

**From:** (b)(6); (b)(7)(C)  
**To:** Family Compliance Office  
**Subject:** FERPA Complaint  
**Date:** April 5, 2012

I was told to send this information if I had a complaint regarding FERPA. I have listed some brief details below, followed by a full account of the situation prompting my complaint.

**Name and Address of student:**

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

**Student Contact Information:**

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

**Type of Violation:** Improperly Disclosing Personally Identifiable Information

**Institution of Complaint:** (b)(6); (b)(7)(C) School

**Parties Involved:** (b)(6); (b)(7)(C) Associate Dean and Professor of Law

(b)(6); (b)(7)(C) Director of Admissions and Student Recruitment

(b)(6); (b)(7)(C) Administrative Assistant

**Date of Violation:** April 3, 2012

**Date I Learned of Violation:** April 3, 2012

Below I have described these details further, along with other requested information such as what specific information was shared, who it was shared with, and any communication with the institution

I, (b)(6); (b)(7)(C) would like to place this complaint against (b)(6); (b)(7)(C) School of Law. They **improperly disclosed personally identifiable information** to approximately 441 other admitted students. This information is now being posted all over the web for anyone to see. Other websites are reporting on it as news, and posting edited versions of the list, which is creating demand for more information and I have no doubt that more of it will be posted by the end of the week. The situation is described below.

On April 3, 2012 at 12:40 p.m., an e-mail was sent from (b)(6); (b)(7)(C) & email address (b)(6); (b)(7)(C) edu) who is the administrative assistant at (b)(6); (b)(7)(C) but was signed by (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) edu), who is the Director of Admissions and Student Recruitment for (b)(6); (b)(7)(C) I have attached a copy, but here is the body of the email:

“Dear Admitted Students:

Due to technical difficulties of our online electronic payment system, the seat deposit deadline for the Fall 2012 class has been extended to Friday, April 6<sup>th</sup>. We apologize to all of our applicants who had trouble paying a seat deposit over the weekend, and we regret the inconvenience and frustration it caused. The

payment system is getting an immediate upgrade today and will be back online tomorrow. Please call our office if you experience further difficulties. If you have already sent a check in the mail, then we will apply this to your seat deposit when we receive it.

Regards

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

This subject of this email was “[b)(6); (b)(7)(C)] Admitted Students.” Attached to this e-mail was a Microsoft Excel spreadsheet titled “DepositEmail.xlsx” containing a list of 441 admitted students who have not yet put down a deposit to hold their spot in the [b)(6); (b)(7)(C)] Law School Class of 2015. It includes the following information about every student on the list:

**Law School Admission Council (LSAC) account number**  
**First name**  
**Last name**  
**Middle initial (or the whole middle name in some cases)**  
**Cumulative GPA**  
**All Law School Admission Test (LSAT) scores**  
**Admissions index number**  
**Date of application completeness**  
**Date of acceptance**  
**Gender**  
**Total scholarship amount**  
**State of permanent residence**  
**Ethnicity 1 and 2**  
**Undergraduate institution**  
**Current address**  
**Current e-mail address**  
**Other various information about acceptances for other semesters**  
**Current phone number**  
**Deposit due date**  
**Age**

The e-mail was sent to all 441 of the students included on the list attached to the email, and I am not sure who else it was distributed to through email. At 1:10 and 1:13 p.m. I received automated emails from (b)(6); (b)(7)(C)'s email address saying (b)(6); (b)(7)(C) would like to recall the message, (b)(6); (b)(7)(C) Admitted Students'." This obviously did not recall any of the emails sent to any of the students, but it does show approximately when they realized their mistake. So far the following websites have discussed the list and/or posted a version of it:

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

I understand it would be difficult to go to all these websites, especially after I have only sent this in written form; I just wanted to illustrate the various places it is being discussed. I have attached copies of the articles from the links above. As I said before, all this is causing more information to be demanded, and I feel that soon the whole list will be out there for all to see. The last website provides the most unedited version of the first page of the list, and reveals a large part of names.

I learned of this violation within five minutes of receiving the email (about 12:45p.m.), when I read the email and discovered the attachment.

**Communication with Institution:**

I did not have any direct communication with (b)(6); (b)(7)(C). Later that day at 7:32 p.m., all students who received this email received another email to apologize for the incident. A copy of this email is attached, but here is the body of the email:

"An e-mail sent earlier today to you inadvertently contained an attachment with personal information about you and other accepted applicants. We apologize for this error. The earlier email was sent in response to numerous phone calls and emails we received from applicants expressing concern that they were unable to make online seat deposits over the weekend because of technical difficulties with the university's online payment system. The attachment did not contain social security numbers or birth dates and we do not have reason to believe that the information has been put to any unauthorized use at this time.

Our high standards of professionalism require us to treat all student data with the greatest degree of confidentiality and we regret this unfortunate mistake. Due to the sensitive nature of the information that was contained in the attachment, we ask you to treat the document as confidential, just as you would as a lawyer, and delete the information.

Again, we send our deepest apologies for this error. We sincerely regret any concerns caused by our action. We have taken steps to ensure that such a mistake is not made in the future.

Should you have additional questions regarding this matter, you may contact me by calling (b)(6); (b)(7)(C) or (b)(6); (b)(7)(C) Director of Admissions, by calling (b)(6); (b)(7)(C)

Sincerely,

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

This is all the communication I have received from (b)(6); (b)(7)(C) regarding this matter before writing this complaint at about 2p.m. on 04/05/2012.

I have not attached the actual list, but I would be happy to send it if it is necessary. I, along with many others on this list, am extremely upset that my personal information is out there for my future classmates to see. Regardless of which law school I ultimately choose to attend, this list includes many who also are choosing between the same schools in Texas, and will have this information if we attend the same school. It is also being posted online in many forms and is now something I won't be able to get away from. Please let me know if you need any more information, or if you have any questions. Thank you for your time and consideration.

Thanks,

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

July 30, 2012

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520  
Via Certified Mail Return Receipt Requested



**Re: FERPA Violation**

This office represents Mr. (b)(6); (b)(7)(C) with respect to the education of their son, (b)(6); (b)(7)(C)

I hereby lodge an official complaint against Mahapac Central School District on behalf of (b)(6); (b)(6) who attends (b)(6); (b)(7)(C) School for the District's failure to provide Mr. and Mrs. (b)(6); (b)(7)(C) with the opportunity to inspect and review (b)(6); (b)(6)'s education records within the requisite 45 days.

Requests were directed to Ms. (b)(6); (b)(7)(C) CSE Chairperson, and sent to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) on May 16, 2012 and (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) on May 30, 2012 (letters and certified return receipts attached hereto for your convenience). To date, no records were received by Mr. and Mrs. (b)(6); (b)(7)(C) nor this office.

Please let me know if additional information is required. Thank you in advance.

Very truly yours

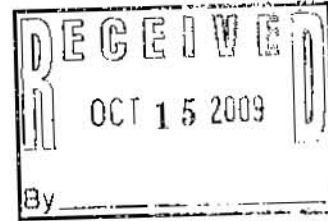
(b)(6); (b)(7)(C)

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

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

September 16, 2009

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



RE: (b)(6); (b)(7) (b) School, Honolulu, HI  
Family Educational Rights and Privacy Act of 1974

Cite 99.4  
Rights of P

To Whom It May Concern:

I am writing to inform you of what I believe are violations of the FERPA by school officials of (b)(6); (b)(7) (b) School, Honolulu, Hawaii, in particular, (b)(6); (b)(7)(C)

To begin I would like to say that I am a United States Army soldier and who proudly serves our country. While serving in support of Iraqi Freedom, some certain violations may have occurred and I would like your assistance in this matter.

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

She was ultimately given *temporary* custody while I was deployed (Exhibit 5, final order dated October 14, 2008). As you will see, nowhere in any of the court orders, was I denied access to my daughter's school or school records.

While my ex-wife had my daughter in Hawaii – against court order – she swindled the school into believing that she had legal custody of my daughter. Attached documents will show that Justice was enrolled on or about August 6, 2008. According to the school's own website, in order to legally enroll a student in their school, the parent or legal guardian must:

According to state law, Hawaii Revised Statutes §302A-1143 and Hawaii Administrative Rule chapter 8-13, **school-aged children are required to attend the school in the area in which they reside, unless permitted to attend another school through a geographic exception.**

Under the law, Hawaii Administrative Rule chapter 8-13 and BOE Policy 4150, a minor does not have the legal capacity to establish residency independent of the minor's parents or legal guardian.

***If the parents are separated or divorced, the residency of the child is generally determined to be where the parent with the physical custody of the child during the school week resides. Legal guardianship is not created by documents such as powers of attorney or special powers of attorney. Legal guardianship is created by a formal family court order which specifies the duties of the guardian in a document called "Letters of Guardianship."***

Many parents want their child to attend a school in an area other than in which the parent(s) reside. In some instances, where the child is temporarily placed with a relative for whatever reason, a tension occurs between the compulsory school attendance law which requires the DOE to provide educational services to all children and the area school attendance law which prescribes which school a child is to attend. Verification as to where indeed a child resides and is required to attend school becomes a problem that all schools must face. *Effective 7/9/03*

Age of Stu

(b)(6), (b)(7) (b) School violated its own state's statute. I have asked repeatedly since October of 2008 for proof of Justice's residency that they used to enroll her in August of 2008. They have refused to provide such documentation.

No

>

I am entitled to have copies of my daughter's school record. (b)(6); (b)(7)(C) from the registration office told me on a telephone call on April 8, 2009 at 8:21pm Eastern Time that "she had to check with the biological mother for her permission to give me copies of anything." I explained to Ms. (b)(6); (b) that (b)(6); (b)(7)(C) (b) School had copies of **all** of the court orders and none of the court orders prohibit me from obtaining copies of school records regarding my daughter, Justice.

My first letter, from my attorney was September 2, 2008. After no response to that letter, my attorney subpoenaed the school records. The superintendent, Teri Ushijima said that she could not release my daughter's records to my attorney. I again had my attorney write a letter, send it via email to **Iraq**, I signed it and sent it back and had my attorney send it again to Ms. Ushijima. She, what seemed reluctantly, sent copies of records (but did not include every document requested).

During my time overseas fighting the war against terrorism, I tried calling (b)(6); (b)(7) (b) School, only to be hung up on because the secretary that I spoke to

said she **"couldn't speak to me without the biological mother present."** Now why would (b)(6); (b)(7)(C) mother have to be present for me to speak to the principal, vice principal or whomever I needed to speak to, to have a copy of my daughter's records mailed to my home residence?

I wrote (and copies are attached hereto) letters to (b)(6); (b)(7)(C) (b) School and they still continue to pick and choose what records that they are going to send me. I do not feel that I should have had to subpoena the records, nor do I feel that I should have to continuously write letters every month because (b)(6); (b)(7)(C) is doing what (b)(6); (b)(7)(C) (biological mother) is telling her to do, instead of complying with the law. See attached "stamped signature."

The only written letter I have received from (b)(6); (b)(7)(C) was from the superintendant enclosing the first production of records in the fall of 2008. Instead of receiving letters stating what is enclosed and why they choose not to produce the exact records I am requesting, they just put documents in an envelope with no explanation. Also, when the superintendent sent copies of "certain" documents, there was no redacting of the documents, but when Ms. (b)(6); (b)(7)(C) sends me copies of documents, she redacts (blacks out) information on those documents. Pursuant to the court orders and the law, no document shall be missing information. **Ms. (b)(6); (b)(7)(C) indicated on the phone on April 8, 2009 that "the mother doesn't want you to have her phone numbers."** I'm sorry, but there is no court order prohibiting me from having the phone numbers or addresses – and if I needed to contact her regarding my daughter, wouldn't you think that I had those numbers and address already? Yes, I do, Judge (b)(6); (b)(7)(C) from Macomb County Circuit Court, Mt. Clemens, Michigan made sure that I had that information while the biological mother was in the State of Michigan under court order – she could not leave the state until further order of the court (see attached order.) (i.e. especially the court order showing (b)(6); (b)(7)(C) did not have the authority to enroll my daughter in school in August 2008)

(b)(6); (b)(7)(C) **alleges that she requested (b)(6); (b)(7)(C) school transcripts from our local school here in Michigan three times when she unlawfully enrolled my daughter in school.** She may not have requested the transcript because she knew that what she was doing was not by Hawaiian law – or any state law. She only requested the transcripts after I sent no less than three letters asking for a copy of her letter to (b)(6); (b)(7)(C) (b) School requesting the transcripts. She would (or could) never produce it. Then on April 6, 2009 (see attached document) she sent a "form letter" to (b)(6); (b)(7)(C) (b) School **requesting transcripts for the very first time! My daughter had been enrolled for a full 8 months!** I again sent a letter on April 26, 2009 requesting certain documents (copy of letter is attached) To which, again, Moanalua (b) School (b)(6); (b)(7)(C) has refused to answer this letter in its entirety.

Upon (b)(6); (b)(7)(C) falsifying documents in Hawaii the school officials in Hawaii refuse to prosecute (b)(6); (b)(7)(C) – again in violation of their own state laws.



I am asking you to enforce the Family Educational Rights and Privacy Act of 1974 and sanction (b)(6); (b)(7)(C) (b) School and force them to provide the following records (below is an excerpt as requested in my numerous letters to (b)(6); (b)(7)(C) (b) School to the attention of (b)(6); (b)(7)(C) registrar:

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

- Photocopies of enrollment forms, truancy reports, emergency notification cards and any and all other officially generated reports and/or letters either in paper form or email. **Make sure that my name is in the Father spot and remove (b)(6); (b)(7)(C) from any/all documents pertaining to my daughter. (b)(6); (b)(7)(C) is not (b)(6); (b)(7)(C) father, nor is he her legal guardian,** from any and all school records, make sure that my name, address, home telephone number are included in the school records as her emergency contact (this information is provided below). If you feel that (b)(6); (b)(7)(C) is (b)(6); (b)(7)(C) legal guardian and/or father, I am requesting a copy of such documentation.
- Photocopy of all written excuses given to the school for any and all tardies and/or absences that (b)(6); (b)(7)(C) has incurred since July 27, 2008 through to the final day of enrollment. (b)(6); (b)(7)(C) has failed to provide copies of written excuses per the attached spreadsheet. There is great concern as (b)(6); (b)(7)(C) has been absent over 62 days in the current school year alone, but there is "no documentation on why she has been absent" nor has there ever been a truancy report filed;
- A copy of all documents used to enroll (b)(6); (b)(7)(C) in your school *legally* on or about July 27, 2008. This is to include but is not limited to: birth certificate, shot records, **custody order from the State of Michigan giving (b)(6); (b)(7)(C) custody.** Even if she only provided a "Hawaii issued personal protective order" that **does not give (b)(6); (b)(7)(C) custody.** The State of Michigan is the **only** state with competent jurisdiction of custody regarding (b)(6); (b)(7)(C) Below is an excerpt from your Department of Education's website:

1 Student Health Record (form 14)	<ul style="list-style-type: none"> <li>• Health requirements (Dept of Health)</li> <li>• Immunization requirements (Dept of Health)</li> </ul> <p>High points: (see above for details)</p> <ol style="list-style-type: none"> <li>1. <b>Physical exam</b> must have been taken in past 12 months. Appointment slip is acceptable for conditional admission. Military may take out-of-state physical results and shot record to base/post clinic to have them transcribed to Hawaii Form 14.</li> <li>2. <b>Immunizations</b> must be up to date. Signed statement from physician indicating student has begun vaccination series and is waiting for the next dose in the series is acceptable for conditional admission.</li> <li>3. <b>TB test</b> must have been taken in past 12 months.</li> </ol>
2 Birth certificate	<ul style="list-style-type: none"> <li>• Passport or student visa if from a foreign country.</li> </ul>

Proof of current address	<ul style="list-style-type: none"> <li>What constitutes "proof of current address?"</li> </ul> <p>High points: (see above for details)  Rental/lease agreement, mortgage document or current real property assessment, current utility bill (water, electric, gas or telephone), or military housing assignment document. Documents must have parent/guardian's name. See above link if address is not owned/rented by parent/guardian.</p>
4 Legal documents	<ul style="list-style-type: none"> <li>Power of Attorney if not living with parents.</li> </ul>
5 Documents from previous school	<ul style="list-style-type: none"> <li>Special Education Individual Education Plan (IEP).</li> <li>Release packet from the previous school which includes an unofficial transcript or latest report card.</li> </ul>
Other	<ul style="list-style-type: none"> <li>Inhaler and EpiPen Consent form</li> </ul>

- Copy of any documentation whether letter, written, email, or otherwise used by the administration to enroll (b)(6); (b)(7)(C) **legally** in your school if the mother, (b)(6); (b)(7)(C) did not **legally** have custody.
- Photocopies of the three attempts by (b)(6); (b)(7)(C) to obtain copies of (b)(6); (b)(7) school transcripts from her prior (b) school. (b)(6); (b)(7)(C) indicated on the phone call of April 8, 2009 at 8:21pm Eastern that she had requested the transcripts on three separate occasions;
- User name and log in for Blackboard so that I may see for myself (b)(6); (b)(7) progress; (b)(6); (b)(7)(C) remains in Hawaii for the current school year, I would like this information. The schools here in Michigan also use "Blackboard" and I am well aware that they provide the parents with their own log in information to keep track of progress.]
- Photocopies of the three denial letters that (b)(6); (b)(7)(C) purports she received in response to her three attempts to receive copies of transcripts to **legally** enroll (b)(6); (b)(7)(C)
- Photocopy of the truancy report, counseling report and any/all explanation and written or oral excuses from (b)(6); (b)(7)(C) for (b)(6); (b)(7) missing more than 60+ days from July 27, 2008 through the end of the school year of 2008-2009 and the school never ordering a truancy officer to investigate this insubordination!

