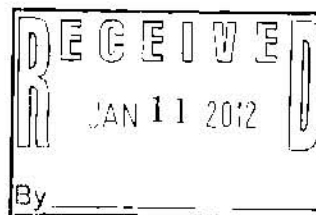


(b)(6); (b)(7)(C)

01-02-2012

Family Policy Compliance Office  
US Dept. of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-8520



Dear Sir/Madam,

Please find attached the completed FERPA complaint form you had sent to me.

The Director (and owner) of (b)(6); (b)(7)(C) has refused to give us any access to our childrens' records (grades, transcripts etc).

Her letter states that "All school communication and scholastic transcripts are confidential and will be forwarded to any future school requesting these transcripts" (copy attached).

Please note that both my daughters (b)(6); (b)(7)(C) were wrongfully terminated from the school one day after I had written the school a letter to stop the bullying of my elder daughter. The student who was the bully turned out to be the Director's grandson (copy of letter attached).

I have written two letters requesting grades/transcripts to no avail (copies attached). Furthermore, (b)(6); (b)(7) (Director) told me to not come to the school. Therefore, we have no access to our childrens' records.

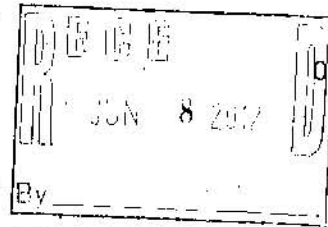
We feel as parents that this is a form of retaliation against us and we suspect the reason for denial is to possibly alter the records since the bully turned out to be the Director's grandson.

Please help us. How can school grades/transcripts of a (b)(6); (b)(7)(C) old be confidential from parents?

We look forward to hearing from you.

Sincerely,

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



05/29/2012

To U.S. Department of Education,

Here's a brief description of what has occurred within the past months:

Everyday my son (b)(6); (b)(7)(C) has come home with (b)(6); (b)(7)(C). (b)(6); (b)(7)(C). My son is severely autistic and handicapped in the sense that he cannot speak for himself in terms of many things. In his independent educational plan it is noted that (b)(6); must be properly (b)(6); (b)(7)(C) he has when at school since he is not able to properly be (b)(6); (b)(7)(C). For many times now, they have not properly changed him, and specifically do not take care of how it should be properly handled as it is stated in his chart. The nurse has called us many times saying that he has (b)(6); (b)(7)(C) and for us to come pick (b)(6); up, as we do and keep him home for a few days to realize that he has no symptoms of (b)(6); (b)(7)(C) but rather just a (b)(6); (b)(7)(C) that they do not want to clean up. Many times we have contacted them about fixing and explaining to them that he does not have (b)(6); (b)(7)(C) and how to properly change him, we even provide wipes, diapers, and gloves for them. These issues were addressed by calling and through a written journal that is a liaison between us and his aid/teacher. Our breaking point was this:

On April 23<sup>rd</sup>, 2012 Alvin had a (b)(6); (b)(7)(C) not anything out of the ordinary but (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) nonetheless. They claim to have called the house and no-one picked up. There were no calls given to our cell phones, workplaces, or even to our emergency contact we have left for them. His teacher, (b)(6); (b)(7)(C) claimed to have contacted (b)(6); (b)(7)(C) the assistant principal of (b)(6); (b)(7)(C) School to figure out how to handle the situation. What happened next was probably the most horrifying thing I could ever imagine would happen to a child. She gave them authority to wrap up the (b)(6); and put the (b)(6); matter into my sons backpack which he carried home from the school bus. Rather than sending the soiled clothing and disposing of the pull up like they normally do and what is required of them to do, they went on with this horrendous act. Later that night I, his mother, looked through his backpack to find his diaper full of (b)(6); and a note from his teacher in the journal stating that (b)(6); (b)(7)(C) left them the right to do this. Attached in this email I will leave a photocopy of the note left by the teacher (I have the original in the journal). After this occurred, we went to the Superintendent's office of Fort Bend Independent School District and they immediately sent us to have an appointment face on with the Principal of (b)(6); (b)(7)(C) School a gentleman by the name of (b)(6); (b)(7)(C). We complained to the principal about this matter and have been awaiting a reply for over a month now. We have tried our best to have direct contact with the school and the ISD but to no avail. Hopefully now, we can bring this matter to your attention. No child should go through the torture and humiliation my child went through, when he can't even fend or comprehend for himself what horrible act they did to them.

Sincerely,

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

P.S.: As stated earlier in the email, attached is the note we got from the teacher.

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



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



April 9, 2012

Jefferson Davis County School Board  
Jefferson Davis County Schools  
1025 Third Street  
Prentiss, Mississippi

Dear Board Members:

On December 2, 2011, my daughter (b)(6); (b)(7)(C), sustained serious injuries in (b)(6); (b)(7)(C) classroom on the (b)(6); (b)(7)(C) School campus. (b)(6); (b)(7)(C) was seen by a specialist and is currently receiving therapy due to her injuries.

On February 5, 2012, I appeared before the Jefferson Davis County School Board where I was told that the Board would take everything into consideration concerning the incident. February 6, 2012, I was also told to submit a demand letter, which I did on February 7<sup>th</sup>. Later during the month of February I contacted Superintendent Ike Haynes at his office, there I was told that if the school's insurance would not cover (b)(6); (b)(7)(C) medical bills that he would recommend to the Board that the school district pay her medical expenses. He requested that I give him till March 5, 2012 to resolve this issue. I asked him could not this matter be resolved sooner since she was hurt in December. Superintendent Haynes conferenced-called (b)(6); (b)(7)(C) (b)(6); (b)(7)(C), they agreed to call a special board meeting for resolution. This special board meeting did not occur, neither was it discussed during the March 5<sup>th</sup> board meeting.

I feel that I have followed all the steps of procedures to receive reimbursement for my daughter's medical expenses and I feel the school district has not addressed this matter promptly or properly. I pray for a final resolution in the matter of my daughter's medical expenses.

Respectfully,

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

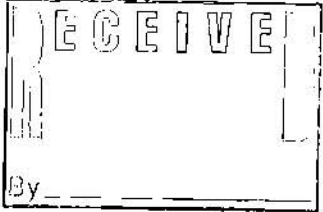
cc: [CC Mississippi Department of Education], [CC Superintendent Ike Haynes], [CC Jefferson Davis Sheriffs Department]





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

FAMILY POLICY COMPLIANCE OFFICE  
Attention: Director  
US Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520



RE: Smart Start- Ojai California

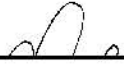
To Whom It May Concern:

My son attends after school at (b)(6); (b)(7)(C) school in Ojai, California.

After a series of concerning events at the School (my son told me he is allowed to leave with strangers, is being bullied, to name a few) I called to get some answers. The school was decidedly "tight-lipped" and not helpful. I then wrote to them asking for a copy of my son's file and they left several telephone messages, but refused to give me his file, or answer why they were not giving me his file. I was given a telephone number to their attorney, who never returned my call. I then sent a copy of my son's birth certificate and a copy of my driver's license and they still refused. Lastly, I sent a subpoena and they refused again stating it was "defective."

I am very concerned about this program, its policies and its deceptiveness. I heard a voice mail message from one of the program's administrators telling my son's father how to avoid paying a fee on a day that was not excused. I wonder what other laws and policies they break. I gave them all of the information regarding FERPA and demanded compliance and they simply refused.

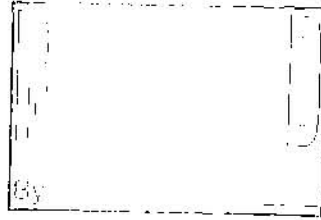
Please do whatever you can to investigate this corrupt program and help me get a copy of my son's file.

Thank you, 

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

June 14, 2012

Family Policy Compliance Office  
US Department of Education  
400 Maryland Ave, SW  
Washington, D.C. 20202-8520



To Whom It May Concern:

Would you please review the attach document and determine if a violation of FERPA occurred with Officer (b)(6); (b)(7)(C) when you made a copy of a video produced by Boulder Valley School District and determined a school record. The Officer used his personal cell phone to video tape the clip without the knowledge of BVSD. He did not use policy equipment to collect this record and was told by BVSD attorney he could not obtain a copy of the clip without a court subpoena. He then sent the video clip to a private insurance company (Travelers) without the consent of the police department or the school district.

I appreciate your time in this matter. I believe my son's rights under FERPA were violated. If you agree I am asking you take steps to rectify this matter with (b)(6); (b)(7)(C) under the constrains of the law.

I look forward to hearing from you,

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













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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. Complainant's daytime telephone number:** \_\_\_\_\_

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

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

\_\_\_\_\_

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

Interboro School District

\_\_\_\_\_

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

Dr. Edmond O. Sacchetti (Interim Superintendent)

900 Washington Avenue

Prospect Park, PA 19076

610-461-6700

\_\_\_\_\_

\_\_\_\_\_

**6. Names and titles of school officials involved in complaint:**

(b)(6); (b)(7)(C) Esquire,

Special Ed. Counsel; (b)(6); (b)(7)(C), School Board (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C), School Board (b)(6); (b)(7)(C)

(Continued on next page.)

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

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

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

Please see attached.

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

Correspondence was forwarded to Interboro School District's Solicitor, (b)(6), (b)(7)(C) Esquire.

9. Complainant's signature:

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



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

(b)(6)

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

(b)(6);

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

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

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

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



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

(b)(6); (

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

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

July 5, 2012

CERTIFIED MAIL RECEIPT #:

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

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

RE: FERPA  
Family Educational Rights and Privacy Act

Ms. (b)(6):

Enclosed please see a summary from the federal office of the Family Policy Compliance, U.S. Department of Education regarding the privacy of student education records.

As I am an "eligible student" under FERPA, I have the right to inspect and review the education records that (b)(6); (b)(7) Colleges maintains in my name.

According to FERPA my written permission is not necessary for you to release any information from my record but you may consider this request letter as such. As I am the contractual party to the student financial aid instruments in your records, that condition of being an "appropriate party in connection with financial aid" is automatically fulfilled.

Due to the great distance between our locations according to FERPA, you may provide copies of these records, and you may charge a fee for copies. Therefore, please provide copies of my education record as requested including:

o Financial Aid Documentation including

Student Loan Contract plus

All federally funded student loan applications  
between the student and the school plus

All submissions for student loans sent to the  
U.S. Department of Education plus

Accounting Ledger of disbursements received from  
funding sources, by dollar amount and date plus

Private School Loan Contract between student and school

I appreciate your prompt attention; please mail the requested documents and your fee to my attention:

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

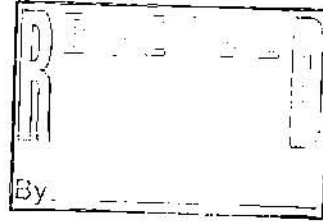
(b)(6); (b)(7)(C)

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

cc: Family Policy Compliance Office  
Washington, D.C.

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

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



July 16, 2012

We are writing to you to report a possible FERPA violation concerning our son and the Sumner County, TN school district.

On March 30, 2012, we emailed our son's school, (b)(6); (b)(7)(C) regarding a possible religious bullying incident. After several interactions, we realized that the assistant principal, (b)(6); (b)(7)(C) had blind copied all of our conversation with the parent of one of the students the complaint was concerning. We contacted our superintendent and asked him to investigate if anyone else was copied on our correspondence without our knowledge. He informed us that (b)(6); (b)(7)(C), a pastor from (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) was also blind copied. We then made a records request to see if (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) assistant principal, had shared any other information regarding our son with the church or other individuals. The records request was placed in April and we are still waiting for the information. We have contacted our superintendent, Del Phillips, several times and he only tells us that they are working on it. We have copies of all of our correspondences, if needed. Del Phillips informed us that (b)(6); (b)(7)(C) did have a disciplinary letter put into his file, but since Mr. (b)(6); (b)(7)(C) is being considered for a position as principal, we question its significance.

