward to me and the college an interpretative letter as to whether, in its opinion, academic papers and similar works submitted to are education records within the meaning of that agency’s rules.

http://www.scc-fl.edu/policies-procedures/policies/student/3.040.htm

Sincerely,

cc:

100 Weldon Boulevard
Sanford, Florida 32773-6199

SCC

100 Weldon Boulevard
Sanford, Florida 32773-6199
March 30, 2010

To Whom It May Concern:

Please accept this letter as notification of a violation of the Family Educational Rights and Privacy Act (FERPA) from the Washoe County School District in Reno, Nevada. On March 10, 2010 the of Hunsberger Elementary School sent notes to the entire faculty which contained the first name of a student, the student's initials, and the name of the student's teacher. The notes were of an Intervention Assistance Team meeting and while all of the recipients were teachers, not all had a need to access of the note about progress which constitutes a FERPA violation.

To remedy the situation, the self-reported the violation to the FERPA compliance office in the Washoe County School District (March 17, 2010), secured help from the Information Technology Department in deleting the email from all of the mailboxes of the teachers who did not have an educational need for the record (March 19, 2010), acknowledged her mistake to staff (March 11, 2010) and has scheduled additional training for herself and her staff on April 6, 2010. This training will encompass the rights, rules, and responsibilities of teachers under FERPA.

Additionally, the notified the parent via phone on March 17, 2010 and via letter on March 30, 2010 that the violation occurred and informed the parent of their right to contact your office and your contact information.

Sincerely,

[Signature]

1. Public Policy, Accountability & Assessment
Washoe County School District

Cc: 

epic.org
May 19, 2008

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

Re: Family Educational Rights and Privacy Act (FERPA)
Complaint of \(\text{(b)(6); (b)(7)(C)}\) Change of Address of Counsel

This letter pertains to the complaint of \(\text{(b)(6); (b)(7)(C)}\) against the Anaheim City School District in Anaheim, California. Please note that the address has changed for the undersigned counsel. Please direct all future correspondence to:

Irvine, CA 92614

As this change of address occurred less than six months ago, any correspondence you sent to our former address should have been forwarded by the post office to us. Other than a September 4, 2007 letter from \(\text{(b)(6); (b)(7)(C)}\) acknowledging receipt of the complaint, we have not received any additional correspondence from you. If you did attempt to contact us after that date, I would greatly appreciate if you could please re-send any letters to the above address or call us at \(\text{(b)(6); (b)(7)(C)}\)

Thank you for your assistance in this matter.

Sincerely,

[Signature]

[Address]
August 29, 2007

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

Re: Family Educational Rights and Privacy Act (FERPA) Complaint:

School, Anaheim City
School District, California

Introduction

is a preschool student who is and has

During the spring of 2007, officials at School violated FERPA rights by improperly disclosing to two of school bus drivers that he had a This disclosure was not made for any legitimate educational interest, but instead was made for the sole purpose of inducing the drivers to unlawfully discriminate against on the basis of his When mother, complained to of these unauthorized disclosures, the further violated FERPA by taking steps to block from pursuing her rights and by intimidating to give permission for a prior unauthorized disclosure of

Statement of Facts

In January 2007 began attending a program designed for students with disabilities at which is a public school in the Anaheim City School District in California. is located at CA phone number and the District’s address is 1001 South East Street, Anaheim, CA 92805, phone
number (714) 517-7500. The Superintendent of the District is Ms. Sandra Barry. Prior to
enrollment, his parents worked with school officials to develop an individualized
education program (IEP) for him, as required by the Individuals with Disabilities in Education
Act (IDEA). At that time, he was attending the Regional Center for disability-related
assistance, and the medical forms were transferred to prior to enrollment.

On December 20, 2006, attended a meeting with a number of school officials regarding IEP. Attendees included
speaks only
and two additional participants. At that meeting was discussed, and all present verbally agreed not to disclose that information to anyone else, inside
or outside the school district, without prior written authorization.

will return to this September. At no time during attendance at
have employees or students been exposed. Moreover, has never behaved in a way that could theoretically present a risk of such exposure.

When rides the school bus, he must sit in a special seat that sits on top of the regular bus seat. This special seat, which is a necessary
accommodation for has restraints to keep from falling out, and is so large as to prevent other children from sitting in the same seat with him.

\footnote{All participants signed the document reflecting the results of the IEP meeting (attached hereto as Exhibit A); however, not all names are legible.}
Incident With First Bus Driver

On March 5, a short, Hispanic man of approximately 40-45 years of age (name unknown), asked if he had a seat, and ensure that sat alone in his seat. The driver wanted to know why he had to be so cautious; he was afraid he might pass on whatever illness had to his grandchildren. At this time, did not have any other than declined to state that.

Immediately after this incident, called with the who assists and informed her of the conversation with the bus driver. left two voice messages for At 4:00 p.m. on March 5, returned the phone call, and said, “You called my office and upset my staff when you told the office clerk that the child was denies having disclosed this information.” went on to state that “the drivers perhaps made an assumption about the child’s and that she “did not handle transportation.” then told the she would advise to call the transportation department to find out what happened (i.e. who disclosed the information to the bus driver), and then screamed, “You do not tell her to call transportation!” told the not to tell her how to do her job and she would not tell the how to do hers. then continued yelling, expressing that she was very upset with

hung up and called upon which called the office. In order to explain the incident with the bus driver, found it necessary to disclose to the because (unlike the herself) speaks both and English. Ms.
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requested a meeting with the to discuss her concerns regarding the confidentiality of records, and stated that she wanted the bus driver to attend this meeting. was told that this was impossible because the situation had been “dealt with.”

First Meeting at

Rather than schedule a meeting as requested, and Ms. instead approached on March 6, while she was delivering medicine to the office, and directed her to the office. At all times during the ensuing meeting, spoke English and purported to translate for placed two documents in front of and insisted she sign them. They were preprinted permission forms that had the letterhead of and the Anaheim City School District, and stated:

I give permission for to be told that my child, , is I understand that the above mentioned employee has been informed of the ACSD Board Policy and has been informed of the confidentiality of this matter. A separate permission slip is required for each employee.

Parent Signature Date

 instructed to fill out the first form to authorize to obtain information, and that the second should authorize disclosure of this information to a woman who, upon information and belief, is named and serves as a at agreed that she had told of and willingly signed the first form. As to the second form, 2 Copies of these two forms are attached hereto as Exhibits B and C. Last name appears to be but could be spelled differently.

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