\*  
Not  
FERPA

The new school year has started (2009-2010) and I would like to be able to receive records and updates from the (b)(6); (b)(7)(C) School administrators and teachers on a regular basis, and for the (b)(6); (b)(7)(C) School administrators to follow the law – whether state or federal.

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

I asked for all of (b)(6); (b)(7) teachers to contact via email – as I live more than 4,700 miles away. Last year only two of her teachers ever responded to my request. Please inform (b)(6); (b)(7)(C) School that her teachers must correspond with me via email due to the distance, on at least once a month basis.

I again requested copies of (b)(6); (b)(7) progress reports and class schedule and teachers' contact information and this year – no one from (b)(6); (b)(7)(C) School has even acknowledge my letter for the new school year. Clearly this is in violation of the FERPA law. I am requesting that the strictest sanctions be imposed upon (b)(6); (b)(7)(C) and the officials of (b)(6); (b)(7)(C) School.

Thank you in advance for your prompt attention to this matter. I may be contacted at (b)(6); (b)(7)(C)

Sincerely,

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

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

February 20, 2012

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



Dear Sir or Madam

I am writing to file a complaint regarding the handling of my son's, (b)(6); (b)(7)(C), files by DC Public Schools and their Office of Special Education. I requested copies of my son's files and after 118 days, have received only a sample of dated documents. Additionally, his files have been sent to several independent schools without my knowledge or consent.

My son has been in the DCPS system since January 2006, and DCPS has records that begin prior to entry into their system and continue to the present. I am currently trying to work with DCPS to develop an appropriate individualized education program for Braeden. After numerous oral requests in October 2011 for a complete copy of my son's files, I sent an email to Benjamin Persett of DCPS on October 25, 2011 requesting a copy of his files. I was told that it typically takes 30-45 days for them to comply with such requests. (Copies of my request and Mr. (b)(6); (b)(7)(C) response are attached.) Although we held an IEP meeting on November 29, 2011, I received nothing before it.

I submitted a due process complaint on January 9, 2012 and our resolution session took place on January 24, 2012. I received no documents before that, either. On January 27, 2012, my attorney asked DCPS's lawyer about this and was told, "records are being mailed today." (Copies of these exchanges are enclosed as well.) Nothing was mailed until February 7, 2012 and thus far I have received nothing more recent than a few documents from 2007.

It has now been 118 days since I submitted my request. We are scheduled to begin a due process hearing on February 27, 2012. The most meaningful records responsive to my request would be the most recent ones, but DCPS seems to be deliberately withholding them. We know that this is the case because we received DCPS's exhibit

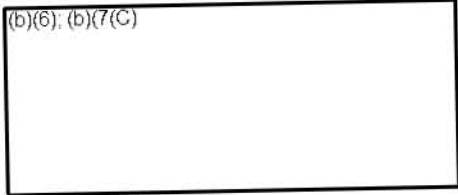
disclosures last Friday (February 17th) and they included many documents that we have never seen before, but that should have been turned over in response to my records request. I know that other records exist—including others that the private schools have told me they received but which they refused to turn over, saying I should get them directly from DCPS. I will be at a significant disadvantage at the upcoming due process hearing if DCPS continues to deny me access to my son's file and related records.

Additionally, it has come to my attention that in September or October 2011, DCPS has sent copies of my son's files (which include many medical records) to at least four independent schools without my knowledge or consent. I learned about one of these only when DCPS told me the school had accepted my son (which I very recently learned was not true) and that it was placing him there. DCPS never told me directly about the other three; I learned about them only indirectly when one or two of the schools called me to schedule appointments. When I requested a copy of these files from the independent schools, two of the independent schools referred me back to DCPS to receive the files and emails related to my son. One independent school provided me with some papers (which included a predated IEP I had never seen or participated in the creation of and a changed, and incorrect, disability code). None gave me copies of the correspondence about my son that these schools exchanged with DCPS. The schools asked that I request the emails related to my son directly from DCPS. When I did so, my request was ignored.

As a parent, I am frustrated with the lack of transparency and access to our records. It is hindering my ability to discuss proper placement for my son with DCPS and to defend our position at the upcoming due process hearing. Your assistance in this matter is greatly appreciated.

Best regards

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









DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Voice - (404) 562-7886, (800) 368-1019  
TDD - (404) 562-7884, (800) 537-7697  
Fax - (404) 562-7881  
<http://www.hhs.gov/ocr>



Office for Civil Rights, Region IV  
Atlanta Federal Center, Suite  
16T70  
61 Forsyth Street., S.W.  
Atlanta, GA 30303

May 21, 2012

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

RE: OCR Transaction Number: 04-12-141411

Dear Family Policy Compliance Office:

Enclosed for your review is correspondence received by the U.S. Department of Health and Human Services, Office for Civil Rights (OCR).

We have determined that the issues raised in the correspondence are outside of OCR's jurisdiction. The issues may fall within your agency jurisdiction; therefore we are referring this correspondence to your office for whatever action you deem appropriate. The complainant(s) has/have been informed of this referral.

Thank you for your assistance in this matter.

Sincerely,

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

Roosevelt Freeman  
Regional Manager

Enclosure





DEPARTMENT OF HEALTH AND HUMAN SERVICES  
OFFICE FOR CIVIL RIGHTS (OCR)  
HEALTH INFORMATION PRIVACY COMPLAINT



REC'D MAR 13 2012

YOUR FIRST NAME: (b)(6); (b)(7)(C)      YOUR LAST NAME: (b)(6); (b)(7)(C)

HOME PHONE (Please include area code): (b)(6); (b)(7)(C)      WORK PHONE (Please include area code):

STREET ADDRESS: (b)(6); (b)(7)(C)      CITY: (b)(6); (b)(7)(C)

STATE: (b)(6); (b)(7)(C)      ZIP:      E-MAIL ADDRESS (if available):

Are you filing this complaint for someone else?  Yes       No

If Yes, whose health information privacy rights do you believe were violated?

FIRST NAME: (b)(6); (b)(7)(C)      LAST NAME:

Who (or what agency or organization, e.g., provider, health plan) do you believe violated your (or someone else's) health information privacy rights or committed another violation of the Privacy Rule?

PERSON / AGENCY / ORGANIZATION: (b)(6); (b)(7)(C)

STREET ADDRESS: (b)(6); (b)(7)(C)      CITY:

STATE: (b)(6); (b)(7)(C)      ZIP:      PHONE (Please include area code):

When do you believe that the violation of health information privacy rights occurred?

LIST DATE(S):

Many times in 2012 school year. I was told I read Joelin's file by (b)(6); (b)(7)(C) on 03/14/2012 at (b)(6); (b)(7)(C) permission by school.

Describe briefly what happened. How and why do you believe your (or someone else's) health information privacy rights were violated, or the privacy rule otherwise was violated? Please be as specific as possible. (Attach additional pages as needed)

(b)(6); (b)(7)(C) told me they read my disabled child's file at (b)(6); (b)(7)(C) on 03/06/2012. That has private I.E.P.'s in it. Plus a unaccn diagnose from (b)(6); (b)(7)(C) days of a brain disease, that my daughters brain is dying therefore needs brain training. We can do this over the summer with program by (b)(6); (b)(7)(C) For about \$1,600.00. I had her write down the programs name. I still have it. I was not aware of any of other problems she claimed my daughter to be having. Or the extent. I removed my daughter from that school to get the proper care, immediately. When I returned to get the file (all releases had been signed) that contained the name of the brain disease. n (b)(6); (b)(7)(C) who was outside locking the building. Reopened it called the (b)(6); (b)(7)(C) police department. Had them issued a trespassing warning. The police department gave me my daughters file but it had no (b)(6); (b)(7)(C) days information. (b)(6); (b)(7)(C) was asked to early that month to keep (b)(6); (b)(7)(C) file private because I believed my daughters personal information was being compromised by children at that school. (b)(6); (b)(7)(C)

Please sign and date this complaint. You do not need to sign if submitting this form by email because submission by email represents your signature.

SIGNATURE: (b)(6); (b)(7)(C)      DATE (mm/dd/yyyy): (b)(6); (b)(7)(C)

Filing a complaint with OCR is voluntary. However, without the information requested above, OCR may be unable to proceed with your complaint. We collect this information under authority of the Privacy Rule issued pursuant to the Health Insurance Portability and Accountability Act of 1996. We will use the information you provide to determine if we have jurisdiction and, if so, how we will process your complaint. Information submitted on this form is treated confidentially and is protected under the provisions of the Privacy Act of 1974. Names or other identifying information about individuals are disclosed when it is necessary for investigation of possible health information privacy violations, for internal systems operations, or for routine uses, which include disclosure of information outside the Department for purposes associated with health information privacy compliance and as permitted by law. It is illegal for a covered entity to intimidate, threaten, coerce, discriminate or retaliate against you for filing this complaint or for taking any other action to enforce your rights under the Privacy Rule. You are not required to use this form. You also may write a letter or submit a complaint electronically with the same information. To submit an electronic complaint, go to OCR's Web site at [www.hhs.gov/ocr/privacy/hipaa/complaints/index.html](http://www.hhs.gov/ocr/privacy/hipaa/complaints/index.html). To mail a complaint see reverse page for OCR Regional addresses.

The remaining information on this form is optional. Failure to answer these voluntary questions will not affect OCR's decision to process your complaint.

Do you need special accommodations for OCR to communicate with you about this complaint? (Check all that apply)

- Braille, Large Print, Cassette tape, Computer diskettes, Electronic mail, TDD, Sign language interpreter, Foreign language interpreter, Other

If we cannot reach you directly, is there someone we can contact to help us reach you?

Form fields for contact information: FIRST NAME, LAST NAME, HOME PHONE, WORK PHONE, STREET ADDRESS, CITY, STATE, ZIP, E-MAIL ADDRESS

Have you filed your complaint anywhere else? If so, please provide the following. (Attach additional pages as needed)

PERSON / AGENCY / ORGANIZATION / COURT NAME(S) field with redaction (b)(6); (b)(7)(C)

DATE(S) FILED, CASE NUMBER(S) (if known) fields with redaction (b)(6); (b)(7)(C)

To help us better serve the public, please provide the following information for the person you believe has information privacy rights violated (you or the person on whose behalf you are filing):

ETHNICITY and RACE selection fields with checkboxes for various groups

PRIMARY LANGUAGE SPOKEN (if other than English)

How did you learn about the Office for Civil Rights?

- HHS Website/Internet Search, Family/Friend/Associate, Religious/Community Org, Lawyer/Legal Org, Phone Directory, Employer, Fed/State/Local Gov, Healthcare Provider/Health Plan, Conference/OCR Brochure, Other (specify): Edgewater Police dept

To mail a complaint, please type or print, and return completed complaint to the OCR Regional Address based on the region where the alleged violation took place. If you need assistance completing this form, contact the appropriate region listed below.

Table with 3 columns and 4 rows listing regional offices for Civil Rights, including Region I (CT, ME, MA, NH, RI, VT), Region II (NJ, NY, PR, VI), Region III (DE, DC, MD, PA, VA, WV), Region IV (AL, FL, GA, KY, MS, NC, SC, TN), Region V (IL, IN, MI, MN, OH, WI), Region VI (AR, LA, NM, OK, TX), Region VII (IA, KS, MO, NE), Region VIII (CO, MT, ND, SD, UT, WY), Region IX (AZ, CA, HI, NV, AS, GU), and Region X (AK, ID, OR, WA).

Burden Statement

Public reporting burden for the collection of information on this complaint form is estimated to average 45 minutes per response, including the time for reviewing instructions, gathering the data needed and entering and reviewing the information on the completed complaint form.



## COMPLAINANT CONSENT FORM

The Department of Health and Human Services' (HHS) Office for Civil Rights (OCR) has the authority to collect and receive material and information about you, including personnel and medical records, which are relevant to its investigation of your complaint.

To investigate your complaint, OCR may need to reveal your identity or identifying information about you to persons at the entity or agency under investigation or to other persons, agencies, or entities.

The Privacy Act of 1974 protects certain federal records that contain personally identifiable information about you and, with your consent, allows OCR to use your name or other personal information, if necessary, to investigate your complaint.

Consent is voluntary, and it is not always needed in order to investigate your complaint; however, failure to give consent is likely to impede the investigation of your complaint and may result in the closure of your case.

Additionally, OCR may disclose information, including medical records and other personal information, which it has gathered during the course of its investigation in order to comply with a request under the Freedom of Information Act (FOIA) and may refer your complaint to another appropriate agency.

Under FOIA, OCR may be required to release information regarding the investigation of your complaint, however, we will make every effort, as permitted by law, to protect information that identifies individuals or that, if released, could constitute a clearly unwarranted invasion of personal privacy.

Please read and review the documents entitled, *Voice to Complainants and Other Individuals Asked to Supply Information to the Office for Civil Rights* and *Protecting Personal Information in Complaint Investigations* for further information regarding how OCR may obtain, use, and disclose your information while investigating your complaint.

**In order to expedite the investigation of your complaint if it is accepted by OCR, please read, sign, and return one copy of this consent form to OCR with your complaint. Please make one copy for your records.**

- As a complainant, I understand that in the course of the investigation of my complaint it may become necessary for OCR to reveal my identity or identifying information about me to persons at the entity or agency under investigation or to other persons, agencies, or entities.

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



- I am also aware of the obligations of OCR to honor requests under the Freedom of Information Act (FOIA). I understand that it may be necessary for OCR to disclose information, including personally identifying information, which it has gathered as part of its investigation of my complaint.
- In addition, I understand that as a complainant I am covered by the Department of Health and Human Services' (HHS) regulations which protect any individual from being intimidated, threatened, coerced, retaliated against, or discriminated against because he/she has made a complaint, testified, assisted, or participated in any manner in any mediation, investigation, hearing, proceeding, or other part of HHS' investigation, conciliation, or enforcement process.