We are concerned that other information about our son has been shared. Any help or information you can give us regarding this situation would be appreciated greatly.

Sincerely,

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

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



Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave. Southwest  
Washington D.C. 20202

March 30, 2012

To Whom It May Concern:

I am filing a formal complaint against (b)(6); (b)(7)(C) University for its failure to be forthcoming regarding my file in the English Department and the policies governing the file's accessibility. I have attempted to access my student file in the English Department for over a month. My efforts were prompted by circumstances and events at my current university which led me to believe that there may have been a potential breach in my student file in the English Department at (b)(6); (b)(7)(C). My attempts to access my student record as well as the policies handling that record have proved futile. For nearly two months, I have been passed between the following offices at (b)(6); (b)(7)(C): the Office of the Dean of Students, the Office of the Provost, the Office of the Registrar, the Office of Student Rights and Responsibilities, the Office of the President, the Office of Graduate Studies, and the English Department Office. I have not been able to obtain consistent information from any of these departments. Moreover, my questions have not been answered.

During this time, I have requested to have the English Department policy for accessing and maintaining student records. It was my understanding that (b)(6); (b)(7)(C) would find that information for me. She passed the issue on to Prof. (b)(6); (b)(7)(C) who has not answered that request. (b)(6); (b)(7)(C) has failed to provide me as the student with the policies regarding how my student information is handled. There is nothing to suggest that they intend to do so in the future. This lack of transparency leaves me with grave concerns regarding the accessibility of my file.

As a result of (b)(6); (b)(7)(C) failure to answer this request, I asked Prof. (b)(6); (b)(7)(C) to answer three questions for me regarding my file. Those questions summarize my concerns at this point. I have not received a response from Prof. (b)(6); (b)(7)(C) and there is nothing to indicate such a response in the future.

- Is it possible for the English Department to send the prelim report to potential employers or inform them of the contents?
- Is there a log stating who has accessed my file as well as documents that may have been copied and sent out to individuals?
- Prof. (b)(6); (b)(7)(C) says that I must specify the type and the amount that I wish to be released. I do not live in Indiana and cannot stop by the office to peruse the record. As a result, I have requested the entire record. I have sent the written request via FedEx to Prof. (b)(6); (b)(7)(C) and it arrived on March 9, 2012.

I have expressed my concern to Prof. (b)(6); (b)(7)(C) Associate Dean of the Graduate School, and Ms. (b)(6); (b)(7)(C) Secretary in the Office of the President, that I am unable to specify the type and amount of information in my file in the English Department. With the exception of the prelim exam, I have no knowledge of the contents of my file. Prof. (b)(6); (b)(7)(C) did provide a list of the contents of my file in the Office of Graduate Studies. As I clearly stated to him in our phone conversation, I am not interested in my file in the Office of Graduate Studies. I am only interested in the contents of my file in the English Department. Prof. (b)(6); (b)(7)(C) last e-mail asks me to work directly and only with (b)(6); (b)(7)(C) in the Office of the Registrar. From my discussion with her over the phone on March 6th, she was unable to provide me with any information in regard to my file in the English Department. Prof. (b)(6); (b)(7)(C) response left me with no choice but to initiate a formal complaint.

As a former student of (b)(6); (c) University, I should be able to access my student file in the English Department without undue burden as requested in my letter to Prof. (b)(6); (b)(7)(C). I had hoped to find transparency in at least one office at (b)(6); (c). However, my phone log and my e-mails show that my questions and requests have gone unheeded and ignored. I have spent a great deal of time attempting to track down answers at (b)(6); (c) but my efforts have not yielded any results. I am merely requesting to view my entire academic file in the English Department Office. Following FERPA guidelines for out-of-state students, I have agreed to pay for the photocopy of my file. I am asking the Family Policy Compliance Office to intervene in the matter so that I can obtain my file as well as the policies that govern the accessibility of that record.

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

Family Policy Compliance Office

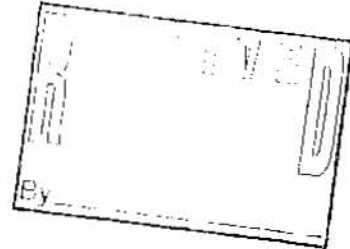
US Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-8520

Cc: (b)(6) G Registrar

RE: Privacy Concern



Dear US DOE;

I am writing to report a privacy concern with a local University.

In December 2011, I completed an application for graduate studies through the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) program in order to attend one graduate level class in spring semester 2012. I received an e-mail confirmation that I was eligible to enroll and also received a follow up telephone call a few days prior to the registration deadline. After searching the class schedule for appropriate open courses, I did not find any classes that met my educational goals. Hence, I never enrolled in any classes at (b)(6); (b)

My concern is that I received an e-mail (copy enclosed) from a yahoo account with an attachment on January 31, 2012. My concerns are as follows:

- Official college e-mail should not come from a yahoo account
- Malware is frequently spread through attachments
- I did not give anyone permission to disclose my e-mail address
- I gave my e-mail address on an application for admission and never enrolled in classes
- According to 34 CFR §99.31, I do not see a valid reason for my personal e-mail to be disclosed

I contacted the information technology support at (b)(6); (b) who referred me to the registrar's office. Naturally, both these parties denied any wrongdoing. In fact, the registrar's office informed me that I could suppress my private information by revealing even more private information in the form of a driver license.

Sincerely,

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

2.3.2012

- 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.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may call 1-800-437-0833.

Or you may contact us at the following address:

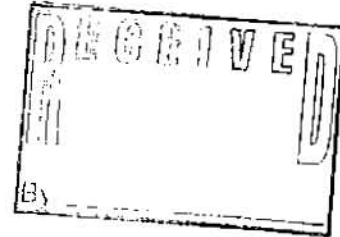
Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

from www 7.2.2012

www2.ed.gov/.....  
modified 4/08/2011

January 20, 2012

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



Re: FERPA School/Individual Violation

Please consider this letter an official complaint against the School District of Bentonville, AR and specifically ex-school board member (b)(6); (b)(7)(C). I am filing this complaint on behalf of my daughter who attended the first semester 2009 at (b)(6); (b)(7)(C) School. Based upon the information listed below, I believe there to have been a violation of the "Improving America's Schools Act" (IASA) of 1994, namely inappropriate disclosure of personally identifiable information (PII) from student records to unauthorized persons.

Violations of Act or Regulations:

- Inappropriate person granted access
- Inappropriate sharing of confidential information

Date of Violation: October ~ November 2009

Date Violation Discovered: February 2010

Mr (b)(6); (b)(7)(C) held the Bentonville School Board's Position 1 seat since 2003 until choosing not to seek re-election in September 2011. Mr (b) who is also an attorney for the law firm of (b)(6); (b)(7)(C) in Rogers, AR, is plaintiff's counsel in a civil law suit filed against me in April 2007.

In October of 2009, my family and I moved from Bentonville, AR to Charleston, South Carolina. Sometime late in February of 2010, I received a telephone on my personal cell phone from a "private number". I spoke to an unidentified female who stated "she could not tell me here name", but thought I should know that back last year, (b)(6); (b) accessed the schools registrar information to find my address in South Carolina". I thanked the caller and asked if she worked for the school system, then the call abruptly ended.

Just prior to moving from Bentonville, AR, I had two daughters attending school. One enrolled in (b)(6); ( ) school, and one in (b) school. My youngest daughter moved to South Carolina a month before her sister who was in (b)(6); school. I specifically recall un-enrolling her from school and was not asked, nor did I provide our new out of state address. My wife and older daughter dealt with un-enrollment a month later before moving. After receiving the call in early 2010, I asked my wife if she provided an address by the school registrar and she stated yes.

Since that time, my family and I have moved once again this time to Oklahoma. I had initially dismissed this matter, but due to certain circumstances, I felt it important to file a formal complaint and have this matter reviewed.

Yours Truly,

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



# LETTER OF TRANSMITTAL

December 30, 2011



USPS Delivery

**To: Family Policy Compliance Office**  
United States Department of Education  
400 Maryland Ave., SW  
Washington, DC 20202-5920

**From**

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

**Subject: Introduction of Complaint and Request for Investigation**

(b)(6); (b)(7)(C) parents of (b)(6); (b)(7)(C)

## Contents of Transmittal

- (2) Discs with electronic files which includes:
  - Cover letter
  - READ ME FIRST**
  - Overview and Summary of History
  - Overview and Summary of History – Exhibits
  - Overview and Summary of History – Additional Exhibits
  - 'FULL CIRCLE Docs'

## Transmitted for your use and records

Thank you,

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

cc: Guy Johnson, US DOE, Office for Civil Rights

(b)(6); (b)(7)(C) 2

### question about FERPA

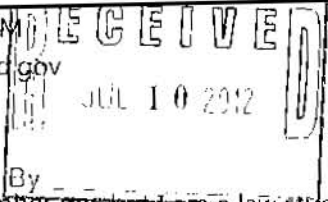
Fr : (b)(6); (b)(7)(C)

Sent: Thu 6/28/12 3:48 PM

To: bernard.cieplak@ed.gov

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

Mr. Cieplak,



I don't know if you remember me, but I am a law student at the (b)(6); (b)(7)(C) School of Law (b)(6); (b)(7)(C) Law) that was requesting to access my school records. Due to a dispute with (b)(6); (b)(7)(C) Law that I do not totally understand, (b)(6); (b)(7)(C) Law will not allow me on campus or talk to them on the phone.

After making many informal requests to review my records, I emailed a formal FERPA request to my school on 5/3. I spoke with you on the phone on 5/16 and you said that you called (b)(6); (b)(7)(C) Law and spoke with the Dean. On 5/21, (b)(6); (b)(7)(C) Law sent a certified letter to my private residence. I did not receive notification of the letter until 6/6. (b)(6); (b)(7)(C) Law asserts that since they did not receive my letter until 6/11, the forty-five days period from which they would be required to disclose my records did not begin until 6/11. Their certified letter requested that I send them a copy of photo identification for identity verification, and I provided them a copy of my school identification. (b)(6); (b)(7)(C) Law regularly sends me confidential material via email and has never previously sent me a certified letter requesting my signature. If the school wants to make sure that I receive a letter, they send by UPS.

I am willing to wait until July 25, upon which I believe the 45 day period would elapse. However, I would like to make sure that (b)(6); (b)(7)(C) Law does not delay the process any longer and I would like to request your assistance in this matter. (b)(6); (b)(7)(C) Law agreed to provide me the records at an off campus location of my choosing. However, I feel that even though I live within walking distance of the law school, it would be easiest and best if (b)(6); (b)(7)(C) Law simply mailed me copies of all such records. However, I am willing to meet to review my records.

(b)(6); (b)(7)(C) Law refused to answer other questions I had about reviewing my records. (b)(6); (b)(7)(C) Law insists on making plans for my reviewing of the records only after the 45 day period has elapsed. I would like to bring a copying machine to copy certain records while I am reviewing them. Is that alright? I would also like to determine the venue and nature of my reviewing the records in advance to prevent further delay. Although other (b)(6); (b)(7)(C) Law faculty correspond with me via email, (b)(6); (b)(7)(C) the sole FERPA point of contact, prefers to correspond only by certified, signature requested mail, which causes problems. I think that it took me over two weeks to receive notification of their first letter because if I wasn't home, the postal carrier wouldn't try again for another week or so. I think that Ms (b)(6); (b)(7)(C) may prefer to correspond with me in such a manner to delay the process.