**After reading the above information, please check ONLY ONE of the following boxes:**

**CONSENT:** I have read, understand, and agree to the above and give permission to OCR to reveal my identity or identifying information about me in my case file to persons at the entity or agency under investigation or to other relevant persons, agencies, or entities during any part of HHS' investigation, conciliation, or enforcement process.

**CONSENT DENIED:** I have read and I understand the above and do not give permission to OCR to reveal my identity or identifying information about me. I understand that this denial of consent is likely to impede the investigation of my complaint and may result in closure of the investigation.

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

Signature  
\*Please sign

Name (

Address

Telephone

December 28th, 2012

To: Ellen Campbell, Acting Director  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

From: [REDACTED]

Subject: Professor refused to review/show the submitted-exams. Econ2 Section 3132  
spring 2010

Dear Ms. Campbell:

I have learned that the LACCD (Los Angeles Community College District) approves and be responsible for its community colleges' policies and actions. Therefore, I write to and ask your office please work with the LACCD to help solving my uncorrected-grade of my Econ2 class.

From my submitted-exams, professor can prove the scores, and for me to prove I did well on the exams.

I had never signed up or agreed to anything that would prevent me from accessing to my submitted-exams.

Economics Dept. Chairman, [REDACTED] who showed me boxes of his students' exams and scantrons he had still kept over the years. He also said that he told his professors to keep students' exams for at least a year.

From January 9th, 2012 through Sept. 26th, 2012, I filed complaint with the LACCD (Los Angeles Community College District) but no result. Every level at the district office could not answer my questions relatively to retrieving my submitted-exams to review. I have felt that [REDACTED] CD neglected my complaint and does not care of student's reviewing the submitted-exams to learn from mistakes or to prove the scores.

From the first week of the summer 2010 section through January 26th, 2012, and in Sept. 2012, at [REDACTED] College, I went through "Chain of Command" by filing compliance with each level of departments. The result was school could not have Professor [REDACTED] to review all submitted-exams with me especially the final exam. [REDACTED] refused to show my submitted-exams.

During the class, I raised my hand to participate but professor (b)(6); (b)(7)(C) hardly call me. He often called students around me and across class. Students around me noticed the professor's behavior Professor (b)(6); (b)(7)(C) yelled at me in summer 2010 as I asked to review my submitted-exams, "DO YOU HAVE MENTAL PROBLEM?" And in fall 2010, "GET OUT!" When I pointed out that he graded and showed me the wrong version of the final exam, the green version instead of the yellow version of mine. Professor (b)(6); (b)(7)(C) did not return my submitted-exams but painted me as a bad student with bad scores he created.

(b)(6); (b)(7)(C) failed to retrieve my submitted-exams from professor (b)(6); (b)(7)(C) as promised, and forced me to accept the scores given by professor created.

Since then, I have been afraid that the next professor will throw my submitted-exams away and give me a grade he or she feels and not base on the scores of my submitted-exams. And I have been afraid that there was no way to guaranty that professor will give back my exams to prove the grade.

Unlike other classes, according to school, professor (b)(6); (b)(7)(C) did not keep my submitted-exams along with the scantrons for at least a year to prove my scores whether he liked me or not.

Professor (b)(6); (b)(7)(C) wrongly threw my exams away to hide how badly he treated me (?) and gave me the bad grades.

School wrongly accepted professor's throwing away my exams right after the semester was over and wanted me to retake the course, which I had invested moneys and time in it and done well on all my submitted-exams.

Students must be granted the right to access to the exam they have done and submitted, also to learn from their weakness on the test.

Must professor (b)(6); (b)(7)(C) and school make up to me fairly as my exams were thrown away soon after the semester was over?

As your office is familiar with Educational Rights and Privacy Act (FERPA), and enforces Family Policy Compliance, please help me to deal with LACCD.

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

For your convenience, below are the contact information of LACCD and (b)(6); (b)(7)(C)

LACCD – Los Angeles Community College

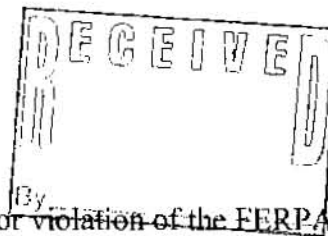
(b)(6); (b)(7)(C) – (b)(6); (b)(7)(C)



December 6, 2012

Family Policy Compliance Office

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



To whom it may concern. I am filing a complaint against (b)(6) for violation of the FERPA law. My daughter and the faculty and staff from (b)(6) have violated my rights as a student by engaging in discussions regarding my grades, academic success, issues with instructors whom I had complained about and possibly regarding my financial aid. The discussions have been initiated by the university in an attempt to get my daughter to contact me for more info which she was to pass on the the Chancellor's office staff. My daughter has also initiated contact with the university, repeating concerns I have had with instructors which should have been kept confidential between a mother and daughter and to protect my student rights. The violations occurred during the years my daughter, (b)(6); (b)(7)(C) was a student at the same time I attended (duration: at least a couple of years when she was a student and since she has graduated at least 2 years ago (recently, this past Fall, 2012, my daughter contacted a current instructor, repeating a conversation I had had with her which should have been kept confidential to protect my rights as a student. Both (b)(6); (b)(7)(C) and the regents of (b)(6) are fully aware of students' right to privacy under the FERPA law. Just as my daughter's student rights should have and were protected by the FERPA law, thus my student rights should have been protected under this law, but were violated by both parties mentioned above.

\*\*\*I can be reached at (b)(6); (b)(7)(C)

email: (b)(6); (b)(7)(C) (PLEASE DO NOT SHARE THE PRIVATE INFORMATION WITH (b)(6); OR ANY OTHER OUTSIDE ORGAZIZATIONS OR PARTIES)

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



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

August 10, 2012

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



**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School Districts of Stamford CT and Easton CT on behalf of (b)(6), (b)(7)(C) (b)(6), (b) who attended (b)(6), (b)(6), (b) School for what I believe to be:

- 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 challenged may be identified as:

Title: Letter from Director of Special Education Stamford Public Schools to Director of Special Education Easton Public Schools

Date: May 3, 2012 ( Have proof it was back-dated)

Person responsible for Entry or person currently maintaining record: (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C)

Date challenged content discovered: 5/18/2012

Alleged Violations of Act or Regulations

- Failure to provide accurate 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: Knowingly Sharing of confidential information without consent

Date of Violation: May 18, 2012

Date Violation Discovered if different from above: same

**Other Relevant Information:**

Our daughter was parentally placed in private school in Stamford CT. Mr. (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (b)(6) Special Education in Stamford wrote and forwarded a letter (enclosed) with confidential information about our daughter, to the (b)(6); (b)(7)(C) (b)(6) Special Education in Easton CT (our home district). He did this without consent, and even after he was told he was solely responsible for completing our daughter's triennial and determining re-eligibility. We also have proof that he back-dated the letter to May 3, 2012. He also intended to forward confidential testing without consent. We have proof that our home district was communicating about our daughter with Stamford without our consent.

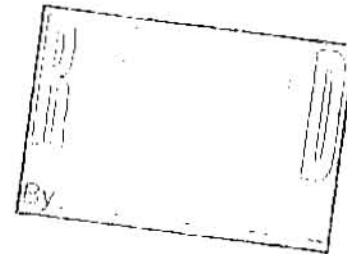
Yours Truly

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



November 16, 2012

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



RE: School Records Request October 2012 - (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C) School (Centennial School District 28J)  
Gresham, Oregon

To Whom It May Concern:

I write today in hopes your office may be of some assistance to myself. My name is (b)(6); (b)(7)(C). I am the mother, and sole legal custodian, of (b)(6); (b)(7)(C), a (b)(6); (b)(7)(C) school in (b)(6); (b)(7)(C) Oregon.

On October the 22nd I was notified via a telephone message that (b)(6); (b)(7)(C) had gone to the school nurse's office complaining of a stomachache. In speaking soon after with the school nurse, (b)(6); (b)(7)(C), I was informed that she had regularly been taking my son's blood pressure readings, at the request of (b)(6); (b)(7)(C) father, and a Dept. of Health & Human services employee. This was done without my knowledge or consent, despite the fact the fact the involved parties knew I am (b)(6); (b)(7)(C) legal guardian.

On 22 October I requested from Ms. (b)(6); (b)(7)(C) copies of *all* records and documents pertaining to (b)(6); (b)(7)(C) medical care. The initial request was made to her over the telephone and she said that it was a "verbal request", stating she had to talk to her supervisor, and implying that records would not be provided to me as I was asking for them over the phone. I then got her contact information and that same afternoon faxed my request to (b)(6); (b)(7)(C) school office, MESD Health Services, whom employs Ms. (b)(6); (b)(7)(C) and the Centennial School District Business Office. I received no acknowledgement of my request, so again on October 31 I faxed a letter to the Centennial Business Office. To date, there has been no reply. On November 7, 2012 I wrote the Oregon State Board of Education in Salem, Oregon, seeking their assistance. It is presently November 16, 2012, almost a month after initially asking for these records, and no documentation has been supplied to me whatsoever.

Please assist me in obtaining these records for review.

Thank you for your time.

Sincerely,

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

Enc.: Letters dated 10/22, 10/31, 11/07  
epic.org

14-04-15-ED 20150401 FOIA Release

000934

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

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Sir.

I have attached my complaint against Anne Arundel County Public Schools, Maryland State Board Of Education, and the State of Maryland Juvenile Justice system for systematic abuse of my Daughter and the systemic denial of Constitutional Rights of Due Process of Law and Equal Protections of the under the Fourth, Fifth, Sixth, and Fourteenth Amendments and the Constitution of the State of Maryland. These organizations denied hearings and a review of evidence in my complaint at every level of the process that I filed my complaint. They deprived my Daughter of her rights by ignoring and denying a hearing and presenting evidence by their own laws as Anne Arundel County School Board policy and regulations were ignored and denied, COMAR and Maryland State Regulations were ignored and denied, Federal rules and regulations, including FERPA were ignored and denied, with no hearing or evidence ever presented. I am requesting an investigation with criminal and Civil charges brought against these parties for the sever damage they have done to my Daughter and My family.

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

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

To F.E.R.P.A.:

My name is (b)(6); (b)(7)(C). I submitted my complaint that was received by your department on Sept. 6, 2012. It kept me within my 180 day limitation. Although you need a more organized submission. I have now received the educational records from the laboratory part of the program that ultimately gave me the dismissal. I will be submitting that on a disk in PDF format. You will see the school is very inconsistent in their grading, and that there was no behavior problems during the enrollment time recorded.

There are many documents. I alone have over 400 pages of evidence that tells the story. To answer your questions a submission that large should not be necessary. I am going through the file trying to downsize to what I feel would apply to your department only to save you time and to help you understand. I just got the records back last week from the school.

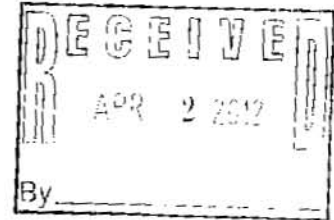
I need to get this submitted as soon as possible. I should have the file organized and complete by the end of next week. I will send it priority mail. I am sorry for the delay. I am also waiting for the educational records from the classroom portion of this program. You will see, no tardiness, perfect attendance, good progress grading from my preceptors, and all assignments turned in on time. You will see how the instructor's documentation and grading does not match that of the preceptors that she has taught us. It is clear this was a personal problem against me and nothing professional to support a dismissal or a behavior problem exists.

I just needed to let you know I am still in motion of satisfying my complaint requests. Please allow me to the end of week 10/20/2012 to submit completely. I feel it is more comprehensive when all in one pile.

Thank You,

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

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



March 11, 2012

Family Policy Compliance Office  
400 Maryland Avenue S.W.  
Washington, D.C. 20202

Dear Compliance Officer;

I believe my educational and privacy rights were violated by (b)(6); (b)(7)(C) College according to FERPA protection guidelines. As a student pursuing an Associates Degree from (b)(6); (b)(7)(C) College, (b)(6); (b)(7)(C) NY (2009-2010) I was notified by a cashier at the college that my father and his wife were trying to gain information regarding my courses, finances, and other personal information. His wife works at the college and stressed that she should have access to my information. I contacted the Vice President of Student Affairs to notify him that there had been issues of stalking and abuse by my father and his wife's attempts to impersonate my mother. I received a letter from the Executive Dean of the college assuring me that my FERPA and HIPPA rights were protected (see attached).

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

to a deduction for "all future years" (see attached). Suffolk County Community College was provided this information both in phone conversation with the registrars' office and through a letter to the college.

I received a copy of a letter written to my father, dated October 20, 2011 from (b)(6); (b)(7)(C) College General Counsel in response to another request by my father for my personal information. The letter states that the college will not release my personal or account information (see attached).

On October 25, 2011 my father submitted as evidence in Suffolk County Family Court the IRS 1098 T form for the Tax Year 2010 - the very information the college denied release of in the letter 5 days prior. As a result of this documentation released by Suffolk Community to my father, Judge (b)(6); (b)(7)(C) Suffolk County Family Court subpoenaed my complete records from the school further delaying this matter (see attached).

The Cost of Attendance requested for financial aid by a college includes all educational expenses and is based on the income of the custodial parent. FAFSA awards money based on the Cost of Attendance and to be used on the following expenses (from FAFSA website);

- “\*Your actual tuition and fees (or the school's average tuition and fees)
- \*The cost of room and board (or living expenses for students who do not contract with the school for room and board)
- \*The cost of books, supplies, transportation, loan fees, and miscellaneous expenses (including a reasonable amount for the documented cost of a personal computer)
- \*An allowance for dependent care
- \*Costs related to a disability
- \*Reasonable costs for eligible study-abroad programs.”

The total cost for the above referenced educational expenses to complete my two-year degree was \$22,850. I received a total of (b)(6); (b)(7)(C) in Financial Aid, my father contributed \$2,900 and my mother and I contributed the remaining \$7,000 balance. My father ensued legal action because he felt he was entitled to the financial aid and should not have had to contribute at all to my education, nor should aid have been used on qualifying expenses only those to which he was obligated to pay a portion of (tuition). Financial Aid was used 100% on my education, which included tutoring for my learning disability, transportation to and from school, books, computer, and a study abroad program.

The result of determining whether or not my father should receive these funds rather than the funds being used for my entire educational costs (as provided by FAFSA) was a lengthy trial for which I would be required to miss many days of school. My educational needs require that I attend classes and be present for lectures, extra help and tutoring to have a chance at academic success. Faced with a lengthy trial, ultimate failure of my classes and further emotional distress I was left with no alternative other than emancipation from my father. I am now completely emancipated from any financial support by my father as a result of (b)(6); (b)(7)(C) College releasing records in violation of my FERPA rights.

I can be reached through email at (b)(6); (b)(7)(C) or by phone (b)(6); (b)(7)(C) Please acknowledge receipt of this complaint.

Sincerely,

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



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

February 26, 2012

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



**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School District of Suffolk, Virginia on behalf of (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (b)(6); (b)(7) who attends (b)(6); (b)(7)(C) School for what I believe to be:

- 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 challenged may be identified as:**

Title: STUDENT COUNSELOR  
Date: August 30, 2011  
Person responsible for Entry or person currently maintaining record: (b)(6); (b)(7)(C)

Date challenged content discovered: February 2-12, 2012

**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

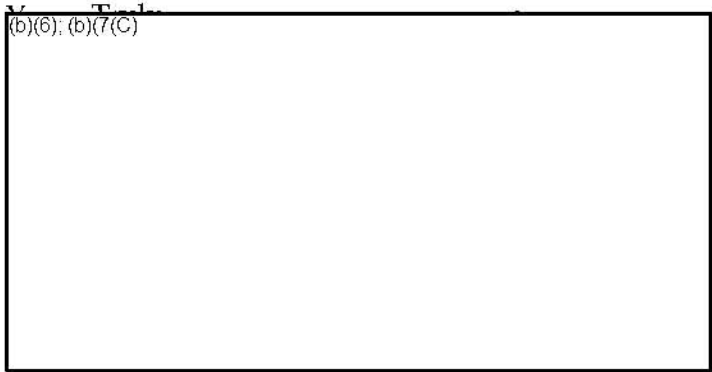
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: \_\_\_\_\_

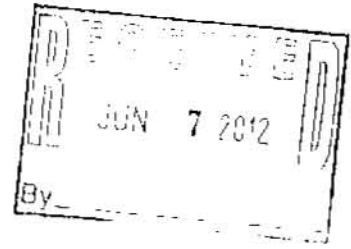
Date of Violation: \_\_\_\_\_  
Date Violation Discovered if different from above: \_\_\_\_\_

**Other Relevant Information:**

- Invasion of Privacy Sec.34-CFR-99.37
- Altering of Private Documents

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





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

May 30, 2012

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

To the Family Policy Compliance Office:

I am a full time student at (b)(6); (b)(7)(C) I am writing because (b)(6); (b)(7)(C), Associate Director of the Center for Student Success at my school recently sent electronic mail to all students on Academic Warning. The "to" field of this email contains the email addresses of students who are on Academic Warning at the school.

My email address and the email addresses of 168 other students were disclosed to all recipients of this email. At our school, email addresses are uniquely associated with student names. My school provides a tool that allows anyone on the campus Intranet to look up student names based on a student addresses. This means that all students who received this email have access to the names of all other students on Academic Warning.

Academic Warning status is directly related to grade information. According to the Center for Student Success,

Students are placed on Academic Warning when either their semester or cumulative GPA is below 2.0.

I feel that this action violates the privacy of myself and other students. Grades are a sensitive matter for all students, and disclosure of Academic Warning information should not be taken lightly.

The Academic Affairs office states the following on their web site:

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. Under this law, students at (b)(6); (b)(7)(C) have a right to privacy regarding the release of information contained in their academic records, such as grades.

Schools must have written permission from the student to release this information, even to the students parents.

Unfortunately, my school appears to have been grossly negligent in protecting student grade information when they sent this email.

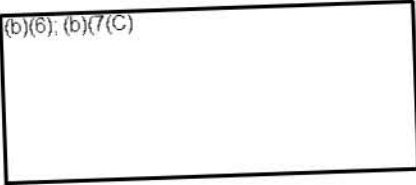
I have a few questions:

1. Is my school in violation of FERPA?
2. Are civil damages available to students who are affected by this disclosure?
3. What can the Family Policy Compliance Office do to prevent further unauthorized disclosures of grade information at my school?

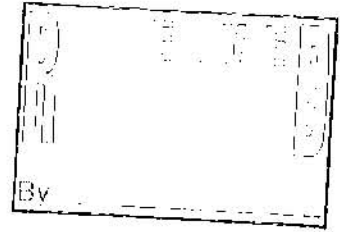
Thank you for your consideration in this matter. I welcome your prompt reply.

Sincerely,

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



**Complaint 1 of 4**



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

January 22, 2013

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

**RE:** (b)(6); (b)(7)(C) **K12**

I hereby lodge an official complaint against the School District of Georgia (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) K12 (b)(6); (b)(7)(C) on behalf of (b)(6); (b)(7)(C) who attends The (b)(6); (b)(7)(C) for what I believe to be: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) /K12 (b)(6); (b)(7)(C) a public charter school which is a recipient of Federal Financial Assistance under IDEA/504.

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

Parent Company: (b)(6); (b)(7)(C)  
Newnan, Georgia (b)(6); (b)(7)(C)

- 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 challenged may be identified as: **Inappropriate Person Gain Access, Inappropriate sharing of confidential persona identifiable information, Refusal to recognize parental rights; Inappropriate IEP/FERPA RECORDS**

Person(s) responsible for Entry or person (s) currently maintaining record: (b)(6); (b)(7)(C)  
**Head of School,** (b)(6); (b)(7)(C)

Keeper of Records, (b)(6); (b)(7)(C) Specd. Ed. Director (b)(6); (b)(7)(C) Case manager/Spec Ed teacher

Date challenged content discovered: August 18, 2012 , August 20, 2012; January 10, 2013, January 16, 2013, January 21, 2013 ,January 22, 2013

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) granted 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: August 20, 2012; January 22, 2013

Date Violation Discovered if different from above: \_\_\_\_\_

**Other Relevant Information:**

(Use this section to add any additional explanatory comments)

**INAPPROPRIATE PERSON GAINED ACCESS TO FERPA RECORDS and INAPPROPRIATE SHARING OF PERSONAL IDENTIFIABLE INFORMATION**

August 20, 2012 The (b)(6); (b)(7)(C) sent a notice inviting a Court Reporter to my child's (b)(6); (b)(7)(C) IEP meeting.

I objected to the court report being in attendance because

A. My child's personal identifiable information would be released to the court reporter/3rd party with no knowledge or expertise about my child; thereby released again would be removed and shared with another 3rd party person for transcribing/making a transcript.

B. Court Reporters have no expertise nor knowledge of my child, Therefore is not a consultant or school official.(should not be present)

C. Court Reporter do not have my parental consent or permission to be present. Inappropriate person granted access to be present at my child's IEP meeting

D. No "Legitimate Educational Interest in my Child. Not listed as a school official.

Under the law a court report is not an IEP team member and do not participate in the collaborative discussion; sensitive information about me and my child is being discussed

noone should be in attendance other than people who have expertise and knowledge and contribute to the discussion of sensitive information and have access to confidential personal identifiable information.

My objection Refused by this school and proceed with the meeting.

**(Will provide documentation to investigator)**

**COMPLAINT 2 OF 3 : RELEASE OF PERSONAL IDENTIFIABLE INFORMATION**

1. JULY 3, 2012 (b)(6); (b)(7)(C) Attorney ((b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) release Personal identifiable information about (b)(6); (b)(7)(C) (parent of (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) to other (b)(6); (b)(7)(C) Parents without her knowledge, permisison and consent. **(Will provide Documenttion to investigator)**

2. February 2012: (b)(6); (b)(7)(C) Director of Special Education released (b)(6); (b)(7)(C) (parent of (b)(6); (b)(7)(C) name and personal physical address to other parents of (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) Board members without parents permission or knowlesge. Parents contacted other parents to let them know about this horrific safety issue and release of personal identifiable information. **(Will provide documentation to investigator)**

3. February 2012: (b)(6); (b)(7)(C) consultant for (b)(6); (b)(7)(C) release personal identifiable informaion about me Debra Peoples parent of (b)(6); (b)(7)(C) to board members and other parents. **(Will provide documenttion to investigator)**

**Complaint 3 of 3: REFUSAL TO RECOGNIZE MY RIGHTS AS A PARENT/Correct FERPA RECORDS/NOTICE OF MEETING/Tampering with educational documents**

1. August 18, 20, 2012 and January 10, 16, and 21 2013 I requested the Notice of Meeting (NOM) which is a part of my childs FERPA Record to be corrected to show the names of all paticipants at the IEP Meetign; including the name of the Inappropriate Court reporter who gained access.

2. I made several request to correct and send me a corrected copy of the notice of meeting.

3. I uninvited the Inappropriate Person/Courtreporter on the notice of meeting; but (b)(6); (b)(7)(C) refused to correct the Notice and uninvite the courtreporter.

4. Again, my objection went unnoticed and unresponded to. My rights as a parent was not recognized under FERP **(Will provide documentation to investigator)**

**5. On going bullying, strong arm tactics, intimidation not correcting corrections**

**Complaint 4 of 4: INAPPROPRIATE/INCOMPLETE IEP FOR (b)(6) Outdated Information/Not letting parents admend**

1. 1/22/2013 Held IEP without parental involvement when PARENT sent in notice to reschedule. Parent provided a medical/Doctor's note with on going medical issues exacerbated by the (b)(6); (b)(7)(C) 3 months apart. (b)(6) held meeting created inappropriate IEP with **outdated information**.

2. IEP does not contain parental concerns

3. information outdated I asked that they correct and not use the information

4. Transition plan does not have student input. Information outdated.

5. On going bullying during IEP meetings not listening to parents, strong arm tactics, bullying not correcting records

**(Will provide documentation to investigator.)**

**DENEFITIONS**

**1. Personal Identifiable Information**

The FERPA regulations define "personally identifiable information" so that it includes, but is not limited to:

- a. The student's name
- b. The name of the student's parent or other family member;
- c. The address of the student or student's family;
- d. A personal identifier, such as the student's social security number or student number;
- e. A list of personal characteristics that would make the student's identity easily traceable;
- or
- f. Other information that would make the student's identity easily traceable.

**2. IEP TEAM**

According to IDEA 2004, Section 1414(d)(1)(B), the IEP team includes:

- (i) the **parents** of a child with a disability;
- (ii) **not less than 1 regular education teacher** of such child (if the child is, or may be, participating in the regular education environment;
- (iii) **not less than 1 special education teacher**, or where appropriate, not less than 1 special education provider of such child;
- (iv) a representative of the local educational agency . . .



(v) an individual who can interpret the instructional implications of evaluation results

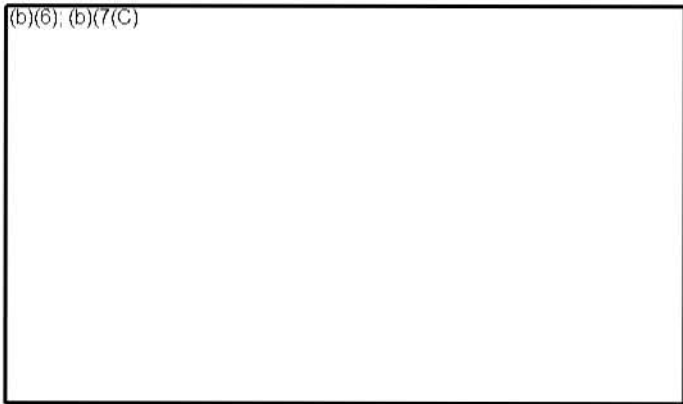
...

(vi) at the discretion of the parent of the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

(vii) whenever appropriate, the child with a disability."

Yours Truly,

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



Our child, (b)(6); (b)(7) (b)(6); (b)(6); is a (b)(6); (b)(7) grade student at (b)(6); (b)(7) (b)(6); (b)(7)(C) in Leander ISD. She has Down syndrome and participates in the district's Special Education program.

This past fall, we requested that a Functional Behavior Assessment (FBA) be conducted on (b)(6). The results of that FBA were given to us via email on 10.29.12 from (b)(6); (b)(6); and (b) (b)(6); (the behavior specialists for LISD). They did not explain at that time, or any time prior, that an outside contractor, (b)(6); (b)(7) (b)(6) Education, had actually reviewed, and supported development of, the FBA. (Please see attachment.)

Although the district had not alerted us to the use of (b)(6); (b)(7) (b)(6) Education, we were provided a disc on 10.31.12 in response to a request for educational records, and on that disc was a copy of the FBA that had been edited with "commentary boxes" in the margins of the report. At the time, we did not know who was responsible for writing the comments, but it was clear that the comments were a critique of the district's work, most likely not completed by the district itself. (Please see the attachment.)

At the ARD meetings which were held on 11.16.12 and 12.3.12 regarding this FBA, we allowed the district an opportunity to admit to the critiques that were made of the FBA and who had made them. Only after a time of questions and prodding for information did the district finally admit that they had used an outside contractor for guidance on the FBA, and that that guidance (the critiqued FBA document) was what we were given and saw in the 10.31.12 records request.

With this information provided by (b)(6); and (b)(6); at the ARD meeting, it fully establishes (in conjunction with the records request disc dated 10.31.12), that LISD utilized (b)(6); (b)(7) (b)(6) Education's services ***BEFORE*** 10.31.12 and ***BEFORE*** the ARDs.

However, when we did a Public Information Request to LISD on 1.24.13 for any and all contracts they had/have with (b)(6); (b)(7) (b)(6) Education, we were only provided one contract which was signed and dated on 11.24.12 by (b)(6); (b)(7) (b)(6); and 11.27.12 by (b)(6); (b)(6); (b)(7)(C), the LISD SPED Director. (Please see attachment.)

11.24.12 is ***AFTER*** the work by (b)(6); (b)(7) (b)(6) Education had already admittedly been done.

And not only are the signature dates not until 11.24.12 and 11.27.12, the main part of the contract itself states the following under the section titled **AGREEMENT TERM:**

***"This agreement will commence on November 6, 2012, and the Agreement will remain in full force and effect until November 6, 2012. Leander ISD may terminate this Agreement, with or without cause, upon written notification to Contractor."***

The end date of the contract, 11.6.12, is **BEFORE** (b)(6); (b)(7) (b)(6) Education or LISD even signed the contract on 11.24.12 and 11.27.12. How is this possible? This clearly shows that any work performed was weeks before LISD even had legally signed the contract/agreements with (b)(6); (b)(7) (b)(6) Education.

So with the FBA of course containing confidential information about our child and her educational/behavioral matters, this means that LISD allowed (b)(6); (b)(7) (b)(6) Education to view our child's confidential information **BEFORE** they were legally allowed to do so. Since there was no consent from us, and there was no legal contract/agreement in place with (b)(6); (b)(7) (b)(6) Education before 10.31.12 when LISD verifies that (b)(6); (b)(7) (b)(6) Education did their review, LISD violated TEXAS FERPA laws of confidentiality regarding student records/information.

To ensure that this was the only set of contracts that LISD had with (b)(6); (b)(7) (b)(6) Education and we were not jumping to false conclusions, we even asked the Public Records officer at LISD to verify that what we were given is all that existed. The officer emailed on 2.7.13 stating that the contracts provided to us were indeed the only ones in existence. (Please see attachment.)

The following is the information on FERPA laws that we have reviewed from the Department of Education. We do not see in it any ability/exception for Leander ISD to provide our child's confidential educational records to an outside contractor without having either consent from us, or a contract in place that "legally" terms them/makes them a "school official" under FL Local:

### **Family Educational Rights and Privacy Act (FERPA)**

Family Policy Compliance Office (FPCO) Home

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Furthermore, one of the parts of the contract from the LISD records request that is attached to this complaint has a title of "**Attachment A / Confidential Student information Agreement**". This is the section of their contract with (b)(6); (b)(7) (b)(6) Education, along with the section titled "**Access Agreement**", that addresses our child's confidential records and lays out the terms/conditions, etc. of (b)(6); (b)(7) (b) Education's access to them. Once again, these were not signed until 11.24.12 which is **AFTER** the records had already been accessed, and the work had already been done. If LISD is just able to label anyone outside of the district that they choose to as a "school official", without proper legal agreements and confidentiality safeguards in place, what stops them from being

able to just provide our child's information to anyone and everyone without limit? If the Attachment A/Confidentiality Agreement and the Access Agreement that they had (b)(6); (b)(7) (b)(6); Education sign on 11.24.12 were not necessary, then why did they have (b)(6); (b)(7) (b) Education sign them at all?

And LISD cannot claim that (b)(6); (b)(7)(C) name/identifying information was not provided in the copy of the FBA that was reviewed, as they clearly give (b)(6); full name and information in both the "Background Information" and the "Summary and Recommendations" sections of the document. (b)(6); (b)(7)(C) Education's commentary notes even are written using (b)(6); name.