I would like to confirm the venue to review the records, as well as the people to be present when I review the records. I would prefer that due to the extreme hostility of the situation that I will describe, no (b)(6); (b)(7)(C) Law employee be present when I review the records. I would prefer that we find a neutral third party, perhaps a notary and/or lawyer, to be a middle-person with whom (b)(6); (b)(7)(C) Law can drop-off the records and then allow me to review them without an (b)(6); (b)(7)(C) Law employee being present.

Could you request that (b)(6); (b)(7)(C) Law negotiate the terms of my reviewing the files during the 45 period, especially since they have already delayed the process considerably?

I would also like to provide a brief background of the situation. I am a (b)(6); (b)(7)(C) law student attending a (b)(6); (b)(7)(C) law school. I feel that they law school has treated me very unfairly during the three epic.org

years that I have attended the law school. Due to severe harassment issues, I made a public statement to local media regarding what I felt was unfair treatment of gay and lesbian students at (b) Law. After which, the harassment at my school greatly increased. As just one example, a student began taunting me in class about how he felt that Adolph Hitler and Nazi Germany were truly great and noble, because he knew my mother is a holocaust survivor. I asked my professor if he could ask the student to stop doing such during just about every class period and the professor refused. After the administration refused to do anything about the severe and continuous harassment in early December of 2011, I posted on Facebook, "[it would be funny if] God smites (b) Law and (b) Undergrad, the faculty and students, who suck, die a terrible death. Ha ha ha ha." I apologized repeatedly and clarified that I did not mean to suggest that I actually wished for such to happen. I was on the Dean's list for my high grades when such happened.

Shortly afterwards, FBI agent came to my apt. and informed me that, as I understand it, the Dean and the students had begun a call-in campaign to the local FBI office, as well as to local law enforcement, demanding that local and federal authorities arrest and convict me of felony internet threat charges. The FBI told me that they felt I had committed no crime, but wanted to let me know what was going on. The FBI agents agreed that (b) Law's behavior constituted criminal "false complaining," but decided to give (b) Law one "free pass" and not press charges against them unless their behavior continued. Dean (b)(6); (b)(7) then informed me that I must take my finals under the watch of security guards and could no longer call or enter the campus. I cited many examples of faculty and students saying far worse stuff, but the Dean ignored me.

See following link, (b)(6); (b)(7)(C) is an alumni of (b) Law and (b)(6); (b)(7)(C) undergrad

The school forced me to take a mental health exam with a psychologist who would not disclose the results of the exam to me. The appropriate state entity that regulates licensed psychologists opened an investigation into why the psychologist will not disclose any of her notes or results to me. I then took a forensic exam with 2 more psychologists who unequivocally decided that I was mentally fit to practice law and was not a danger to others. However, the school still refuses to allow me to enter campus or call them. There are other issues, but I feel that this is a fair representation of the situation.

Yours Truly,

Andrew Stankevich

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

2012 JAN 30 A 9:54

23 January 2012

The Honorable Arne Duncan  
Secretary of the Department of Education  
400 Maryland Avenue, SW  
Washington, District of Columbia 20202

Via certified US MAIL

Dear Secretary Duncan:

I am writing to follow up on a letter sent in October regarding a FERPA complaint. It is attached. In addition to the written complaint, I also inquired in late December as to the status of this complaint and how to complain against an Inspector's General employee who has refused to assist in the sexual assault of my child at his school. He is (b)(6) and neither the local school district or the school's police department have been of assistance.

I am writing you to first request information on the FERPA complaint and second, how to file a complaint against a Department of Education OIG employee.

Thank you for your time. I remain respectfully yours,

In friendship and service,

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

Enclosures

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

1 October 2011

Family Police Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, District of Columbia 20202

To Whom It May Concern:

I am writing because on multiple occasions my child, a student at (b)(6); (b)(7)(C) Academy, has had personally identifiable information e-mailed, without authorization to other parents of his classroom by his teacher. She had done this from her personal e-mail account in an attempt to avoid the district's e-mail warning on the issue I believe.

Attached are examples of where she emailed multiple parents with various issues of her students. I can not speak for other parents, nor will I attempt to, but do know that we did not authorize this type of disclosure in the case of our son.

Thank you for your time in investigating these matters. If you have any questions, I can be reached at (b)(6); (b)(7)(C). Thank you.

Sincerely

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

Enclosure

July 11, 2012

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

U.S. Department of Education  
Attention: Family Compliance Office  
400 Maryland Avenue, SW  
Washington, D.C. 20202

Dear Family Compliance Office:

The University of (b)(6) (b)(6), (b) has violated the Family Education Rights and Privacy Act in 2001, but this letter is referring to recent violations of FERPA that occurred three times in the 2011-2012 school year. The **first violation** occurred as I appeared in person to request and submit a transcript request form at the (b)(6) registrar's office in November 2011. (b)(6) office staff in that office told me that a copy of my transcripts would not be provided to me because of several holds on my student account numbered (b)(6), (b)(7). I knew that the holds should not have been placed on my student account because I had not attended (b) since May 2001 and my transcripts were issued to me several times after 2001 thru early 2011. They went on to tell me that I needed to meet with Mr. (b)(6), (b)(6), (b)(6) Director of Admissions. Hours later they called me via telephone to set an appointment to meet with Mr. (b)(6), the following week.

Police followed me and my son down the hallways inside of the admissions building as I was leaving the meeting with (b)(6), (b)(6), (b)(6) without my transcripts. (b)(6) has used the same method of harassment and humiliation since my last semester in the spring of 2001. Mr. (b)(6), (b)(6) later denied the use of police to intimidate and humiliate me and said that he will remove all holds on my student account.

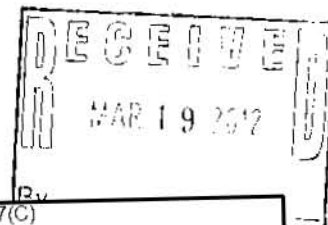
The **second violation** occurred on April 10, 2012 after I requested via email a copy of my plan of study that contained my signature, and this plan contains the signature of the academic advisor who served and academic counsel during my time of enrollment at (b)(6). I also requested a copy of my entire file from the (b)(6) College of Education and Human Development. I sent my emailed request to Ms. (b)(6), (b)(7)(C) and Mr. (b)(6), (b)(7)(C). I received no response from them to this day. (b)(6), (b)(7)(C) served as dean (b)(6) College of Education and Human Development, and (b)(6), (b)(7)(C) served as the assistant dean during the time of my emails.

The **third violation** occurred on June 18, 2012 when (b)(6), (b)(7)(C) who serves as university counsel, wrote in her letter that my plan of study sheet was purged because academic files are purged after five years. (b)(6), (b)(7)(C) letter was sent with an incomplete version of my student files.

Sincerely,

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

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



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

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

March 8, 2012

Family Policy Compliance Office  
Ms. Ellen Campbell, Acting Director  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5327  
VIA FAX: (202) 260-9001

Re: Release of Document on Twitter Site  
Self Report

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

My name is (b)(6); (b)(7)(C) and I am In-House Legal Counsel for (b)(6); (b)(7)(C) University in (b)(6); (b)(7)(C) Missouri. At approximately 5:30 p.m. on March 5, 2012, a (b)(6); (b)(7)(C) University document containing a list of students academically suspended in December was attached to a message and distributed on the social networking site, Twitter. The site was called LindenLeaks and has been in place for several months. The document contained personal information including grade point averages, addresses, student identification numbers, telephone numbers, and the like. No social security numbers were included and the individual sending the document did not identify himself. All affected students were immediately notified.

Twitter was contacted and a request to close the site, based on its policy to not reveal private information, was made and honored. The site is now closed.

An internal investigation conducted by our public relations, student life, IT, and legal department was conducted which determined that that document was on a secure site, but was edited by a staff person, and was inadvertently saved on an unsecured site. We are confident that there are no flaws in the integrity and security of our system, and that this incident is attributable to human error. The Department of Education's Family Policy Compliance Office was contacted by telephone and Mr. Cieplak was very helpful in giving us guidance in this situation. He stated that you will forward to us a technical assistance letter and that can be faxed to me at (b)(6); (b)(7)(C)

The internal investigation narrowed possible suspects to three (b)(6); (b)(7)(C) students and in coordination with the (b)(6); (b)(7)(C) County Cyber Crime Unit it was determined that two of the suspects could have had access to the document. The Detectives were given the results of the internal investigation and conducted interrogations of the students on March 7<sup>th</sup>. One suspect was cleared, the second suspect denied any association with the Twitter site, and the third suspect advised us that the second suspect originated the LindenLeaks site.

The Cyber Crime Unit and our staff are reasonably certain that we have narrowed our search to the actual perpetrator of the incident, and upon the request of law enforcement officials, we are waiting to review information from the warrants and subpoenas that have been issued to verify the individual with certainty. They have been in contact with the St. Charles County Prosecuting Attorney's office and will be seeking charges pursuant to RSMo Section 569.095, Tampering with Computer Data, which is a "Class A" misdemeanor punishable by one year in the county jail and a \$1000 fine.


Our position with the media is that "the investigation is ongoing." We will continue to cooperate with law enforcement and will expel the person responsible at the conclusion of the investigation.

We are seeking your agency's guidance in this matter and request information as to any further requirements that you may have and to inform us if there are any other federal or state agencies that need to be notified.

Thank you for your prompt attention to this matter.

Sincerely,

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





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

By \_\_\_\_\_

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

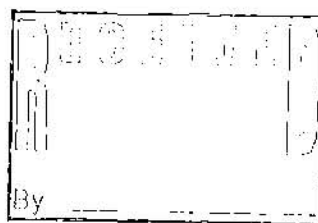
Dear Family Policy Compliance Office,

My son (b)(6); (b)(7)(C) is currently attending the (b)(6); (b)(7)(C) School located at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Pennsylvania (b)(6); Phone: (b)(6); (b)(7)(C) I have had difficulties in asking the school to amend attendance records for my son. In addition to this, the school is refusing to send me any record of his attendance. I am asking for your assistance in obtaining attendance records for my son and amending those records. I am seeking to amend his attendance record due to overwhelming evidence of record inaccuracies. I have written the school via US Mail with return receipt, detailing my request for attendance records and my request to amend those records, the school has had in excess of 30 days to respond to my request, and I have received no response from the school.

Thank you for your assistance,

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

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



Thru Family policy Compliance office for Ferpa rights  
 Failure to comply with provisions of the Act. And the  
 Application to file a tort claim against the government  
 U.S. Dept . of education authority of the Secretary to  
 Collect a debt, and debtor request an opportunity to inspect  
 And copy records relating to a debt. Of civil fraud remedy act

U.S. DOE. Family Policy compliance office  
 Attn: Violations of the Act and Civil fraud remedy Act  
 400 Maryland Ave. S.W.  
 Washington D.C. 20202

Dear Sir Or whoms concern

This request for Hearing Rights of this complaint and tort claim against the U.S. dept.  
 of education for violations of the Act and  
 Civil fraud remedy act , I am this date pursuant to 5 USC 552a requesting along with this  
 an opportunity to inspect and copy records relating  
 To a debt, that was made acted upon by a deferment disability request that the U.S. Dept  
 of education received and refused to act upon  
 In 1999 and the petition for review filed in 2000, along with this request for instruction  
 on obtaining a cease and desist order from the Secretary  
 The above request and complaints was forwarded to the Dept of Education this date of  
 this claim against the government of a matter that is  
 Involved the U.S. Government property and personal injury

This Date 3-21-12 mailed postage prepaid to the U.S. Dept. Of education Family  
 Policy Compliance office and the complaint to the Secretary  
 At 400 maryland Ave. S.W. Washington D.C. 20202 By

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

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

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

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

RECEIVED  
MAY 31 2012  
By \_\_\_\_\_

May 18, 2012

Family Policy Compliance Office  
400 Maryland Ave, SW  
Washington, DC 20202

Dear Family Policy Compliance Office:

It came to the attention of the Liberal Studies (LS) Department Chair in November 2011, that a faculty member was having his wife attend all of his classes. The name of the course was Introduction to Poetry ((b)(6); (b)(7)(C)) which was combined with Advanced Poetry ((b)(6); (b)(7)(C)) that was taught during our "Session" term. There were five total students in these combined courses.

Upon further exploration (including a classroom observation completed by the Chair), and a discussion with the professor and his wife, it became clear that the wife was assisting significantly with all aspects of the course. This included: keeping the course organized and responding to student correspondence – including information about grades. To accomplish the correspondence the wife needed to have access to our email and, using her husband's credentials, would have had access to our faculty web-portal.

The individuals involved included:

((b)(6); (b)(7)(C)) Ph.D. – Department Chair, LS

((b)(6); (b)(7)(C)) Ph.D. – Professor, LS

((b)(6); (b)(7)(C)) - Wife of Dr. ((b)(6); (b)(7)(C))

As soon as possible we asked Ms. ((b)(6); (b)(7)(C)) to sign our FERPA policy. She signed the policy on November 23, 2011 (attached to this letter). Although not an employee we felt this was an important interim step. ((b)(6); (b)(7)(C)) had been experiencing profound, progressive health problems. The students were all very supportive of the professor and were aware that Ms. ((b)(6); (b)(7)(C)) was present in each of their classes. Students were also aware that Ms. ((b)(6); (b)(7)(C)) was the one responding to correspondence. ((b)(6); (b)(7)(C)) classroom observation made it clear to her that Dr. ((b)(6); (b)(7)(C)) was struggling and that his wife provided structure (for the students) to the course.

Ms. (b)(6); (b)(7)(C) indicated that the only thing she did was respond to student questions/correspondence. This sometimes included information about grades on an assignment. We have no indication/report/statement that she in anyway accessed any other student records. Within our system, unless (b)(6); (b)(7)(C) was a student's advisor (which he was not to any of the students in this class) the only information available to a professor (and thus to Ms. (b)(6); (b)(7)(C)) would be the student name, student number, degree, and advisor. All information suggests that except for student grades in this particular course, Ms. (b)(6); (b)(7)(C) did not violate student educational record privacy in any way.

We apologize for this breach but believe it was intended solely to assist a well loved and ailing professor in the delivery of a course. Ms. (b)(6); (b)(7)(C) insured that students got timely responses to queries and timely feedback from her husband on work products.

Sincerely,

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

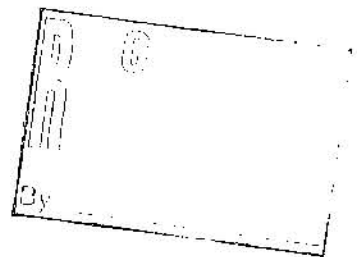
(b)(6); (b)(7)(C)







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



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

4/17/12

To Legal Counsel:

I have purchased from Elections Officials a list of registered voters, as I am on the ballot for State Assembly representing (b)(6) and surrounding areas of Las Vegas, Nevada.

We have "Confidential" status for any voter who requests it, and in such case that voter name and address are redacted from public records. Only students who have failed to specific "confidential" appear on the published 'walking lists' that candidate purchase or print out on line. Students are aware this is public information when the they fill out the form.

I have some 40 students registered in a dorm. I am prohibited from campus rules from accessing the student residence hall, but of course can send mail to the students who are on my list.

The problem: I suspect 2/3 or more of the students have moved-on, and forwarding of mail to them two years after their perhaps 2010 or 2008 voting, is not realistic. Life goes on.

I have asked the University if someone could simply XXXXXX-OUT the names of students on my public-list who are no longer at the University so I will not be writing to those who are history.

➔ I am told that it is a violation of FERPA for them to do so, that they cannot provide me a list of students living on campus. That is NOT what I seek. I already have a list of students living there in 2008 or 2010, and rather than write to 30 students when maybe 10 are still around, I would like to provide a name and be told, now that I already HAVE the information, that this is valid, or stale.

Some of the high security condo buildings have XXXXX-OUT names of former residents, leaving me a current mailing list. Again, am not personally interfering with student privacy, they waived that privacy as to Official Mail from the



Elections Office, or from Candidates, by registering to vote.



**Please advise me if it is a violation for (b)(6) to provide yes-or-no response to an official lists of registered voters listed as campus residents.** The taxpayers need this information too, to avoid wasteful mailings of current materials. Thank you.

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

BERNARD SANDERS  
VERMONT

COMMITTEES:  
BUDGET

ENVIRONMENT AND NATURAL RESOURCES

ENVIRONMENT AND PUBLIC WORKS

HEALTH, EDUCATION, LABOR, AND  
PENSIONS

VETERANS' AFFAIRS

JOINT ECONOMIC

# United States Senate

WASHINGTON, DC 20510-4504

## FAX COVER SHEET

From the office of:  
Senator Bernard Sanders  
1 Church Street, 2<sup>nd</sup> Floor  
Burlington, Vermont 05401

332 SENATE DIRKSON OFFICE BUILDING  
WASHINGTON, DC 20510  
(202) 221-5141  
1 CORNER: 131 KYLE, 2ND FLOOR  
BURLINGTON, VT 05401  
(802) 862-0187  
(800) 339-9034  
www.sanders.senate.gov

OM  
KA

DATE: October 11, 2012

TO: Ms. Gabriella Gomez  
Assistant Secretary for Legislative and Congressional Affairs  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, DC 20202

FAX NUMBER: (202) 401 - 1438

*EKM*

FROM: Elizabeth K. Miller, Constituent Advocate, Office of Senator Bernard Sanders  
Elizabeth\_miller@sanders.senate.gov

PHONE: (802) 862-0697 (phone) (802) 860-6370 (fax)

MESSAGE:

Re: FERPA

Senator Sanders has asked me to notify you that he has received a request for information from a constituent. The constituent has requested Senator Sanders' assistance obtaining information about FERPA from the Department of Education.

The constituent has posed the following questions concerning FERPA:

- Does FERPA prohibit a school from providing the state department of health access to children's medical records?
- If not, what are the specific circumstances that allow for the sharing of these medical records, considered educational records, by FERPA?

We respectfully request that you look into this matter at your earliest convenience. Thank you in advance for your consideration.

PAGE 1 OF 1

By: [Redacted] JUN 11 2012

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

May 28, 2012

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

To Whom It May Concern:

My name is (b)(6); (b)(7)(C) mother of (b)(6); (b)(7)(C). My daughter (b)(6); (b)(7)(C) was a (b)(6); (b)(7)(C) grader at (b)(6); (b)(7)(C) School here in Las Vegas, NM. I am writing this letter to voice some concerns I have.

My daughter (b)(6); (b)(7)(C) had an IEP in affect when this incident occurred due to her disabilities that my daughter has. I have always been told that an IEP is of great importance for children with disabilities and I have to say that surely hasn't been our experience. Although this Federal Document is Supposed to protect my daughter (b)(6); (b)(7)(C) rights, her accommodations were completely ignored.

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

My Daughter (b)(6); (b)(7)(C) was a Victim of being Verbally Bullied in her English class in front of all her peers by her Teacher Ms. (b)(6); (b)(7)(C) on Tuesday 12-6-11 in which that wasn't enough this teacher then went on Facebook on Wednesday 12-7-11 during school hours and posted that Humiliating Conversation.

On Thursday 12-8-11 my Daughter (b)(6); (b)(7)(C) and I attended an IEP at 7:30 a.m. that I had requested on 12-6-11 due to Non-Compliance of my daughters IEP that was in affect. The fact is I brought to the IEP committees attention that I felt that my Daughters IEP was being neglected and although the school has a Zero Tolerance for Bullying in the School Policies, but why is it that the Rules don't apply to Teachers, I Expressed that not only was my Daughter (b)(6); (b)(7)(C) Accommodations being Neglected but my Daughter is being Cyber Bullied on Facebook by a Teacher. I also stated that due to the Mental Abuse that my daughter (b)(6); (b)(7)(C) had endured that her state of mind was fragile and without mentioning that Teachers name at the IEP meeting, I stated that I would hold that teacher accountable if anything were to happen to my daughter (b)(6); (b)(7)(C)

Needless to say that the Teacher Responsible for Bullying my Child (b)(6); (b)(7)(C) sat next to me in which was on her cell phone during the meeting, and after I said what I did she stood up and became very confrontational although I never mentioned her name nor pointed her out, she then got in my face, then yelled at my Daughter (b)(6); (b)(7)(C) saying not everything is about her and said she was talking about another student, she became very confrontational and told my Daughter that not everything was about her, and my daughters response was you know that was the exact conversation that took place in class when you humiliated me. My Daughter (b)(6); (b)(7)(C) then told Ms. (b)(6); (b)(7)(C) that as a Teacher she should know better than to say that about any student Ms. (b)(6); (b)(7)(C) then got in my face and then said I don't have to put up with this shit and then said she quits. The Vice Principal (b)(6); (b)(7)(C) and Counselor (b)(6); (b)(7)(C) had to intervene twice until they had to escort Ms. (b)(6); (b)(7)(C) out of the room due to she was very confrontational towards me (b)(6); (b)(7)(C)

After the IEP Meeting, my Daughter went to her classes feeling very depressed she then had to deal With being harassed from Ms. (b)(6); (b)(7) daughter and other students, accusing my Daughter (b)(6); (b) of getting Ms. (b)(6); (b) fired.

As per a letter written by Psychologist, Dr. (b)(6); (b)(7)(C) dated 12-15-11 she didn't feel it would be in (b)(6); (b)(7) best interest to return to school due to her Fragile State of Mind. However did note as per IEP accommodations that it is in (b)(6); (b)(7) best interest to further her education from home at this point.

On Thursday, 2-23-12 we had a follow up IEP at (b)(6); (b)(7) (b) School due to my trying to resolve my child's Education Dilemmas after this incident occurred with Ms. (b)(6); (b) However at this meeting the school then offered to due Home-Bound school to accommodate to my daughters IEP. Although my daughter hadn't returned back to school after 12-12-11 my daughter and I felt that, our efforts in resolving this matter as far as responding to why the school was being uncooperative with my child's educational needs being that there was an IEP in affect. I also stated to the IEP team had they forgotten that my child (b)(6); (b) was the Victim of (b)(6); (b) a Teacher that was Employed by the Las Vegas Schools. My daughter (b)(6); (b) and I discussed the schools offer however at this point my daughter felt that maybe it's just time to give up (b) School and go for her GED. (b)(6); (b) felt that nothing was resolved at meeting held on 2-23-12, and also said the IEP Team will never understand how Ms. (b)(6); (b)(7) actions of Bullying and Breaking Confidentiality have truly devastated her.

At this point my Daughter (b)(6); (b) dropped out of (b)(6); (b)(7) (b) School and is now going for her GED, and Ms. (b)(6); (b)(7) did turn in her letter of resignation after the IEP meeting held on 12-8-12. I also served the Superintendent for Las Vegas City Schools Sheryl Mc-Nellis Martinez with a letter dated 1-20-12 I served that letter on 4-11-12 in 1 which have not received any Response.