In the end, what we have discovered is a "suspect" set of contracts between LISD and (b)(6); (b)(7) (b)(6); Education, that include typed and signed dates that do not align appropriately, and do not align to the time frame in which it was established that (b)(6); (b)(7) (b)(6); Education did their work.

We would deeply appreciate these matters being investigated and any wrong doing on the part of Leander ISD be identified and dealt with appropriately/justly. These matters are extremely serious to us as parents of a special needs child. We have audio recordings of the ARD meetings in addition to the documents we have provided in this complaint. Please let us know what additional information is needed, or if further clarification on any of these matters is necessary for your thorough and meaningful review.

Thank you for your consideration,

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



June 5th, 2012

To whom it may concern,

I was a nursing student at (b)(6); (b)(7)(C) College in (b)(6); (b)(7)(C) Ohio. I was three quarters away from graduating when I received my dismissal letter in the mail.

I believe that I was "forced" out of the nursing program for voicing a safety concern regarding what was being taught in a course Disaster Preparedness. Throughout the entire time I have been in this program, students have been able to give rationale to defend their answers with the possibility of receiving extra points. After voicing my concern, I was no longer given the opportunity to give rationale. NSG 222 has a poor pass rate, and many students rely on points that are awarded back with a correct accompanying rationale. The program requires that students get above an 80% in each nursing course, which makes every point count even more.

During my first attempt at NSG 222, my instructor, (b)(6); (b) asked me why my test score was so low on the first test. In an attempt to hide my true feelings, I blamed the stimulant shortage and informed her that I have ADHD. She asked me tell her when I got my prescription refilled. I did. The second test was not any better, and I told my instructor that I felt that many of the questions were too vague or poorly written. In subsequent test reviews, she agreed with many of my statements regarding particular questions. After the course ended, I and two of my peers scheduled meetings with (b)(6); (b) (b)(6); (b)(7) This was recommended by another student and I had talked with (b)(6); (b) before when I learned that (b)(6); (b)(6) was miscounting when calculating test grades. He was very nice and informative at that time and referred me to (b)(6); (b)(6); who was the current chairperson at that time. The purpose of my meeting was to discuss testing practices and the inability of students to ask questions during the test. My peers wanted to complain about the instructor. He had my file pulled, and instead of listening to my concerns, he went on to try to convince me that I was incompetent. He did not do this with my peers, and they left their meetings satisfied. During my meeting with (b)(6); (b) I also voiced my concern that the Disaster Preparedness course was teaching students that if someone is to get any kind of chemical in their eyes, they should rinse the substance out for 10-15 seconds, up to a minute. I think that this is dangerous to teach students and told him so, citing that the CDC, Poison Control, Mayo Clinic, ect. say to rinse for at least 10-15 minutes, if not longer.

Shortly after my meeting with (b)(6), (b)(7)(C) I received a call for reinstatement, despite the committee not having met yet. I was put in (b)(6), (b)(7)(C) section. Everything was okay until I challenged my first question. She wouldn't even listen to my rationale. After that, she made every effort to intimidate me, even going as far as making comments about my ADHD, which I had not disclosed to her. After the final exam, she really "let loose" on me in her office. She said ( or yelled, rather) that I was unsafe to administer Heparin (even though I had done it just fine in clinical and before her class), my care plans weren't specific enough to my patient, my med recall was terrible, and that a few weeks beforehand, my partner and I didn't ask for a med reconciliation form. She said that it was HIPPA and that it was a patient safety issue and that it was a big deal that we didn't ask for it. I told her that we assumed that there wasn't one because it wasn't in our stack of papers. The real question is, if it was such a huge patient safety issue, why didn't she say anything when it happened rather than wait until the last day of class? That was an issue 3 weeks ago and I had other patients after that. Was she going to let us keep making the same mistake over and over again?

Right after the heparin comment, I started to say, "You...." She then goes, "There you go... blaming others. You can't even take responsibility for your own mistakes". Had she listened to me, she would have known that I was just going to say that I was confused because she kept repeating "HIPPA" over and over again in the med room at clinical. It wasn't until a few minutes later that I realized that she was talking about my performance exam, which isn't really even fair because she went out of her way to intimidate me during my check-off.

I was allowed to look at my final and ask questions about it. At question three, she yells, "I'm not going to sit here and argue with you about this. If you want to know because you want to know than fine, but...." She watched me struggle to close the door and kept on in her rampage. Other students in the building repeatedly walked by her door to see what was going on. I did not receive a proper evaluation, and did not get a chance to read the small piece of paper that I had signed. I was humiliated, but nothing she said hurt as much as when she told me that I needed to find a new career because I wasn't good enough to be a nurse. I've never felt so broken-hearted in my life.

Shortly after, I made appointment with (b)(6), (b)(7)(C), the chairperson of the nursing department. She also ignored my concerns and went on to convince me that I was incompetent. This whole ordeal has had a tremendous effect on my emotional, mental, and physical health. (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
(b)(6), (b)(7)(C) , and on the day that I received my dismissal letter (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) went to the hospital. Thankfully, I was not. I just became so tense during the attack that I started having muscle spasms. This was the second time in my life that I've ever had a panic attack, the first being in NSG 123. I do not wish this on anyone, which is why I'm sending all of this information to you.

Sincerely,

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





April 30<sup>th</sup>, 2012

To whom it may concern:

I'm writing to you after speaking with (b)(6); (b)(7) whom I reached through 1-800-(b)(6); (b)(7)(C) I contacted her about two possible FERPA violations and she advised me to send my information to this address. The college that I'm writing to you about is:

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

I am a (b)(6); (b)(7)(C) College nursing student who is only three quarters shy of graduating. Due to recent events, though, it doesn't look like I'll be graduating at all. As of right now, I'm waiting on my dismissal letter from the program. If I want to complete my RN at any other institution, it will take me another two years- at least.

(b)(6); (b)(7) nursing program was only given provisional accreditation last year for hiring an instructor who was not an RN and for other "record keeping" issues. During the fall quarter, I took a one day course called "Disaster Preparedness" taught by (b)(6); (b)(7)(C) About an hour into the lecture, she stated that if you get any kind of chemical in your eye, you only need to flush your eyes for 10-15 seconds. This is obviously dangerous to the community, and could result in many people losing their sight if future nurses are teaching this information to patients. I informed my NSG 222 instructor of this. It was all downhill from there. Other students were getting points back, I was not. My instructor knew that I had ADHD because I had told her so that I wouldn't offend anyone by saying that I felt that the questions were too vague.

We have a modified grading scale which dictates that anything below an 80% will result in course failure. After my first unsuccessful attempt, I made an appointment to see if I would be able to give rationales for my questions. I met with (b)(6); (b)(7) (b)(6); (b)(7) on 12/7/11. Upon meeting him, I realized that he already had my file pulled out. I asked if I could see my tests and I also told him about the possible consequences of the improper flushing techniques. He then spent the next hour trying to convince me that I was incompetent and used intimidation tactics that were so harsh that I ended the meeting in tears. The two students with similar complaints who had meetings after mine were not subject to the same dissection of their transcripts that I was. In fact, their files never made an appearance during their meetings. A few weeks later I received a call for reinstatement, despite the fact that the reinstatement committee hadn't met yet. I was

put into (b)(6); (b)(7)(C) section, who writes the test questions. During my second attempt at NSG 222 (b)(6); (b)(7)(C) would just start yelling when I asked questions about the test questions. She made every effort to intimidate me, even going as far as making snarky comments about my ADHD, which I had not disclosed to her. After the final exam, she really "let loose" on me in her office. She watched me struggle to close the door and kept on in her rampage. Other students in the building repeatedly walked by her door to see what was going on. Of the many things she said, the ones that hurt the most were: "You're unfit to be a nurse", "You can't even pay attention long enough to be a nurse", "You're not even safe to give heparin", and "Have you ever thought about seeing a counselor?" I did not receive a proper evaluation, and did not get a chance to read the small piece of paper that I had signed. I was humiliated. After that, I made an appointment for 3/26/12 with Jan Mains, the chairperson. She also denied my requests to see my tests and had my file pulled as well. I had a feeling that that would happen so I typed up a six page letter just in case I wasn't given the chance to speak. The next thirty minutes were then spent on trying to convince me that I shouldn't be a nurse. I left her with the six page letter, detailing my experience in the program and the harassment that occurred over the past few weeks. It was ignored. Not even a phone call. I believe that the nursing department was intentionally trying to force me out the door not only to protect what was left of their accreditation, but also to protect the tenured professor who was negligent in her teaching. (b)(6); (b)(7)(C) has taken (b)(6); (b)(7)(C) to court-twice. If they were to fire her for any reason, it would look like retaliation. If they were to find out that she was negligent in her teaching, she wouldn't be able to claim that. This whole ordeal has destroyed me.

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

I've never in my life felt so miserable. Please feel free to contact me if you have any other questions.

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

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

September 12, 2012



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

**Re: Self-report of Inadvertent Disclosure of FERPA Protected Information by  
Mohave Community College**

Dear Mr. King:

This office represents the (b)(6); (b)(7)(C) College District ("College"), and in that capacity we are writing to inform you of an inadvertent disclosure of FERPA protected information and the subsequent corrective action initiated by the College. The following information explains the nature of the disclosure and the corrective action taken by the College to minimize the potential harm to students from the disclosure. Please let us know if you need any additional information.

**Description of Disclosure**

During a recent remodel project on campus, a filing cabinet containing student information was moved several times without examining the contents of the cabinet. At all times the cabinet was kept in a secure location, eventually finding its way to the surplus property storage area. While conducting an inventory of the surplus property on August 22, 2012, the Facilities Manager discovered the files in the cabinet and immediately boxed them up to be sent for shredding. The boxes were then placed in the back of a pickup truck to be delivered to the shredding area. While the boxes were awaiting transport a severe windstorm began and blew approximately 15 pieces of paper out of the boxes. Staff immediately retrieved as many of the papers as they could find before being forced to return inside due to heavy rain. After dealing with another on-campus emergency caused by the rain, the staff returned to the area approximately 30 minutes later to search for any additional missing documents. None were found.

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

Mr. Dale King - Director  
Family Policy Compliance Office  
U.S. Department of Education

**Re: Self-report of Inadvertent Disclosure of FERPA Protected Information by  
Mohave Community College**

September 12, 2012  
Page 2

The staff was able to identify that (b) students were potentially affected by this incident. Each file had an index page identifying the types of documents that were in the files, including W9 forms, registration forms, citizenship forms, residency forms, which would have contained confidential information such as social security numbers, home addresses and emails. It is not clear whether the index identified the documents that were actually in the file, or items that should have been in the file. Thus, while it is likely that all the documents were retrieved by the staff members, it cannot be determined for certain that documents were not recovered by third parties. A copy of the full report is attached to this letter as Exhibit A.

### Corrective Action

In response to this incident, the College has notified each of the (b) students potentially affected by the loss of documents and is providing those students with a one-year subscription to an identity monitoring service at no cost to the student. A copy of the form of notice, which is essentially the letter that will be sent to each affected student, is attached to this letter as Exhibit B. Each letter will include the website and unique log-in for the student to log into an account with (b)(6); (b)(7)(C). Due to the unusual nature of this incident it is unlikely to be repeated. However, the College will also continue to train and monitor staff compliance with the policies and procedures in place to protect the confidentiality of student information.

We believe that the College has taken appropriate corrective action to address this unique incident and hope that this letter and the attached report will assist in any investigation that may arise from the possible disclosure of confidential information. If you need any further information regarding this occurrence or have any additional suggestions for corrective action, please feel free to contact me.

Sincerely,

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

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

Attachments

Cc w/o attachments:

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

College District

From: (b)(6); (b)(7)(C)  
Sent: Tuesday, February 07, 2012 1:46 PM  
To: (b)(6); (b)(7)(C)  
Subject: Washington Just Made It A Little Easier to Help Young People

-----Original Message-----

From: Mayes, Edgar On Behalf Of Duncan, Arne  
Sent: Tuesday, February 07, 2012 1:40 PM  
To: (b)(6); (b)(7)(C)  
Subject: RE: Washington Just Made It A Little Easier to Help Young People

Dear Ms. (b)(6); (b)(7)(C),

Thank you for your e-mail to Secretary of Education Arne Duncan. We appreciate hearing from you. Your message has been forwarded to the appropriate office for review and further handling.

Thank you again for contacting us.

Sincerely,

Edgar Mayes  
Director of Correspondence and  
Communications Control Unit  
Office of the Secretary  
U.S. Department of Education  
Washington, DC 20202

-----Original Message-----

From: (b)(6); (b)(7)(C)  
Sent: Tuesday, February 07, 2012 1:06 PM  
To: Duncan, Arne  
Subject: Washington Just Made It A Little Easier to Help Young People

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

February 7, 2012

The Honorable Arne Duncan  
Secretary of Education  
FOB-6 400 Maryland Avenue, SW  
Room 7W311  
Washington, DC 20202

Dear Secretary Duncan:

I was very happy to see the changes the U.S. Department of Education made to the new guidance on the Family Educational Rights and Privacy Act (FERPA). This is a significant step in the right direction and I hope that Congress will take further action to deepen these changes.

Ensuring young people are ready for college, work and life requires a number of institutions, systems and organizations work together, with community leaders utilizing rigorous data that crosses departmental lines to hold decision-makers collectively accountable for results.

Legislation like FERPA and the Health Insurance Portability and Accountability Act (HIPAA) block efforts to develop a holistic data system capable of providing such data.


I am heartened to know that the Department of Education is working to make it significantly easier for communities to collect, share and utilize data that will increase the efficacy of services delivered to children and youth.

I remain hopeful that someday the Department of Education will allow data sharing with agencies running programs to improve social, emotional and physical development for young people older than 6, the same way they now do for agencies running programs for children 6 and younger.

Most of significant barriers that still exist in FERPA which require legislative action to fix, I call on Congress to finish the job.

Sincerely,

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



June 28, 2012

Regina Miles  
United States Department of Education  
Family Compliance Office  
400 Maryland Avenue SW  
Washington, DC 20202



Re: Ossining Union Free School District

Dear Ms. Miles:

By letter dated June 6, 2012, I communicated the Ossining Union Free School District's position concerning the disclosure of information concerning an attempted forcible sexual assault upon a student. I provided you with the district's rationale including the need to protect the identity of the victim who was involved in this case.

The Ossining Union Free School district has a specific policy and implementing regulation concerning the Sexual Harassment of Students. A copy of such policy (#5020.1) and the implementing regulation (#5020.1-R) are attached. Significantly, the fifth paragraph of Regulation 5020.1-R reads:

*All reports of sexual harassment will be held in confidence, subject to all applicable laws and any relevant provisions found in the district's policy manual and collective bargaining agreements. Limited disclosure may be necessary to complete a thorough investigation.*

As required in the regulations the district held this matter in confidence and disclosed the necessary details to law enforcement in order for police authorities to take appropriate action.

Regina Miles  
United States Department of Education  
Family Compliance Office

June 28, 2012  
Page 2

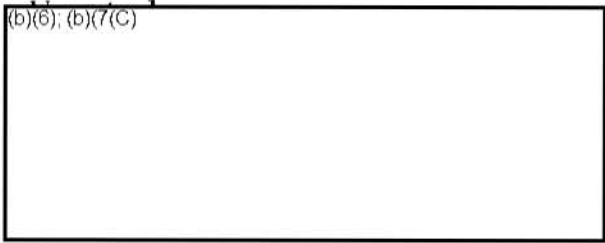
Re: Ossining Union Free School District

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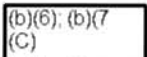
It is out of respect for the privacy rights of the victim, district policy and FERPA that details of the event were not disclosed to the public.