Therefore I am asking that you Please Accept this as a Formal Complaint against the Las Vegas City Schools and Ms. (b)(6); (b)(7) in reference to Bullying and Breaking My Daughter (b)(6); (b)(7) Confidentiality as a Student of (b)(6); (b)(7) (b) School. I Truly feel that the Outcome of Ms. (b)(6); (b)(7) Actions as A Teacher should be Held Accountable, and I also feel that my Concerns are Significant enough to file this Complaint. I am sending you copies of what I submitted to the Superintendent for the Las Vegas City Schools Sheryl Mc-Nellis Martinez.

Well I think between the information I am submitting to your office, I Truly Hope that your office does a thorough investigation on what my concerns are as Parent whom wants Justice for my Child (b)(6); (b)(7)

Your Attention in this matter would be Greatly Appreciated if you have and further questions feel free to contact me at (b)(6); (b)(7)(C)

Sincerely,

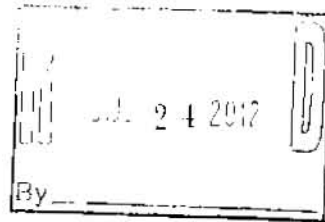
(b)(6); (b)(7)(C)

CC: Sheryl McNellis-Martinez - Superintendent

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

July 16, 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 Diocese of Pittsburgh on behalf of (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) 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 Disciplinary Record, (b)(6); (b)(7)(C)

Date: 12/14/2011

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

Date challenged content discovered: 1/27/2012

**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: \_\_\_\_\_

epic.org  
Date of Violation: 1/25/2012

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

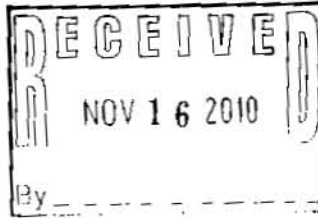
**Other Relevant Information:**

Child of Complainant, (b)(6); (b)(7)(C) had attended (b)(6); (b)(7)(C) School for 7½ years. The child had IEP, however the school had failed to comply with it and provide him with a proper Education Plan on numerous occasions. On December 14, 2011, the child received a 2 day in school suspension based on an incident that had happened several months earlier involving some mutual horseplay with another student, however the school incorrectly labeled the incident as “sexual misconduct” in the child’s records. The incident was not sexual in nature and the students who reported this to the staff at (b)(6); (b)(7)(C) School were not the same students who were involved in the incident. No sexual misconduct occurred whatsoever. The parents were aware of the in school suspension but were not aware that the incident was labeled as sexual misconduct. The child transferred to (b)(6); (b)(7)(C), a private Christian school for the Winter Semester of 2012, mainly because one of his teachers at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) had been scape-goating the child and causing him great difficulties. In late January of 2012, after the child had been attending (b)(6); (b)(7)(C) for several weeks, the child’s former teacher at (b)(6); (b)(7)(C) school, (b)(6); (b)(7)(C) who had previously had a contentious relationship with the child, found out through students at the school that the child was now enrolled at (b)(6); (b)(7)(C). On January 25, 2012, (b)(6); (b)(7)(C) unilaterally sent an e-mail to the headmaster at the (b)(6); (b)(7)(C) in which he unlawfully disclosed protected information concerning the child’s disciplinary history and said that he had been suspended for “sexual misconduct” without giving any further information about the reasons for the in school suspension. (b)(6); (b)(7)(C) actions were done without any prior notice to the child or his parents, and it was not done at any request of the staff at (b)(6); (b)(7)(C) or (b)(6); (b)(7)(C) School, he had obtained the e-mail address of the (b)(6); (b)(7)(C) Headmaster from the website of the school. Later that day, the child was dismissed from (b)(6); (b)(7)(C) as a result of their false belief that the child had engaged in sexual misconduct and was a danger to the students. (b)(6); (b)(7)(C) school has defended these actions and has taken no steps to investigate into the matter or to reprimand (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) dissemination of the student’s information was not done in good faith and was committed with malice with the sole intent to harm the child and the way in which he disseminated this information was violation of both FERPA and Pennsylvania Law. The school officials had already been told that the child was not a threat to any students by the child’s own psychiatrist and there was no legitimate reason for Mr. (b)(6); (b)(7)(C) to take the action that he did. (b)(6); (b)(7)(C) never actually received the child’s certified academic records which explained the incidents in greater detail as well as the conclusion that the child was not a threat to other students, instead they immediately removed the child from (b)(6); (b)(7)(C) as they were under the mistaken belief that he was a sexual threat to the students at their school as a result of Mr. (b)(6); (b)(7)(C) malicious dissemination of protected information. There has also been a request made to the school to amend the record as well as the contents of the student’s disciplinary record are false and misleading, however the outcome of the request for an amended record is still pending.

Yours Truly,

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

epic.org



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

November 5, 2010

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Ave. SW  
Washington, DC 20202-5920

Dear Representative of the Department of Education,

I believe federal law and my rights as a student have been violated by two merged institutions, the Institute of (b)(6) (b)(6); ( and (b)(6); (b)(7) (b)(6); and the (b)(6); (b)(7)(C) of (b)(6); (b)(7). When (b)(6) merged its academic program with the (b)(6); (b)(6); (b) of (b)(6); (b)(7) the (b)(6); ( (b)(6); ( of (b)(6); (b)(7) registrar's office assumed responsibility for the student records formerly maintained by (b)(6). In the past I was able to get (b) transcripts for the following degrees I earned. Please note, at that time my maiden name was (b)(6); (b)(6); (b) (b)(6); ( (b)(6); (

Master of Science	Fall 1995 - Spring 1997	Graduated with MS 1997
Doctorate	Spring 2001 - Spring 2004	Graduated with PhD 2004

In 2006, the (b)(6); (b)(6); of (b)(6); (b) was willing to create complete (b)(6) MS and (b)(6) PhD transcripts for me in response to transcript requests when I supplied copies of my official (b)(6) transcripts. This resolution was satisfactory, as I was assured it was a matter of records transfer in progress and they were more than happy to help in the interim while records were being transferred. However, in October 2010, they officially decided to stop honoring my transcript requests.

In October 2010, I learned the (b)(6); (b) (b)(6); (b) of (b)(6); (b)(7) is no longer willing to provide proper transcripts as has been done in the past. I received a letter dated October 6, 2010 with an example of what they are currently willing to provide. The MS portion was entirely missing. I was also given an e-mail stating I would no longer be able to get any proof of the numerous engineering courses I completed during my time as a master's student. This is negatively impacting my ability to provide proper documentation for university and government positions I am qualified for and would like to pursue. In addition, I will be required to pay to repeat expensive graduate level courses in a current Master's program I have enrolled in at the University of (b)(6); (b) if an official MS transcript of my past student work is not provided.

I requested a meeting and offered to fly at my own expense to Atlanta with the one copy of my MS transcript that I own. It is printed on official security paper, signed, and displays the official gold seal. I wished to meet personally and discuss (1) proper management of my student records going forward and (2) re-creating my MS transcript from this official document similar to the way the (b)(6); (b)(6); of (b)(6); (b)(7) was willing to do in the past. My request was refused. This is what I have asked for:

- (b)(6) to locate my student records, ensure they are accurate and complete, and provide them to the (b)(6); (b)(6); (b) of (b)(6); (b)(7) to make available for transcripts requests.
- (b)(6); (b) (b)(6); (b) of (b)(6); (b)(7) make these records available for transcript requests.
- If this is cannot accomplished, I would like my student records to be created from the official copy I own and can appear in person to make available so that they can create the official record as they have done in the past and now refuse to do.

I would like to add an additional request: I have been told by (b)(6); (b)(6); (b) Director of (b) that records of other students have been either lost or mishandled in a manner similar to my own. I would like this mishandling, or refusal to provide records by (b)(6); addressed for all students who have graduated from the (b)(6) MS and PhD programs.

The main contact person I have been dealing with is:

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

Other contact people involved:

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

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

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

Attachments:

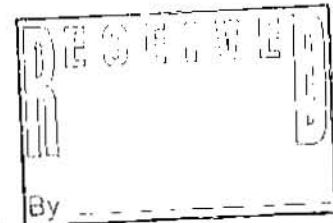
- (1) Copy of 2006 letter (where all official transcripts were willingly provided by (b)(6); (b)(7)(C) ) which includes:
  - a. Copy of my official MS transcript with SS number blanked out to protect my identity which needs to be added to my student record.
- (2) Copy of what the institute is willing to provide in place of official transcripts in October 2010:
  - a. No MS information whatsoever included other than a sentence saying I have an MS.
- (3) Copy of email correspondence stating no further willingness to find or create student records and no willingness to allow me to bring forth my official document for consideration.

Please advise my of the next steps for accomplishing proper documentation and availability of my student records.

Best Regards,

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





**How to File a Complaint  
with the U.S. Department of Education under the  
Family Educational Rights and Privacy Act (FERPA)  
20 U.S.C. § 1232g; 34 CFR Part 99**

A parent or eligible student (one who is at least 18 years of age or attending a postsecondary institution) may file a complaint against an educational agency or institution for violating the Family Educational Rights and Privacy Act (FERPA). Please note that, under FERPA, an individual must have "standing", that is, have suffered an alleged violation, in order to file a complaint under FERPA. The FERPA regulations provide that a complaint must be submitted in writing to:

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

In order to file a complaint, please complete the following form. Be sure to type or print legibly and *include sufficient detail and/or evidence to support your allegation*. You should also attach a copy of any pertinent documentation in support of your complaint. Please do not submit video or audio tapes with your complaint as any extra information not pertinent to a FERPA allegation will be returned to you.

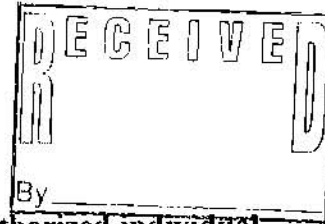
Please consider that in order for the Family Policy Compliance Office (FPCO) to investigate a complaint, it must be *timely* and must contain *specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred*. Therefore, before filing, be sure that you understand clearly what your rights are under FERPA, that you have contacted appropriate school officials about the exercise of those rights, and that you are able to explain in detail and document, if appropriate, any alleged violations. For example, a school has 45 days in which to respond to a request to inspect and review education records and need not, under FERPA, provide you with a *copy* of education records unless, for example, you do not live within commuting distance of the school. Your complaint must also be "timely," meaning that it must be submitted to *the FPCO within 180 days* of the date that you knew or should have known of the violation.

The FPCO will notify you and the educational agency or institution in writing if it initiates an investigation and will ask the institution or agency to submit a written response. The FPCO will also notify you if it does not initiate an investigation if your complaint fails to comply with the requirements for filing a complaint under the FERPA regulations as described above.



February 21, 2012

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



RE: **wrongful on line access to student records by unauthorized individual.**

I hereby lodge an official complaint against the individual who unlawfully accessed a student's record in the School District of Vail, Arizona on behalf of (b)(6); (b)(7)(C) who attends (b)(6); (b)(7)(C) School for what I believe to be:

A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is :  
Multiple unauthorized accessed to student's records on the web site by (b)(6); (b)(7)(C) who resides at (b)(6); (b)(7)(C)

The violation was discovered and reported on 2/07/2012 by a family member. At the time the school was informed and took all the steps to stop the intrusion.