Thank you for your assistance in reviewing this matter.

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



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

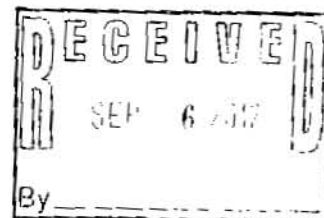


*Enclosures*

cc: Dr. Phyllis Glassman, Superintendent of Schools, Ossining UFSD  
*(without enclosures)*



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



Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S.W.  
Washington, DC 20202-4605

August 24, 2012

To whom it may concern:

I am currently attending College America as a student in the medical specialties associates program. The issue that I'm having is that College America will not honor nor even evaluate the classes that I've completed from a different school. 20 years ago I graduated from (b)(6); (b)(7)(C) College in another medical program and many of the classes are similar to those I am required to take at College America. I had (b)(6); (b)(7)(C) College send a copy of my transcript to my current school but because the classes are structured differently, the dean will not consider transferring any of the credits. Rather than awarding me each credit by class, the transcript in question grouped each class into various sections and credited the section as a whole.

I am asking for your help to influence College America to recognize the classes I've previously taken because it is very costly and it will take longer for me to graduate. Though my tuition is paid through a combination of FAFSA, student loans, and a scholarship, a considerable portion is still paid out of my pocket. Also, if my transfer credits were to be accepted, I would be able to graduate a year earlier. Thank you for your time.

Sincerely,

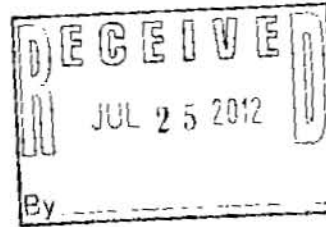
(b)(6); (b)(7)(C)

Enclosed: School Transcript from (b)(6); (b)(7)(C) College  
Letter to (b)(6); (b)(7)(C) College (cc: to (b)(6); (b)(7)(C) America)

July 10, 2012

To: Department of Education

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



To Whom It May Concern:

Thanks in advance for your time. I am writing this letter as I am concerned about the law that hinders parents from talking to colleges about their student's education or financial woes. I was told by my daughter's school that due to Family Education Right and Privacy Act/FERPA that this is due to regulations imposed by the Federal Government. It is my opinion that our children need to be guided by their parents to help make sound decisions about their education and financial future.

Many studies indicate that the human brain is not fully matured until the age of 25. I am concerned not only for my daughter but for the other young adults. I am asking that the Federal Government reconsider this law and give the parents access to the information needed so that they can make sure their child is on the pathway to success while in school.

Again, thank you for your time.

Sincerely,

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

1-27-12

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

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



To Whom It May Concern,

This letter is in regard to an incident at my daughter's preschool that violated her privacy rights under FERPA. The (b)(6); (b)(7)(C) is (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) My daughter, (b)(6); (b)(7)(C), was a student at the school until the incident in October.

I twice refused to go into a meeting with the director, (b)(6); (b)(7)(C) on 10-31-11. Despite repeated requests that my daughter and I be left alone, (b)(6); (b)(7)(C) confronted me publicly on a number of matters. It was done in a hallway within earshot of students, teachers and parents. It was confirmed by witnesses that the conversation could be heard. My repeated requests to be left alone were also noted by the witnesses. During the course of the confrontation (b)(6); (b)(7)(C) revealed:

1. That my daughter had hurt another child.
2. That her former teacher felt she had been forced to shadow her all year and was unwilling to do it again.
3. In (b)(6); (b)(7)(C) words, because of (b)(6); (b)(7)(C)'s behavior, "Any other school would have kicked her out by now."

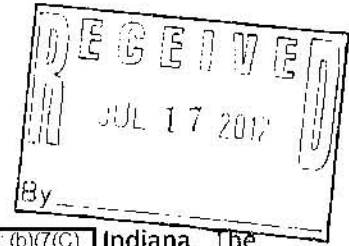
The incident ended with (b)(6); (b)(7)(C) following us out of the school with my tuition check demanding that I take it back.

Thank you for looking into this matter.

Regards,

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

To: Family Policy Compliance Office  
From: Danny Panella  
Date: July 9, 2012  
Subject: FERPA Concerns



I would like to submit a FERPA concern regarding (b)(6); (b)(7) College in (b)(6); (b)(7)(C) Indiana. The enclosed e-mail was addressed to me, along with 759 other previous students. In the past I have asked (b)(6); (b)(7) college to remove me from contact lists, but occasionally still receive contact regarding reenrollment. I replied to the following email with concerns about the status of my private information, but did not receive a reply from (b)(6); (b)(7)(C)

After doing some research it appears that an e-mail address can fall into an undetermined status, as some institutions list such information as directory information. Upon reviewing the situation further I believe that this does not qualify as directory information as:

1. The e-mail identifies the participants as prior students no longer enrolled in the university
2. I have submitted prior requests to be removed from contact lists (for both telephone and e-mail communication)
3. The use of my personal e-mail account (as opposed to an organizational account) has not been explicitly granted
4. I was not notified about this disclosure, nor was I given a reasonable amount of time to request that the school not disclose my contact information
5. I have not received an annual disclosure of FERPA information

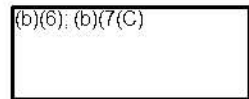
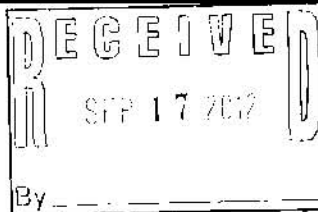
For these reasons I request that a review be conducted regarding a FERPA violation at (b)(6); (b)(7)(C) College, (b)(6); (b)(7)(C) Campus.

I would like to request any updates or concerns be directed to me by telephone at (b)(6); (b)(7)(C) I would also like to request confidentiality regarding the citation.

Thank you

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

Enclosure: E-mail from (b)(6); (b)(7)(C) representative



September 5, 2012

Mr. Dale P. King  
Family Policy Compliance Division Director  
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
Phone: 1-800-USA-LEARN (1-800-872-5327)

Dear Mr. King,

I write to report a violation of FERPA policy at (b)(6); (b)(7)(C) Maryland.

On Saturday, August 18, our Director of Athletics sent an e-mail to coaches who had players on their teams who were not yet certified by the NCAA. (b)(6); (b)(7)(C) is a Division I athletic institution.) Those e-mails included as attachments the latest status report from the Eligibility Center of the NCAA. The Eligibility Center, as you know, must determine prior to enrollment whether a student athlete meets initial NCAA eligibility requirements.

One of the coaches to whom a status report was sent mistakenly then forwarded that status report to all of the members of his team. The report was not edited at all before sending, and it therefore included SAT scores, high school grade point averages, a student's qualifying status, and NCAA identification numbers. Such disclosure of non-directory information is entirely impermissible under FERPA. This information went to 22 students.

(b)(6); (b)(7)(C) received several calls about this issue on Monday, August 20. We indicated to relevant families that we had made a mistake and accepted responsibility for it. Since then, the coach of the relevant team has sent an e-mail to students apologizing for this mistake. Our Associate Provost has had conversations with the Athletic Director, and the Athletic Director in turn has had conversations with all coaches. Our Registrar, who handles FERPA issues, has spoken with other administrators in the Athletics office regarding compliance with FERPA. We have taken all appropriate steps to assure that no incident of this sort will occur again.

(b)(6); (b)(7)(C) holds workshops each year for faculty and administrators on the importance of FERPA. We will continue this work as we move forward.

To:  
FERPA  
Family Policy Compliance Office

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

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

Phone- (b)(6); (b)(7)(C)

RE: **FERPA Violation REVIEW**

Good Afternoon. Attached are three letters that I received from my employer regarding a FERPA violation which, I received 45 day suspension. I spoke with a representative from your organization today and was told I could fax over these documents for review to see if these charges fall under the FERPA act as stated by my employer.

Thanks for your time

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

Attached (3)

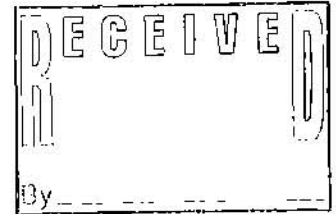






(b)(6); (b)(7)(C)

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



Family Policy Compliance Office  
U.S. Department of Education  
400 (b)(6); (b)(7)(C) Avenue, SW  
Washington, D.C. 20202-8520

RE: FERPA Violation Complaint

Complaint against: (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Lecturer, School of Journalism,  
University of (b)(6); (b)(7)(C) College (b)(6); (b)(7)(C)

On October 13, 2011, 22 days into the fall semester, and prior to the submission of the first of ten required articles intended for publication on (b)(6); (b)(7)(C) an outside online news-wire service owned by AOL, Professor (b)(6); (b)(7)(C) filed a referral against me, accusing me of cheating in her course, (b)(6); 389P. On December 8, 2011, I was brought before the student honor review and found *not guilty* of this charge.

During the hearing process for the charge against me, I became privy to email documentation that shows that on October 11, (b)(6); (b)(7)(C) disclosed to the professional editor of (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) that I may be cheating (attachment 1). In her comments at the honor review hearing, (b)(6); confirmed she had discussions with both (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) about my confidential file concerning the referral process.

(b)(6); (b)(7)(C) responded to the initial email from (b)(6); by saying that she had talked with me and did not have the sense that I was trying to go behind anyone's back. (b)(6); (b)(7)(C) copies the (b)(6); Regional Editor, (b)(6); (b)(7)(C) on her response, which includes (b)(6); original, accusatory email (attachment 2).

However, two days later, on October 13, I was informed that I had been "fired" by (b)(6); due to the allegations by (b)(6); (b)(7)(C) I was no longer able to publish articles on the (b)(6); website, a requirement of the class, nor be paid the stipend for each article published. I have to

assume that potential future employment with (b)(6); (b)(7)(C) and perhaps any other AOL-owned entity, would no longer be a possibility, due to the detrimental comments made to the professionals within this company.

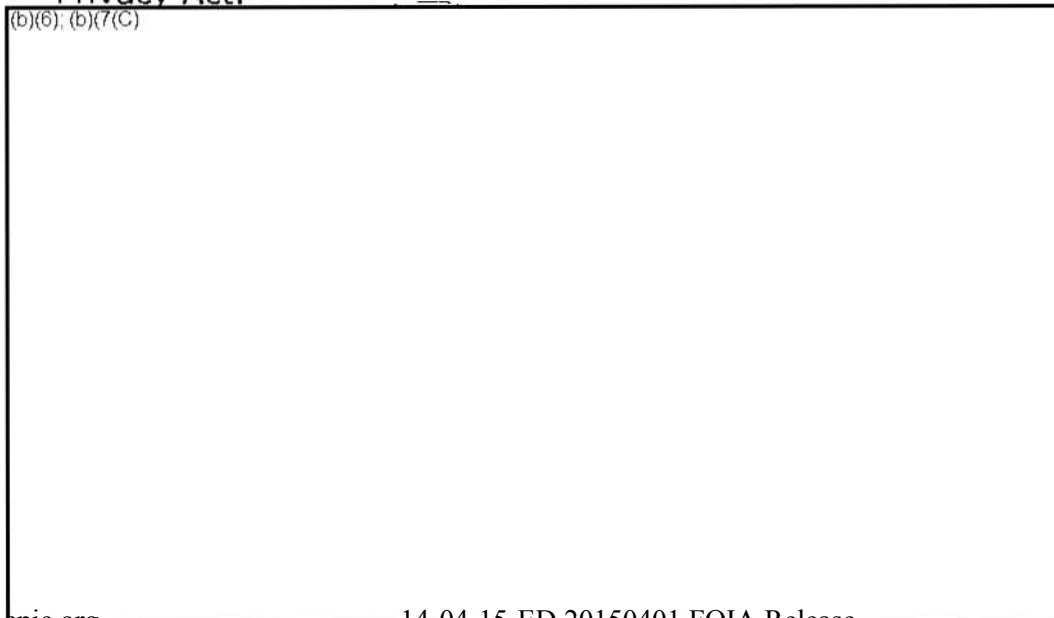
In addition to the email documentation and subsequent firing from (b)(6); (b)(7)(C) as a result of my indictment by (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) a fellow University of (b)(6); (b)(7)(C) student and friend, who served in a teaching assistant capacity in the journalism school, told me that Professor (b)(6); (b)(7)(C) had been openly talking about a student who she was accusing of cheating. He subsequently identified me as the student to whom (b)(6); (b)(7)(C) was referring.

As a result of the disclosures of my confidential information, I was denied the right to due process. Essentially I was convicted and judged guilty by the termination of my work/study program with (b)(6); (b)(7)(C) Furthermore, I was forced to sit through the remainder of my semester in Professor (b)(6); (b)(7)(C) class without receiving effective meaningful feedback in the form of editorial review. I was unable to publish articles for (b)(6); (b)(7)(C) and as a graduating senior denied the right to build my portfolio of work for application to potential employers.

Professor (b)(6); (b)(7)(C) disclosed information in my confidential disciplinary file to individuals outside the University system, who also happen to be members of the news media (my field of study).

This has been a violation under the Family Educational Rights and Privacy Act.

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



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

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

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

Date: 10/11/2011 2:41 PM

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

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

Hey (b)(6);

He came to me first to tell me that I couldn't run the student housing story he had passed along to me last week, and then as we talked it seemed he was still unsure how best to proceed. I didn't get the sense at all that he was trying to go behind anyone's back, but more so to inform me of the discussion you and he had. I just talked to him this afternoon about it again and I told him I felt the best thing to do would be to loop the four of us into a conversation so we can clarify how to best proceed.

It was my suggestion to him that he focus on the "college (b) = top college town" beat for (b)(6); and he liked it. That idea came from me.

I just sent the email for clarification purposes for all involved. I told him I'd be doing it and he agreed it would be a good idea. I hope it didn't in turn make things more difficult.

(b)(6); (b)(

On Tue, Oct 11, 2011 at 1:46 PM, (b)(6); (b)(6); (b)(6); (b)(7)(C) wrote:

Hi (b)(6); (b)(7

I had an e-mail discussion and a telephone discussion with (b)(6) about this on Sunday. I thought he and I had cleared this up. Can I ask when/how this came up? It feels akin to what my son and daughter do -- going from one parent to the other, hoping the answer will be different.

I told him at the start of the semester that had I known he would also be doing (b) I would not have allowed him to enroll in this class. I have tried twice now to explain to him

that in journalism, you cannot serve two masters. You are either covering the beat for (b)(6); or you are covering it for (b)(6) Not both. I compared it to a reporter for The Post also writing for The Sun. Not acceptable.

My feeling is that he has College (b)(6) as his beat for (b)(6); and thus cannot write/produce the same stories for (b)(6) I'm not sure how you and (b) feel about this, and if you feel differently please let me know.

There is also an academic component here. He cannot turn in the same assignments (even pieces of the same assignment) for different classes. In other words, interviews for (b)(6); should not then be turned to (b)(6) The college considers that cheating. I've included Associate Dean (b)(6); (b)(7) on this e-mail because she knows the back story here and also can explain more about (b)(6); ( potential for unintentional academic dishonesty if he continues down this road. I have not copied (b)(6) on this e-mail, because at this point, I'd like to keep the conversation between us until we figure out how best to approach this.

Thanks,  
(b)(6);

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



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

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

Date: 10/6/2011 1:06 PM

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

Hi (b) and (b)(6);

I forgot to CC you on this to (b)(6); I'm really impressed by him so far! Let me know if you think I'm off with any of the suggestions I've made.  
Thanks!