**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: multiple times  
Date Violation Discovered if different from above: 2/07/2012

Yours Truly,

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

November 30, 2011

FERPA, (Family Educational Rights Privacy Act)

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

RECEIVED  
DEC - 8 2011  
By \_\_\_\_\_

I am writing to advise you of a civil rights violation concerning my daughter's school records. The principal (b)(6); (b)(7)(C) school located at (b)(6); (b)(7)(C) N.Y. (b)(6); (b)(7)(C), refuses to allow me access to my daughter's electronic records.

My daughter's current classification is a preschooler with a disability. My daughter's name is (b)(6); (b)(7)(C) Oasis # (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) is in regular education (b)(6); (b)(7)(C) in a dual language program. The initial date of entrance into the New York City schools system is 9/8/11. Somehow there is a record of my (b)(6); (b)(7)(C) at a P.S. 52, when she never attended that school and it is not in our district.

(b)(6); (b)(7)(C) (b)(6); (b) attended a Family head start, located at (b)(6); (b)(7)(C) Brooklyn N.Y. (b)(6); from June 2009 through August 31, 2011. She had a (b)(6); (b)(7)(C) IEP in her head start program. I was never invited to the May 25, 2011 IEP meeting and so a projected IEP was created. However I did receive a letter from the IEP service provider's at the head start program dated May 23, 2011 stating that they are still waiting for an IEP meeting date from the board of education. A letter was sent out from the board of education on May 11, 2011 indicating a meeting would be held on May 25, 2011. However, it was sent to an old address that was changed on October 28, 2010, six months prior to the latest IEP meeting held at P.S. 52. The whole file record was actually sent to a different district because of my change of address. The file was accepted by the district 13 records dept on November 30, 2010. Yet, the meeting was still held out of my district and a record was created that reflects (b)(6); (b)(7)(C) Samuel's was in special education at P.S. 52.

There are also records documented on (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) account that states an evaluation was created and completed on October 11, 2011 by (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) the social worker of P.S. 46, where (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) currently attends. When I asked for a copy of the evaluation, I received a letter via email from (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) stating there was no evaluation done. This however is contrary to the document on the account.

After a frustrating experience of misinformation and being bounced from place to place and person to person, I finally decided to withdraw my consent for services. However, my daughter's projected IEP was never signed by me, the parent and therefore there should have been no services implemented, but when I attempted to withdraw my services, I was given a form letter, telling me services were going to be stopped 10 days later. The most confusing part of it all is, I have a document stating services were stopped on October 28, 2011, October 11, 2011 and

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

(b)(6); (b)

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

stated services would be stopped on October 17, 2011 in her emailed letter to me. I also have a record that states no services were implemented. There is still no clarification on if services were actually rendered or the actual date services were stopped.

I have been asking for access to (b)(6); (b)(7)(C) electronic records since October 28, 2011. I have asked in person, on paper with a P.S. 46 company letterhead, via email, and in a iphone camera recorded conversation. My rights have been ignored and neglected. There are inaccuracies on her record and fraudulent information. I am asking for FERPA to assist me in obtaining access to (b)(6); (b)(7)(C) electronic records and an explanation to the conflicting records. My goal is to correct the inaccuracies on her record and expunge all mistakes.

Sincerely,

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

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



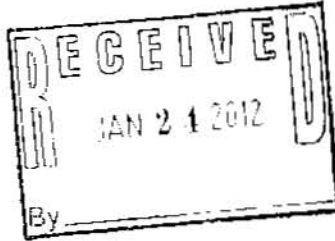
(b)(6), (b)(7)(C)

Dear Ladies and Gentlemen,

My name is (b)(6); (b)(7)(C) and I am a student at (b)(6); (b)(7)(C) University. I have been made aware of a potential violation of the Family Educational Rights and Privacy Act of 1974. I was made aware on December 7<sup>th</sup> 2012 that (b)(6); (b)(7)(C) and/or his secretary (b)(6); (b)(7)(C) of the (b)(6); (b)(7)(C) University History and Philosophy Department could have possibly disclosed my personal information, records, and/or likeness to a third party without a court order, subpoena, national security letter, or my permission. I find the potential unlawful release of my private information and records frightening. I would appreciate it if this matter was investigated. I also wish to have a "cease and desist letter" sent to (b)(6); (b)(7)(C) University. Thank you for reading my letter.

Yours Truly,

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



1/3/2012

To whom it may concern:

My name is (b)(6); (b)(7)(C) and I wrote to you in December about my child's Terra Nova Test scores. After writing to you a few days later Mr. (b)(6); (b)(7) brought me this paper saying it was the Terra Nova scores. I am sending this form to you, because it does not look like the test scores I received a year ago. Something is not right with this and I need you to verify these scores.

First my child's name (b)(6); (b)(7)(C) is misspelled and this is not a bar grid like the Terra Nova people said and it's missing some parts. The scores are suppose to be for English, Math, Science, and Social Studies and it only gives me English and Math. Also the form is not the Home report, this form says Pa Student Performance Level Report. Now I am confused to what I am supposed to have. How did my child do Nationally? Among other questions I have.

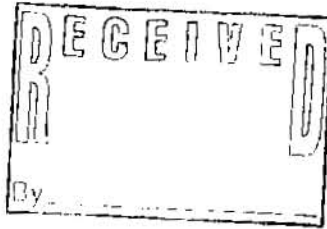
Please check this out and see if this is the right form or they just printed something to keep me from asking and to shut me up. I am sending you the copies of both test scores. The bar grid is the first time my child took the test in the first grade. And the other one is with check marks and there is nothing else to go along with this, which this is the second grade.

I ask and they said they printed this out. This is not the original and I am also sending a coping back to the Terra Nova center so they can also verify if this is indeed what they sent the school. (b)(6); (b)(7)(C). Could you please help me so that I can give all documents to my child's other school. If this is indeed what I am suppose to have than ok, but if this is not I would like to have the right copy of my child's scores. (original forms).

I thank you in advance for helping me with this issue. If this is not what I am suppose to have could you please get the right documents that I am due. You can send it to me. My address is (b)(6); (b)(7)(C)

Thank you

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



12/16/11

To whom it may concern:

My name is (b)(6); (b)(7)(C) and I am writing to you because I am having a problem in obtaining my child's **Terra Nova** scores. I've been asking for these scores well over 8 months. I've been getting the run around. No one seems like they want to give them up and no one has acted like they have been interested in getting this matter handled.

My child's name is (b)(6); (b)(7)(C). He use to go to (b)(6); (b)(7)(C) School in Philadelphia and he was in the (b) grade. His teacher's name was Ms. (b)(6); (b)(7)(C) I have pulled him from here because they were not handling this matter among other things that are going on there. My child is an honor roll student and he has scored in the 99% when he took the test in the first grade.

I have spoken to Mr. (b)(6); (b)(7)(C) intrim principal of the school on several occasion and still nothing. Mr. (b)(6); (b)(7)(C) and Dr. (b)(6); (b)(7) (b)(6); (b) among other people about this matter no one seem to act like they were willing to help. Everyone was passing the buck.

So I called the Terra Nova people that put the test out. They told me the steps to go through and told me I should of had my scores no later than the end of June 2011. Also they said they could not give me the scores because I was a parent and I had to obtain it though the principal of the school and said they could not hold my child's test scores. They said that if they keep holding the results that I had the right to sue them. Well it now December 2011 and I still have no results. I need your help because I am quit sure I am not the only parent going through this with this school and the people they have in place to do a job.

I spoke to someone in the Board of Education and they told me to get the test from the principal of the school . I explain to them that I have ask and requested this information and the same people have yet to give me what I ask for.

I need these scores for my child's records and for the other school he now attends. I should not have to keep asking and going to these people asking the same thing over and over again. So I am writing you for some help. I do not no what else to do these are my child's scores and this school is holding them for whatever reason. I have given them a chance but they want to keep giving me the run around and it's not far. This is not how you do business. I guess they think I will forget about it.

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



cc.

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

P.S here is my e-mail address

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

Phone number

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

Home address

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

Thank you for looking into this matter.









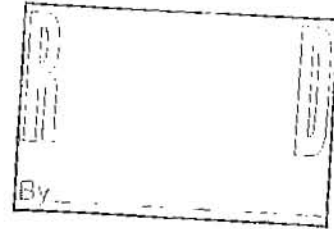
9/18/2012

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

Re: Request for information

CERTIFIED MAIL

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



Dear FPCO,

I am a 48 year old student at (b)(6); (b)(7)(C) College requesting the assistance of FERPA, regarding a situation that has arisen between the administration of (b)(6); (b)(7)(C) College and I.

I have outlined the events in chronological order and color coded documents for easy reference.

- (1) (Pink tab) I received a letter from (b)(6); (b)(6); (b) Director of Operations, (b)(6); (b)(7) (b)(6); (b)(7) College on 7/28/2012.
- (2) (Yellow tab) I sent a message to appeal (b)(6); action via e-mail 8/1/2012 and two request for clarification of the accusations in writing.
- (3) (Blue tab) On 8/7/2012 I met with (b)(6); (b)(6); (b) (b) (b)(6); (b) (b) (b)(6); (b) (b)(6); staff). During our meeting I had verbally requested written statements of alleged accusations two times. Two times Ms. (b)(6); (b) verbally agreed to provide me with written statements of alleged accusations.
- (4) (Orange tab) 8/20/2012, I sent certified mail again requesting any and all alleged allegations in writing. 8/22/2012, Ms. (b)(6); (b) responded suggesting another meeting with (b)(6); (b)(7)(C) Assistant Vice President of Student Affairs. 8/27/2012, I sent a letter confirming our meeting and citing some FERPA regulation. 8/28/2012 Ms. (b)(6); (b) responded with a meeting date (9/7/2012).
- (5) (Purple tab) 9/7/2012 I had a meeting with Ms. (b)(6); (b) and (b)(6); (b)(7)(C), during the meeting I presented information regarding FERPA I had researched (FERPA definitions, regulations, case law and legal ease). I believe the information supports my request for access to the alleged allegation. (I did not provide (b)(6) copies of referenced material; these are for my notes only).

- (6) (Green tab) During the meeting 9/7/2012 Mr. (b)(6); (b) presented his reason to not provide me with the allegation. Mr. (b)(6); (b) claims the allegation is in possession and control of Ms. (b)(6); (b) who happens to have a Ph.D. in psychology. Mr. (b)(6); (b) further informed me that Ms. (b)(6); (b) is acting in the capacity of a psychologist, therefore the document is protected under paragraph (I) of the information they provided me. I find this interesting in light of the fact that in all of the initial correspondence (please reference the pink tab documents) Ms. (b)(6); (b) refers to herself as "Director of Operations (b)(6); (b)(7(C)) College", no reference to school psychologist. As you will notice as it became apparent Ms. (b)(6); (b) had no intention of providing me with an allegation. The title of "Director of Operations, (b)(6); (b)(7(C)) College" seemed to disappear from Ms. (b)(6); (b)(7) latter correspondence. Furthermore Mr. (b)(6); (b) informed me that any further correspondence was to only be through the schools attorneys and I would need to hire my own attorney in order to discuss matters with them.
- (7) In my opinion, (b)(6); (b) staff to attempt to redefine how the allegation is held (Purple tab page 2 first paragraph), is nothing but an attempt to obfuscate my right (under FERPA) to access of the allegation that is part of my disciplinary record within my student record. Furthermore, knowing the cost of attorneys, the school is attempting to block and coerce me into dropping the matter (Purple tab Mr. (b)(6); (b)(7) hand written attorney contact info).
- (8) On Friday 9/14/2012, I was at the campus when an unknown staff member came up to me and told me I was not allowed on the school property. I promptly left. 30 minutes after I left the school I received a phone call from the same person. The person admitted he had misunderstood a memo that was put out by Ms. (b)(6); (b) pertaining to me and my status at (b)(6). I feel as though the school is now harassing me.
- (9) I hope FERPA will compel (b)(6); (b)(7(C)) College to provide me access to all records (educational-disciplinary allegations) directly pertaining to me.

Sincerely,

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







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

# FAX

To: The Family Policy Compliance Office

Fax #: 202-260-9001

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

Fax #:

Number of pages: 2 , including cover page

Date: 12/3/12

Time:

Sent by:

References:

Comments:

### THIS IS VERIFIED FAX TRANSMISSION

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Form12-aps.wpd

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

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

Family Policy Compliance Office  
400 Maryland Ave SW  
Washington, DC 20202

To whom it may concern:

December 1, 2012

On October 2, 2012 I went to (b)(6); (b)(7)(C) School and spoke with the office staff. The office staff informed me that their boss, Principle (b)(6); (b)(6); (b)(6); (b)(7)(C) instructed them to not release any information regarding my children to me. I was informed I needed to speak with their boss, Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) I waited for Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) to be available so I could speak with him immediately. Upon entering his office I produced a digital camera and asked for permission to record our meeting together, he agreed and we proceeded. In speaking with Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) I requested to see my children's files. (b)(6); (b)(6); (b)(6); (b)(7)(C) and (b)(6); (b)(6); (b)(6); (b)(7)(C). I further requested to know what information was reported to the school regarding myself and my minor children. I requested the files and a report on what information was given at least 5 times. Then Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) goes on to deny me all information I requested, deny me access to my children's files, told me this is none of my business, and further informed me that only my ex-wife will be granted information and access from the school. I was not permitted by Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) to be placed on the schools emergency contact list.

There are no outstanding warrants or court orders blocking me from this information or from contact with my minor children. On the contrary I have multiple court orders granting me access to all things related to my children and their education, including my amended degree of divorce dated 8/19/2009 which grants me the full legal custody care and control of my minor children and an order from the Court 10/15/12 that granted me full access and participation in what involves my children.

I received two emails from Mr. (b)(6); (b)(6); (b)(6); (b)(7)(C) (11/26/2012 & 11/28/2012) where he clearly states I, (b)(6); (b)(6); (b)(6); (b)(7)(C) will have no access to my children, their files, or any information regarding their education while in attendance at this institution.

On November 30, 2012 I called the National Education Department concerning being granted access to my children's files and was instructed to write this letter. Please feel free to contact me to request further information, the referenced supporting evidence or to any further questions you may have.

Thank you,

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









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

April 12, 2013

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

RECEIVED  
BY: \_\_\_\_\_

Dear Sir or Madam:

My son (b) (6); (b) (7)(C) attends (b) (6); (b) (7)(C) in Redmond, Washington. My question is about the Family Educational Rights and Privacy Act.

How is it that this helps out parents trying to help out with their kids education by contacting school and asking question and details of loans and what is needed when they can't talk to you unless you get a release of records from your son who is so busy moving to another apartment and working on his new game and trying to get job at (b) (6); (b) (7)(C) and is so stressed out and here I am trying to help him out and I have these rude office ladies telling me to ask your son.

No problem with that. Just that I have paid \$90,000 in loans while my son has paid \$19,500. So who do you think should be treated with respect and release of records?

My husband and I have worked so hard all our life. Just to pay out the blank for our kids to have a good life while our President brings all these poverty people up to our level without a day of work. How is all this fair? I have custody of my granddaughter now. Her parents don't work so my granddaughter will not pay much to go to school and gets everything free and all test and college fees waived. What is going on in our country? How is this fair?

Not to change the subject line. I just want to know what rights do parents have over their kids education when we are paying the bill. Maybe this bill needs to be revised.

Sincerely,

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

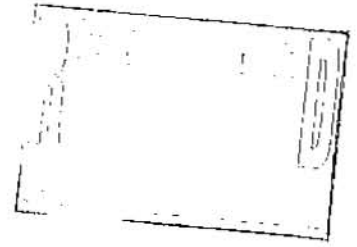






(b)(6); (b)(7)(C)

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



November 13, 2012

Dear US Department of Education;

My name is (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) advised me; law firm to contact your office over FERPA (*Family Educational Rights and Privacy Act*) against the Pontiac (Michigan) Public School District.

In the past, I have placed in writing for my children's records (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) on many occasions:

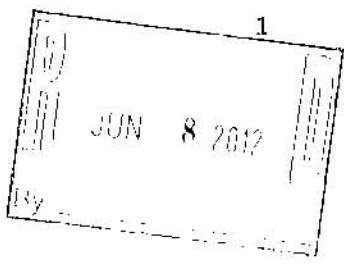
- June 2010 - In person
- August 2010- Written correspondence
- December 2010 Written correspondence
- October 2011 Written correspondence
- December 2011 Written correspondence
- August 2012 Written correspondence with assistance (b)(6); (b)(7)(C) Law Firm

After every attempt, the Pontiac Public Schools, never responded with any type of correspondence to inform me about my children's information. Finally, the (b)(6); (b)(7)(C) Law Firm contacted (b)(6); (b)(7)(C), (b)(6); (b)(7)(C), and (b)(6); (b)(7)(C). Therefore, they advised me to contact this office due to non-compliance by Pontiac Public Schools. I am seeking some assistance for my children's information. Finally, you can contact me at the above address and by telephone.

Sincerely,

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

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



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

6/05/12

The complaint herein arose in the City of Bakersfield, State of California. This complaint falls under the Family Educational Rights and Privacy Act of 1974.

Panama Buena Vista School District (referred to as LEA herein) located at 4200 Ashe Road, Bakersfield, CA 93313 is a public agency that receives funds from the Department of Education.

LEA is a public agency existing under the laws of the State of California. (b)(6); (b)(7)(C) is the director of (b)(6); (b)(7)(C) of Panama Buena Vista School District and is responsible as an individual in her official capacity for acts complained of.

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

The (b)(6); (b)(7)(C) has measures in place that protect the security and confidentiality of student's records. "Children who are enrolled in the (b)(6); (b)(7)(C) program are provided with an additional layer of protection in the school that prevents sharing of information about enrolled children."

LEA was made aware of such enrollment prior to the start of the 2008 school year. Parent provided LEA with a letter from (b)(6); (b)(7)(C) copy of (b)(6); (b)(7)(C) ID card and a red colored document that was to be placed in the student's record file (exhibits 1, 2, and 3). The document briefly explained how student's school records should be maintained in order to ensure students information is kept confidential and with restricted access. Prior to committing the acts complained of, LEA knew in advance they were to take extra precautions to ensure that both the students and parent's confidentiality were maintained.

This complaint is filed on the basis of: 1) inappropriate sharing of confidential information with various third parties 2) Failure to allow parent access to view student's records, 3) Failure to provide parent with student's records and 4) intentional withholding of records requested.

Student (b)(6); (b)(7)(C) and his younger brother's FERPA rights were violated.

Per the laws that govern FERPA, before a school discloses personally identifiable information from the student's education records the parent shall provide a signed and dated written consent, except as provided in FERPA 99.31. In this case 99.31, does not apply.

(b)(6); (b)(7)(C) released disabled students complete records to (b)(6); (b)(7)(C), an outside party. This information was released to (b)(6); (b)(7)(C) even though there had been no prior litigation relating to

student. These student files include family history, Individual education plans, educational records, students social security number, letters parent has written to LEA, and student's mental and physical health records. Parents and students were not informed of this release and their permission was not obtained. Nor was parent ever informed that parties that are not school officials have reviewed their files.

Without prior written consent from parent, during the month of November 2011, (b)(6) released to an outside party, (b)(6); (b)(7)(C) unauthorized confidential records. Most of the records were student's evaluations, medical information, Individual educational plans and several letters parent wrote to LEA. LEA also disclosed to (b)(6); (b)(7)(C) information of students three year old brother, (b)(6); (b)(7)(C) and was told by LEA that parent was "suing them." This information was discovered during the first week of December 2011.

On 4/21/12, parent had obtained more concrete proof of FERPA violations and discovered that the actual date Panama Buena Vista School District had unauthorized contact with outside party (b)(6); (b)(7)(C) was on 11/16/11 (exhibit 4). It was revealed Schools legal service had a conversation on 11/16/11 that lasted at least 45 minutes with (b)(6); (b)(7)(C) (exhibit 4). This document also showed that more conversations took place between schools legal service and (b)(6); (b)(7)(C) up till 12/31/12 (exhibit 4). The aforementioned document is supporting evidence of violation of FERPA. After discovering that information (exhibit 4), parent made a record request (exhibit 6).

Prior to parent signing a release, it was revealed by outside party, (b)(6); (b)(7)(C) "I have a copy of all IEPs and that's for (b)(6); (b)(7)(C) I do not have the authority to talk to any of the people involved in assessing those IEP's."

(b)(6); (b)(7)(C) also admitted to faxing an "unsigned release" to Panama Buena Vista Special Services on "November 18<sup>th</sup> 2011" at: "their request."

Parent was astounded that LEA would provide records without prior written consent and without parent's knowledge.

(b)(6); (b)(7)(C) requested that parent sign a release to speak with school officials who work with student during the first week of December 2011 (after she had already received students records). Unbeknownst to parent, the release was exclusively with the schools legal service and not teachers or officials who worked directly with student (exhibit 5).

Pursuant to parent's 4/21/12, there was no evidence of a signed release in the records provided to parent. An unsigned copy for release of records for (b)(6); (b)(7)(C) was provided instead (exhibit 5).

**Failure to allow parent to view records; Failure to provide parent with records requested; willful withholding of records requested; sharing of confidential information with various third parties.**

On 4/21/12 parent made a written request for records to LEA (exhibit 6).

On 4/27/12, parent was informed via e mail by LEA that the records that were requested would be ready to pick up and also be sent to her (b)(6); (b)(7)(C) (exhibit 7).

Parent viewed her records on 4/29/12. A cover letter dated 4/27/12 laid a top of the documents written by schools legal service that stated:

“pursuant to your request, enclosed are the copies of the records provided by the district to (b)(6) (b)(7)(C) (exhibit 8).”

Parent was shocked to see that the records were sent from (b)(6); (b)(7)(C) and not from Panama Buena Vista School District pursuant to parent’s record request that was made to (b)(6); (b)(7)(C) (exhibit 6, exhibit 8). Upon closer review of the document, parent was even more shocked that (b)(6); (b)(7)(C) had forwarded students records and parent’s request for records to another outside party without parent’s knowledge or prior written consent (exhibit 8). Parent discovered that the party was a attorney that practices in Visalia, CA named (b)(6); (b)(7)(C) CA state bar number (b)(6) (Exhibit 9). Mr. (b)(6) is not employed with LEA and is not a (b)(6); (b)(7)(C) attorney and his bar is not registered at (b)(6); (b)(7)(C) like other attorneys who work for (b)(6); (b)(7)(C) (exhibits 10, 11 and 12). There was no reason that student’s records should have been shared with this individual. Parent and students were not informed of this release and their permission was never obtained. Nor was parent informed that parties who are not school officials have reviewed their file.

On 4/29/12 when parent viewed records, parent discovered that LEA did not comply with parent’s entire record request made on 4/21/12 (exhibit 6). Parent then wrote via electronic mail to LEA informing them that she did not get all her records (Exhibit 8).

On 5/4/12 LEA responded to parent alleging that parent:

“made an additional request” and that the “LEA’s legal service would be in contact with your attorney (exhibit 13).”