Sent from my iPhone

Begin forwarded message:

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

Date: October 6, 2011 1:01:50 PM EDT

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

Subject: housing article

Hey (b)(6);

First of all, GREAT story. I'm really impressed with your reporting here, and the fact that you reached out to so many people -- and very knowledgeable ones at that. I'm also impressed that you wanted to write about this -- You clearly understand the important issues in College (b)(6); I'm really looking forward to running this.

But we need to alter the story first though, mainly to make it shorter. I know this will still be longer than the typical online story, and I can deal with that, but I think we can easily make it closer to 800 words.

In addition, I think there's potential to run this as a package of content over the span of a few days. My thoughts are below:

1. Making it shorter

I see what you're trying to do here, by linking it to (b)(6); (b) committee to study the

**\_RPA.Customer**

---

**From:** Little, Kayla  
**Sent:** Monday, June 04, 2012 9:16 AM  
**To:** FERPA.Customer  
**Subject:** RE: April 6 complaint status?

He belongs to you.

-----Original Message-----

**From:** FERPA.Customer  
**Sent:** Friday, June 01, 2012 5:47 PM  
**To:** Little, Kayla  
**Subject:** FW: April 6 complaint status?

Hey Kayla - can you find out who this belongs to?  
Thnx  
Inga

-----Original Message-----

**From:** (b)(6); (b)(7)(C)  
**Sent:** Friday, June 01, 2012 8:25 AM  
**To:** FERPA.Customer  
**Subject:** April 6 complaint status?

We submitted a complaint against (b)(6); (b)(7)(C) School of Journalism on April 6, 2012. Would you please let us know status?

Thank you very much,

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

## FERPA.Customer

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**From:** FERPA.Customer  
**Sent:** Wednesday, June 06, 2012 12:23 PM  
**To:** 'Lori Oliver'  
**Subject:** RE: April 6 complaint status?

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

Your letter of complaint has been assigned to me to process. For your information, this Office's enforcement process is intended to work cooperatively with schools to achieve their voluntary compliance with FERPA's requirements. Following a review of the evidence and allegations submitted by a complainant, we may initiate an administrative investigation by sending the school and the complainant a notification letter about the allegation, and requesting a written response from the school concerning the allegation. If we then determine that a school is in violation of FERPA, the school and the complainant are so advised by a letter of finding which contains corrective actions to be taken by the school in order to come into compliance with FERPA. Such measures can include training of school officials or a memorandum advising school officials of the specific requirements at issue in the complaint. There is no basis under FERPA to require that a school take punitive or disciplinary action against an individual school official as the result of a FERPA violation. We close the investigation when the school has completed the required corrective actions.

I am sorry for the time it has taken to respond to your letter but we have a backlog we are working to resolve. However, once I have had the opportunity to review the information you provided, we will make a determination whether or not to open an investigation and at which time you will be notified.

Thank you,

Ingrid Brault  
Management and Program Analyst  
Family Policy Compliance Office

-----Original Message-----

**From:** (b)(6); (b)(7)(C)  
**Sent:** Friday, June 01, 2012 8:25 AM  
**To:** FERPA.Customer  
**Subject:** April 6 complaint status?

We submitted a complaint against (b)(6); (b)(7)(C) School of Journalism on April 6, 2012. Would you please let us know status?

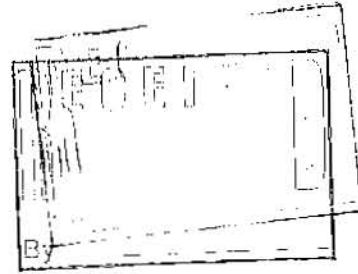
Thank you very much,

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

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

December 10, 2012

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



To Whom It May Concern:

We are writing to file a complaint on behalf of our son, (b)(6); (b) (b)(6); (b)(7)(C) (b)(6); (b) (b)(6); (b)(7)(C) (DOB: (b)(6); (b)(7)(C) (b)(6); (b) is a (b)(6); (b) grade student at (b)(6); (b)(7)(C) School, in Littleton, NH (SAU 84).

We believe that our son's FERPA rights have been violated. We e-mailed the school requesting to move forward with the IEP process on Tuesday, November 27, 2012. In this correspondence, we explicitly stated that we did not want the North Country Education Services (NCES) involved with our son. (NCES is an outside agency which SAU 84 contracts with to provide School Psychological services). In addition, this request was communicated via the phone to (b)(6); (b)(6); (b) on December 7, as well as to several members of SAU 84 administrative team via e-mail on that same day. Nevertheless, the meeting notice we received on December 7, 2012 included the name of (b)(6); (b)(6); (b)(7) who is a member of NCES staff. His invitation to this meeting violates (b)(6); (b)(7)(C) FERPA rights as it communicates to Mr. (b)(6); (b)(7) that our son is suspected of having a disability. It is our impression that (b)(6); (b)(6); (b)(7)(C) was operating under the direction of (b)(6); (b)(6); (b)(7)(C) Director of Student Services.

The school's annual notification does not indicate that NCES or its staff are "school officials" nor does it specify how the school determines "who has a legitimate educational interest." We contend that Mr. (b)(6); (b)(7) does not have a legitimate educational interest. According to NH special education regulations, a school psychologist is not a required member of IEP teams. It specifies the inclusion of "an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a) (2) through (a) (6) of this section;" (§300.321 [6]). If the process were to proceed and (b)(6); (b)(7) eligibility for special education support services was to be considered then it is only required that "at least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher" (§300.308 [b]) be included on the team. SAU 84 employs a competent speech-language pathologist who regularly works with our son.

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

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

cc: Keith Pfeifer, SAU 84 Interim Superintendent  
102 School Street, Littleton, NH 03561









May 24, 2012

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



To Whom It May Concern:

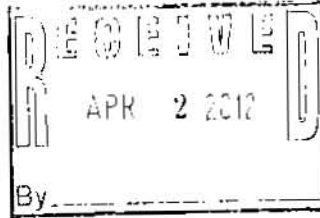
I am the parent of a child in Connecticut's Region 12 school system, and I would like to make your organization aware of an incident involving student privacy and rights.

On April 27, 2012, my husband and I received in the mail the disciplinary record of one of our son's classmates. This record included specific information about infractions incurred by this child. It was mailed to us by mistake (presumably) by a careless staff member. I alerted the principal and assistant principal to this error, but I never received a response, and to my knowledge it was never followed up on. This incident concerned me and of course caused me to question whether a mistake such as this had ever occurred with my with my child's records.

I believe that I am obligated to report this incident to you. Perhaps the school system would benefit from some type of training in or a review of your policies.

Thank you

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



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

March 2, 2012

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

Dear Sir or Madam:

I believe the Worthington City School District (the District) violated laws under FERPA when the district failed to obtain my written consent to discuss personally identifiable information with a third party. I am [redacted] years old.

On January 13, 2012 we met to go over the planning form for a reevaluation for the ETR which is due in March 2012. The team agreed that an assistive technology observation/ evaluation was necessary. When [redacted] asked how this was to be handled, [redacted] special education coordinator, state that Dr. [redacted] Director of Pupil Services, would reach out to the State Support Team 11 (SST 11) to start the process. At no time during the January 13, 2012 was I notified that I needed to given written consent to share this information with a third party- the SST. At no time since the January 13 meeting but before contacting and sharing personally identifiable information did anyone on the IEP team or in the district provide me with a consent form to provide personally identifiable information about me. Later in January 2012 and in early February 2012, Dr. [redacted] did notify me that she contacted the SST and personally identifiable information was shared with [redacted] of the SST. Neither [redacted] nor [redacted] asked me to sign a consent form to release information.

I ask that the Family Compliance Office investigate this matter. You do have my consent to ask questions of my mother, [redacted], if you are unable to reach me. She can be contacted at the address and phone number above. My mom's email is [redacted] and mine is [redacted]. I look forward to hearing from you. If I can provide any other information, please contact my mother or myself.

Sincerely,

[redacted]

January 14, 2012

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



Dear Sir/Madam:

I have a question regarding the FERPA law as applied to the elementary school setting, and am asking for clarification. After reading the law, I am still unclear as to if the following constitute "violations" of FERPA:

- Having a chart of student progress for their multiplication facts (or a similar routine) posted
- Having students grade each other's multiplication fact practices (or a similar routine)
- Having students verbally call their scores out to the teacher on a routine practice during classroom instruction (for instance, with regard to math facts). These are not formal tests.
- Having students volunteer to use their writing sample for teaching purposes on an overhead. This would include identifying strengths and weaknesses of the writing piece, as well as indicating what the student's grade would be if the piece were actually graded (it is not actually being graded)

In addition, I am interested to know if publishing the honor roll from the high school in the newspaper is a violation. The public is aware of the criteria for what constitutes "honors" vs. "high honors", etc.

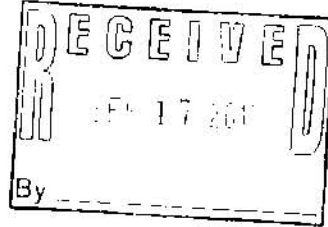
I sincerely appreciate your attention to this matter. Please feel free to contact me with your response or for further clarification by email at (b)(6); (b)(7)(C) or by phone (b)(6); (b)(7)(C). If necessary, you can mail your response to:

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

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

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

www.flspedlaw.com  
September 4, 2012



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

**Re: Maria Fabrizio**

Dear Lynn:

The attached letter was written by our clients, (b)(6); (b)(7)(C) as a letter of dispute concerning the outcome of our recent IDEA eligibility meeting. (b)(6); (b)(7)(C) was in attendance. Please forward to (b)(6); (b)(7)(C) as I am more comfortable addressing letters to you and letting your office forward them as necessary.

I must say that I agree with the parents. The issue of disability does look at the child's performance, but there is a difficulty where the child has received massive amounts of parent financed remediation. Actually the consideration of the disability must be based on the child's abilities, without remediation. To do otherwise would be to penalize parents (as was done in this instant matter) who proactively provide remediation for their child.

This child has (b)(6). We know exactly what her problems are and we can accurately project what her problems will be. This is not like ADHD or some other "invisible disability." It is unconscionable for the district to take a "fail first" attitude toward this child. While I respect the individuals who reviewed this matter, they decided the issue according to their perception of district policy, which I believe is legally flawed.

The parents can now stop their private services and allow their child to slip behind her classmates, in order to receive services, or they can keep up their therapies and absorb the costs. The district knows the choice any parent with the ability will take.

It is unfortunate that we were not able to come up with a plan to help this child, who so much needs every bit of assistance she can receive. Normally,

(b)(6); (b)(7)(C) dated 9/4/2012

we are able to come to agreement with the district, however, in this instance; I believe we have failed this child.

Sincerely,

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

Enclosure

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



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

June 8, 2012

Family Policy Compliance Office  
U.S. Dept. Of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202



I am a parent of three students' that attend (b)(6); (b)(7)(C) in (b)(6); (b)(7)(C) Cordova Unified School District which it's in Rancho Cordova California. (b)(6); (b)(7)(C) is in the (b)(6); (b)(7)(C) grade. (b)(6); (b)(7)(C) is in the (b)(6); (b)(7)(C) grade. Due to my complaints about (b)(6); (b)(7)(C) School to the Folsom Cordova Unified School District and outside agencies like The California Dept. Of Education; including the Office for Civil Rights. The (b)(6); (b)(7)(C) Family has been discussed freely throughout the school premises on a consistent basis. Conversations are being discussed in the classrooms; with students present in the room including my children. Which I was told complaints are confidential.

(b)(6); (b)(7)(C) Teacher and the learning center Assistant (b)(6); (b)(7)(C) repeat certain thing that I have stated in an IEP pertaining to (b)(6); (b)(7)(C) choose to mention things discussed at an IEP for (b)(6); (b)(7)(C) in front of (b)(6); (b)(7)(C) and classmates. Resulting in (b)(6); (b)(7)(C) being teased by fellow classmates and Teacher due to what a parent stated in an IEP. I thought IEP'S were confidential as well. I didn't read in my copy of the Privacy Rights that personnel outside of the IEP team could freely discuss discussions with person(s) in the IEP team. For example: (b)(6); (b)(7)(C) Teacher Mrs. (b)(6); (b)(7)(C) discusses (b)(6); (b)(7)(C) IEP discussions, my complaints with (b)(6); (b)(7)(C) the Special Ed Assistant on a consistent basis. With (b)(6); (b)(7)(C) and other students present in the classroom. The students can hear what is being said and by who. I have questioned our rights to privacy to the School and School District, but no one will respond back. I have complained about this issue among other issues to (b)(6); (b)(7)(C) In statements that are excluded from (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) School Records, but Mr. (b)(6); (b)(7)(C) letters are enclosed in their school file; as if I had no reply back or nothing to say. No resolution to anything or even a discussion. (b)(6); (b)(7)(C) has been teased by The Learning Center Instructor (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) School doesn't feel Students have any rights at all. Students are wrong and staff are right automatically because their adults. Parents have no problems with the school until they start to question school personnel. After that happens the parents are now the problem including the student. Never the school staff from the Principal down to the Lunch Aids. There is favoritism at (b)(6); (b)(7)(C) School. Certain students get treated one way while sum other students receive different treatment. For example: (b)(6); (b)(7)(C) aren't allowed to use the phone for any reason unless the Office Staff gets the allowed permission from the school Principal (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) When I know for a fact there are a few students that come into the School Office and

don't even ask permission to use the phone; with office staff seeing the student's on the phone nothing is said to the students. When my (b)(6); (b)(7) or (b)(6); (b)(7) asks to use the phone at school they are told "no not until Mr. (b)(6); (b)(7) says it's ok". When (b)(6); (b)(7) or (b)(6); (b)(7) pick up the phone like other students; Office Staff forcibly removing the phone from my (b)(6); (b)(7) and (b)(6); (b)(7) while saying "Mr. (b)(6); (b)(7) didn't say you could use the phone". Not realizing I have already answered the call and I can hear what is being said; with my kids saying you don't have to snatch the phone then the call is disconnected.

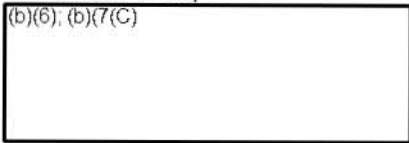
I have been questioning Mrs. (b)(6); (b)(7)(C) education practices since the first IEP in September and the second IEP October following a report card in December of 2011. The District paid for the Independent Evaluator Assessment that I requested done in March 2012. With a total of three IEP'S she was unprepared for. I had to request a progress report in April 2012. The progress report looks phony and through the white out that Mrs. (b)(6); (b)(7) tried to cover those chapters that should be visible, but you can see where she initially put chapter 3 then crossed it out and crossed out chapter 7 also. Putting white out over it with one coat I was able to see through it; with the other results on the page for chapter 12. I have questioned (b)(6); (b)(7)(C) grades on report cards and progress reports. No conference was offered; Mrs. (b)(6); (b)(7) "stated there would be no conference I have the reports cards to look at". To date this is the second school year that I have questioned (b)(6); (b)(7)(C) report cards and progress reports; first being Mrs. (b)(6); (b)(7)(C) Grade now Mrs. (b)(6); (b)(7) the (b)(6); Grade with being informed by (b)(6); (b)(7)(C) the Independent Evaluator on March 22, 2012 that (b)(6); (b)(7) is near his IEP Goals. With being told all school year by the IEP team at the school that (b)(6); (b)(7) has made his IEP Goals. Mr. (b)(6); (b) has been involved in this matter for two schools years now. Not trying to attempt to correct these problems. All I am offered is a phone call by the Principal. My son wouldn't be behind like he is if it wasn't for Poor Educators at (b)(6); (b)(7)(C) School for the past two years. I thought Schools as well as Teachers liked involved parents; intentionally avoiding a parent when discrepancies are caught.

Rules have changed since I was in School in the State of California. Principals, Teachers, Substitute Teachers weren't allowed to put their hands on students; let alone raise their hand as if they're going to strike a student. There have been statements made by (b)(6); (b)(7) and (b)(6); (b)(7) as well as myself turned into the school office. No through investigation is ever done there has never been any conclusion to anything. I don't consider an investigation through without talking to all parties involved (my children) or being contacted. School Policy states if a student is suspected of drugs, weapons or something suspicious their property can be search. I understand that policy and don't have any issues regarding that School Policy. However I don't understand how (b)(6); (b)(7)(C) Teacher (b)(6); (b)(7)(C) can freely go through selected students back packs when there is nothing suspicious going on; waiting for students to go to recess to go through their personal property; when she feels like humiliating (b)(6); (b)(7) and other students. I wasn't aware a Teacher could take a cell phone out of a student's back pack and proceed to scroll through it. If a student goes through a Teachers purse they would be in trouble with a referral. Rules for Students and School Staff have changed over the year; with all the new conditions some children have to deal with while being at School it sure doesn't state those mistreatments in the "Student Handbook" that is required or the student and parent to sign.

*When you try to resolve the issues starting with teachers, principals, school district superintendent and are ignored what is one supposed to do? Per the California Department of Education they can only help with Special Education students; I need to refer back to the Folsom Cordova Unified School District. So who helps students who are not on Special Education?*

Thank You,

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

A rectangular box with a black border, used for redaction of a signature. The text "(b)(6), (b)(7)(C)" is written in the top-left corner of the box.

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

April 21, 2011

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

To whom it may concern:

The Assistant Attorney General (b)(6); (b)(7)(C) and the Human Resources Director (b)(6); (b)(7)(C) at Y (b)(6); (b)(7)(C) College (b)(6); accessed my grades transcript despite my objections. They had no previous written authorization to access my private student records. Mr. (b)(6); was not an employee of (b)(6); (b) (b)(6); (b)(6); (b)(7)(C) College and Mr. (b)(6); (b) was not an academic advisor at (b)(6); that had access to my student records for academic advising purposes. I revoked all of my records, testimony, files and reports from (b)(6); and Mr. (b)(6); (b) but they continue to use my privileged communications with my psychotherapist which are medical records and I want my transcript. I have had substance abuse and chemical dependency counseling with my counselor and I believe my information is also protected by HIPAA and Title 42—Public Health. Here is some contact information:

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

orney  
#102

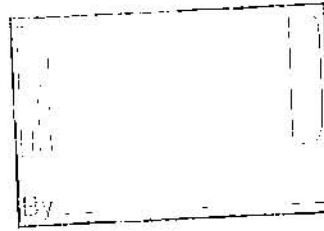
(b)(6); (b)(7)(C)

Sincerely

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

June 15, 2012

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



**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School District of Genessee, Michigan \_\_\_\_\_ on behalf of ((b)(6); (b)(7)(C)) who attends ((b)(6); (b)(7)(C)) for what I believe to be:

- 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 challenged may be identified as:

Title: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Person responsible for Entry or person currently maintaining record: \_\_\_\_\_  
 Date challenged content discovered: \_\_\_\_\_

**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: Refusal to provide access to school records after parent provided identification and documentation proving parentage. Refusing to recognize my rights as a parent and provide me with all records requested including both written and verbal.

Date of Violation Thursday June 14, 2012 and all relevant dates of contact.  
Date Violation Discovered if different from above:

**Other Relevant Information:**

(Use this section to add any additional explanatory comments)

Genesee County School District Employees that were aware of my request for information, and therefore denied the parent access to school records, partially includes: (b)(6); (b)(7)(C) (School Attendance Officer) (b)(6); (b)(7)(C) (Business Services Administrator) (b)(6); (b)(7)(C) (Schools Assistant Superintendent) Kevin Brown (Davison Schools Superintendent)

Yours Truly,

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

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



To Family Policy Compliance Office

U. S Department of Education

400 Maryland Avenue SW

Washington, D.C 20202-5920

FERPA Complaint:

I, (b)(6); (b)(7)(C) am enrolled at (b)(6); (b)(7)(C) and a student of disability service and 504 rehabilitation and ADA disability ACT. My rights have been violated and faculty is retaliating after ADA training provided by OCR- education last May, 2011. In addition to Advocacy Inc. overlooks my records being disclosed. Their concern was just getting testing provided.

I tried to take a psychology class summer 1 session 2010 at (b)(6); (b)(7)(C) College and the professor (b)(6); (b)(7)(C) refused to sign my accommodation letter. She also wanted (b)(6); (b)(7)(C) to be a lab rat for her experiment to see how long it took (b)(6); (b)(7)(C) to read a question. Per Mr. (b)(6); (b)(7)(C) r, Disability manager, she wanted to see how long it would take me to read a question before she would consider signing accommodation letter which has my name, disability information needed for my accommodation. Mr. (b)(6); (b)(7)(C) Disability Director, was present during this conversation along with Dr. (b)(6); (b)(7)(C)

Professor (b)(6); (b)(7)(C) disclosed (b)(6); (b)(7)(C) records and shared with her co-worker(s) Dr. (b)(6); (b)(7)(C) in the social science department along with others Mr. (b)(6); (b)(7)(C) has a right to expect confidentiality and the odds of me getting fare treatment in another other psychology course at (b)(6); (b)(7)(C) college will be difficult and not very comfortable of a healthy choice do to retaliation during their meeting with (b)(6); (b)(7)(C) especially during ADA training provided by OCR -- Education.

(b)(6); (b)(7)(C) cannot take a psychology class at (b)(6); (b)(7)(C) college because my information has been shared not just to social science department but many faculty now know who (b)(6); (b)(7)(C) is and her disability's retaliation during OCR –Education filed and they had to go through ADA training provided by (b)(6); (b)(7)(C) (b)(6); (b)(7)(C). During the training Next, (b)(6); (b)(7)(C) who said to 150 staff and faculty that all *disability students cheat* while the ADA training was in session and many faculty retaliation against the head chair of the department. She appeared not to be concern about mainstream students. During the ADA training Ms. (b)(6); (b)(7)(C) said she will not comply with federal law and disability students cheat, Texas Am (b)(6); (b)(7)(C) Disability staff witness this along with (b)(6); (b)(7)(C) Faculty.

Professor (b)(6); (b)(7)(C) h marched down with (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) to Disability Office to meet with (b)(6); (b)(7)(C) Professor (b)(6); (b)(7)(C) **provided my information without written consent to third parties that violating my civil rights under Family Educational Rights and Privacy Act (20 U.S.C. 1232g, 34CFR§99) and 504 rehabilitation and ADA disability act. Professor (b)(6); (b)(7)(C) violated (b)(6); (b)(7)(C) rights and did this without written consent from release from (b)(6); (b)(7)(C) . The accommodation shares what accommodation is needed for that class which Ms (b)(6); (b)(7)(C) shared with others.**



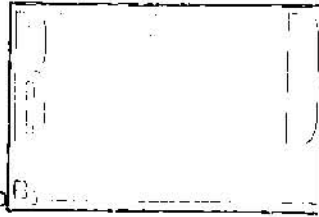
(b)(6); (b)(7)(C) explained to them Federal law and (b)(6); (b)(7)(C) policy and still refused to comply with federal law. (b)(6); (b)(7)(C) n was very angry during the ADA training and put up a fight with disability service that she will not comply. Also, (b)(6); (b)(7)(C) disclosure (b)(6); (b)(7)(C) y record to other professor who has no contact with me. By law may be disclosed to a third party as an "education record," that is, with the prior written consent from student. This against FERPA policy's. See. 34 *CFR* § 99.31.

Sincerely,

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

December 7, 2012

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



Re: (b)(6); (b)(7)(C) [redacted], Johnstown, Ohio

To whom it may concern:

I wish to report a suspected FERPA, HIPAA, and PHI violation by staff at (b)(6); (b)(7)(C) [redacted] School in Johnstown, Ohio. I became aware of information being released without my knowledge or consent on November 29, 2012.

My son is on an IEP due to mental health and behavioral health issues. He has been diagnosed with (b)(6); (b)(7)(C) [redacted], (b)(6); (b)(7)(C) [redacted], ADD, and ADHD, are among some of his diagnoses.

Private information was released to a Licking County Juvenile Probation officer. This information resulted in my son being detained by the Juvenile Corrections System. The information presented in court contained the same statements Mr. (b)(6); (b)(7)(C) [redacted] principal of (b)(6); (b)(7)(C) [redacted] School expressed to my husband and me regarding our child. The report also contained information regarding school action. The probation officer stated he received the information from (b)(6); (b)(7)(C) [redacted] School. I believe the information released violated HIPAA and FERPA laws.

The two other schools my child attended in Ohio refused to release any information, including grades.

My husband and I have relocated out of the (b)(6); (b)(7)(C) [redacted] school district due to their biased behavior towards our son. My son was on honor roll and super honor roll at (b)(6); (b)(7)(C) [redacted] School, prior to attending (b)(6); (b)(7)(C) [redacted] School. He has since transferred out of (b)(6); (b)(7)(C) [redacted] School and has had no behavior incidents and his grades have significantly improved, even though (b)(6); (b)(7)(C) [redacted] prevented him from attending nearly 2 months of school this year.

(b)(6); (b)(7)(C) [redacted] suspended my son for being accused of bringing alcohol and drinking alcohol at a school game. There was no proof, the alcohol was never found. I dropped my son off and picked him up from the game. My son did not have any possessions with him when I dropped him off; no coat, no backpack, etc. When I picked him up, there was no alcohol on his breath and he exhibited no behavior or slurred words that caused me any concern. My son and I spent time in the car talking, we did chores together, side-by-side, and we watched two movies while sitting together on the couch while sharing a blanket and talking. I appealed the suspension and (b)(6); (b)(7)(C) [redacted] 10-day out of school suspension was converted to a 10-day in-school suspension.

During the appeal, I was informed that the school did not need any proof to suspend my son, the accusation was sufficient. My husband and I were also informed by (b)(6); (b)(7)(C) [redacted] that our son was accused of distributing marijuana.

December 7, 2012  
Family Policy Compliance Office  
US Department of Education  
Re: (b)(6); (b)(7)(C) Pl, Johnstown, Ohio

While on the in-school suspension, my son was brought to the office of (b)(6); (b)(7)(C) for not wearing the proper school clothes, even though it was a dress-down day. (b)(6); (b)(7)(C) informed my son he was being immediately sent home for this and my son began walking away (as we have instructed him to do when he feels out of control). (b)(6); (b)(7) ay called my son back and my son expressly and vividly informed (b)(6); (b)(7)(C) of what he could do with himself.

Information regarding this suspension, the allegation of alcohol abuse, and the allegation of my son being a distributor of marijuana was released to the probation officer, as well as my son's comments to Mr. (b)(6); (b)(7)(C). The judge relied on this information to make a determination to detain my son at a detention facility. The information was released without our consent or knowledge, subpoena, a court order, and without the benefit of a psychiatrist to interpret the behavior. It was one-sided and unfairly biased the judge.

In addition, my son's grades were released.

My son is on an IEP for mental health and behavioral health problems. He has been diagnosed as (b)(6); (b)(7)(C) ADD, ADHD, and many others. Discussing my sons responses to high-stress or confrontational situations is tantamount to releasing medical information, a violation of HIPAA. Discussing my son's behaviors and suspected behaviors at school is a violation of FERPA. In addition, I believe the reason for the suspension was without proof and should not be released to anyone.

As stated in my opening paragraph, I would like to file a formal complaint for both HIPAA and FERPA violations against the staff and Johnstown Monroe High School.

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

December 3, 2012, I informed the superintendent, Damien Bawn of my complaint, and he has been sent a formal written complaint as well.

I would also like to request a follow up regarding this complaint.

Please call (b)(6); (b)(7)(C) if you need any additional information.

Sincerely,

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

December 7, 2012

Damien Bawn, Superintendent

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

Re: Justin Elston, HIPAA/FERPA Violation Complaint

Dear Mr. Bawn:

I wish to report a suspected FERPA, HIPAA, and PHI violation by staff at Johnstown-Monroe High School in Johnstown, Ohio. I became aware of information being released without my knowledge or consent on November 29, 2012.

As you are aware, my son, Justin Elston is on an IEP due to mental health and behavioral health issues. He has been diagnosed with oppositional defiant disorder, intermittent explosive behavior disorder, ADD, and ADHD, are among some of his diagnoses.

Private information was released to a Licking County Juvenile Probation officer. The information presented in court contained the same statements Mr. Jakeway, principal of Johnstown-Monroe High School expressed to my husband and me regarding our child. The report also contained information regarding school action. The probation officer stated he received the information from Johnstown High School. I believe the information released violated HIPAA and FERPA laws.

The two other schools my child attended in Ohio refused to release any information, including grades.

My husband and I have relocated out of the Johnstown Monroe school district due to their biased behavior towards our son. My son was on honor roll and super honor roll at Walnut Ridge High School, prior to attending Johnstown Monroe High School. He has since transferred out of Johnstown to Northridge High School and has had no behavior incidents and his grades have significantly improved, even though Johnstown prevented him from attending nearly 2 months of school this year.

As you are aware, Mr. Jakeway suspended my son for being accused of bringing alcohol and drinking alcohol at a school game. There was no proof, the alcohol was never found. I dropped my son off and picked him up from the game. My son did not have any possessions with him when I dropped him off; no coat, no backpack, etc. When I picked him up, there was no alcohol on his breath and he exhibited no behavior or slurred words that caused me any concern. My son and I spent time in the car talking, we did chores together, side-by-side, and we watched two movies while sitting together on the couch while sharing a blanket and talking. I appealed the suspension and Justin's 10-day out of school suspension was converted to a 10-day in-school suspension.

During the appeal, I was informed that the school did not need any proof to suspend my son, the accusation was sufficient. My husband and I were also informed by Mr. Jakeway that our son was accused of distributing marijuana.

December 7, 2012

Damien Bawn, Superintendent

(b)(6); (b)(7)(C) School Administrative Offices

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

While on the in-school suspension, my son was brought to the office of (b)(6); (b)(7)(C) for not wearing the proper school clothes, even though it was a dress-down day. (b)(6); (b)(7)(C) informed my son he was being immediately sent home for this and my son began walking away (as we have instructed him to do when he feels out of control). (b)(6); (b)(7)(C) called my son back and my son expressly and vividly informed (b)(6); (b)(7)(C) of what he could do with himself.

Information regarding this suspension, the allegation of alcohol abuse, and the allegation of my son being a distributor of marijuana was released to the probation officer, as well as my son's comments to (b)(6); (b)(7)(C). The information was released without our consent or knowledge, subpoena, a court order, and without the benefit of a psychiatrist to interpret the behavior. It was one-sided and unfairly biased the judge.

In addition, my son's grades were released.

My son is on an IEP for mental health and behavioral health problems. He has been diagnosed as (b)(6); (b)(7)(C), ADD, ADHD, and many others. Discussing my son's responses to high-stress or confrontational situations is tantamount to releasing medical information, a violation of HIPAA. Discussing my son's behaviors and suspected behaviors at school is a violation of FERPA. In addition, I believe the reason for the suspension was without proof, therefore, not accurate and should not be released to anyone. I am requesting a copy of the suspension to address the inaccurate information contained in my son's school records as well.

As stated in my opening paragraph, I would like to file a formal complaint for both HIPAA and FERPA violations against the staff and (b)(6); (b)(7)(C) School.

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

I would also like to request a follow up regarding this complaint.

Please call (b)(6); (b)(7)(C) if you need any additional information.

Sincerely,

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