Parent had a special education attorney she believed to be the attorney (b)(6); (b)(7)(C) was referring to in her 5/4/12 correspondence (exhibit 13). However, to parent’s surprise, (b)(6); (b)(7)(C) contacted parent’s family law attorney (b)(6); (b)(7)(C) on 5/11/12 after parent responded to LEA by electronic mail and also carbon copied it to (b)(6); (b)(7)(C) (exhibit 14).

On 5/11/12, shortly after parent sent the 5/11/12 response to (b)(6); (b)(7)(C) contacted (b)(6); (b)(7)(C) parent’s family law attorney, an unrelated party. (b)(6); (b)(7)(C) informed parent that (b)(6); (b)(7)(C) told him she did not feel she needed to provide parent with the records she requested. Mr. (b)(6); (b)(7)(C) specifically told (b)(6); (b)(7)(C) that he wasn’t withdrawing parent’s record request, he had nothing to do with parent’s record request, nor did he have any authority to do so. He suggested to (b)(6); (b)(7)(C) to speak with parent, and not him. She never did.

(b)(6); (b)(7)(C) unauthorized contact with Mr. (b)(6) about a record request made to LEA further violated students and parent’s rights under FERPA. It revealed personally identifying information about student and parent and further shared information that parent made a record request to LEA. Parent immediately sent an electronic mail to (b)(6); (b)(7)(C) and carbon copied to (b)(6); (b)(7)(C), expressing her concern (exhibit 15).

On 5/31/12 Parent went to pick up mail at her PO box and received a certified letter from (b)(6); (b)(7)(C) dated 5/15/12 indicating on 5/11/12 (b)(6); (b)(7)(C) and (b)(6) had made a “tentative agreement,” that the district would not have to provide parent with records requested (exhibit 16). Her statement was untrue, there was never an agreement and it further contradicts what (b)(6); (b)(7)(C) specifically told (b)(6); (b)(7)(C) refer to paragraph 4 of this page).

(b)(6); (b)(7)(C) letter (exhibit 16) indicated that (b)(6) advised her that parents request for records (exhibit 6) pertaining to student is “beyond the scope of what you are entitled to under law” and as “this information is not maintained by the district and it is not part of (b)(6); (b)(7)(C) educational records from the District.” However, all conversations and documents parent was requesting

were records pertaining to student that disclosed personally identifying information about parent and student. Furthermore, according to laws that govern FERPA, education records are records that are:

“1) directly related to a student; and 2) maintained by an educational agency or institution or by a party acting for the agency or institution.”

LEA is refusing to provide parent with her 4/21/12 records request because those records would reveal incriminating evidence that FERPA was violated in addition to the California laws and provisions that govern the (b)(6); (b)(7)(C)

LEA provided student's records to various outside parties (b)(6); (b)(7)(C) and disclosed personally identifying information thus failing to obtain prior written consent. In the case of Mr. (b)(6) it was personally identifying information. Parent was never informed of any releases of records and permission was never obtained prior to obtaining them. Nor was parent ever informed that parties that are not school officials have reviewed her children's files. The records and confidential identifying information provided by LEA to the aforementioned parties should have never been shared without prior written consent.

The aforementioned facts in this complaint have shown that LEA has violated FERPA by: 1) inappropriately sharing confidential information, 2) Failure to allow parent access to view records, 3) Failure to provide parent with records requested, 4) willful withholding of records requested, and 5) sharing of confidential records and/or personally identifying information with outside parties.

LEA had a duty to protect and maintain students and parent's confidentiality. Their duty to protect student's records was even greater knowing that student and family were enrolled in the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (exhibits 1, 2, and 3). LEA failed to follow protocol of the (b)(6); (b)(7)(C) regarding protecting student's records to ensure students and parent's safety.

There was no reason that student's records should have been shared with outside parties without informing parent and obtaining her written permission first. Parent was never informed that parties who are not school officials have reviewed their file. Parent fears that (b)(6); (b)(7)(C) brother (b)(6) and (b)(6); (b)(7)(C) file has also been shared with outside parties without her knowledge.

LEA fell below their duty and should be held accountable for violating FERPA laws.

Sincerely,

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

(b)(6); (b)(7)(C) (mother of (b)(6); (b)(7)(C))

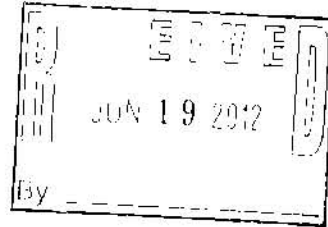
(b)(6); (b)(7)(C)

Family Compliance Office

U.S. Department of Education

400 Maryland Av. SW

Washington D.C. 20202



June 11, 2012 Dear Sir or Madam,

On June 1, 2012 at (b)(6); (b)(7)(C) School, during a review of my son; (b)(6); (b)(7)(C) school records I was given a stack of Emails that have the violated the privacy rights of 22 children. Please find enclosed copies of seven (7) Emails, I was told that all of the Emails were mine to keep by the following two people and the event was recorded on tape:

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

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

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

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

Please consider this communication as a formal complaint of violations covered by FERPA. I will be contacting all of the families listed in the attached Emails to inform them of this matter. I hope to hear from you soon.

Thank You,

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



To whom it may concern,

I am an employee at (b)(6); (b)(7) College located in Elk Grove California. The address is (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C) I wanted to make you aware of numerous things happening on the campus in violation of FERPA and compliance with state guidelines. Students are attending classes here without all of the Financial aid being complete (Files are not complete). Student's personal information is easily accessible to anyone. Student files are not locked up. Admissions reps are telling lies to get students to enroll in the program. Phone calls and interviews are not being observed to ensure compliance of staff. (b)(6); (b)(7) is also asking reps to obtain personal goals with individualized numbers. There is Social security numbers and personal info of students sitting out on people's desks. This place is a lawsuit waiting to happen. Not to mention in violation of numerous guidelines. Management threatens our jobs if we don't hit our enrollment numbers. This industry is based on service not performance of sales. The definitely don't abide by that here. I worked at numerous other schools in the past and they were compliant. If an auditor were to come in here this place would be shut down. I hope you take this complaint seriously and have this company investigated. They are not being compliant and definitely not following FERPA. They operate here however they see fit and they need someone to come in and protect the students and staff. It's an unethical operation and needs to be addressed. I am no expert on state guidelines and FERPA but aware enough to know what they are doing around here is not legitimate business practices. Can you please have this company investigated or audited?

Thank you,

These are the names of the people in charge currently

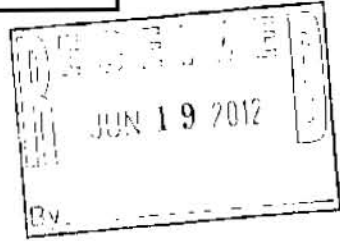
Campus phone number: (b)(6); (b)(7)(C)

**RECEIVED**  
JUN - 6 2012  
BY: \_\_\_\_\_

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

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

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



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

facsimile transmittal

To: Family Policy  
Compliance Office

Fax: 202-260-9001

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

Date: 6/15/2012

Re: FERPA Violation Complaint  
Parent Access to complete  
educational records

Pages: 10 pages including fax cover  
sheet

CC:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

Notes: The following fax is a FERPA complaint against Killeen Independent  
School District.

Thank you,

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

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

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

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

June 15, 2012

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

Fax: 202-260-9001

**RE: Killeen ISD Violation Of FERPA**

I hereby lodge an official complaint against the School District of **Killeen Independent 200 North W.S. Young Drive, Killeen Texas 76543** 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: Killeen ISD internal staff emails, written notes, drawings in student records, false written statements about student. More than 5,000 student record documents**

Date: 2007-2012

Person responsible for Entry or person currently maintaining record: Multiple Killeen ISD staff members over the past 5 years.

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

Failure to comply within reasonable timeline for access to student records: 45 calendar days.

Inappropriate person(s) grant denied access

Failure to provide parent access to requested student records

Failure of to provide parent access to full student record

Inappropriate sharing of confidential information

Other: Destruction of Student records

Date of Violation: 2007-2012

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

**Other Relevant Information:**

(Use this section to add any additional explanatory comments)

2007-2012- Killeen ISD staff members have generated emails and other communications internally regarding my son which are false, without merit and officially unsubstantiated. For this reason all documents should be expunged from my son's school records.

November 3, 2011- Destruction of student records. During this time, I had an attorney and this information along with my parent statement was sent to her. See Exhibit D 1.1-1.2 and Exhibit E

December 7, 2011: Parent made requested to Killeen ISD professional standards administrator for a copy of all investigative reports to include witness statements regarding assaults, or injuries to my son. The email included dates and district locations of assaults, or injury to my son. See Exhibit A 1.1-1.2.

December 16, 2011: Professional Standards Administrator informed me that he had collected copies of all of the responsive investigations that exist. He then explained that my request for such information was not of Public Information, but under the auspices of FERPA. He informed me that (b)(6); (b)(7)(C), Special Education Coordinator would handle my request for my son's investigative reports and that my request would be granted within a reasonable time period not to exceed 45 days. See Exhibit B 1.1 -1.3

January 24, 2012: Parent followed up with Killeen ISD Professional Standards Administrator and (b)(6); (b)(7)(C), (b)(6); (b)(7)(C) Coordinator for the information now twice requested. See Exhibit C

June 14, 2012: The district has failed to produce any investigative reports to the parent regarding the assault or injury to my son on district campus.

# FAX



**To:** Family Policy Compliance Officer      **From:** (b)(6); (b)(7)(C)

**Fax:** (202)260-9001      **Pages:** 2

**Phone:** [Type the recipient phone number]      **Date:** 5.1.2012

**Re:** FERPA Violation      **CC:**

Urgent     For Review     Please Comment     Please Reply     Please Recycle

**Comments:**

I am faxing a letter that I received in the mail from (b)(6); (b)(7)(C). (b)(6); (b)(7)(C) is the School that my daughter ((b)(6); (b)(7)(C)) is attending for a specialty program outside of her (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)) during her senior year.

As I was reading the letter I noticed at the bottom of the letter it was CC to (b)(6); (b)(7)(C) Principal- (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (student file). My daughter; (b)(6); (b)(7)(C) does not attend (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) she attends (b)(6); (b)(7)(C). These schools are in different districts and have no need for this type of information.

I contacted (b)(6); (b)(7)(C) Director of (b)(6); (b)(7)(C) and questioned why the information was being sent to (b)(6); (b)(7)(C). He stated that he spoke to his secretary and informed me that the letter was not sent. I received my letter in the mail on 4/30/2012.

In my eyes this is a violation of FERPA and needs to be addressed! I (b)(6); (b)(7)(C) did not consent to have this information shared nor did (b)(6); (b)(7)(C) the minor child. (b)(6); (b)(7)(C) has been under scrutiny all year, for multiple problems, including having to many students per instructor in the classroom.

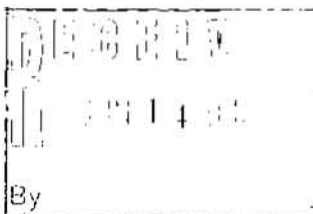
You may contact me at;

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

5.1.2012

June 08, 2012

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



Dear Director,

This correspondence serves to notify the Family Policy Compliance Office of a recent inadvertent release of information that may have Family Educational Rights and Privacy Act (FERPA) implications.

**(b)(6); (b)(7)(C)** University's Student Accounts department periodically cancels a student's registration when the student has not paid his/her tuition. Cancellation for non-payment is a multiple step process. In the first step, a list (saved list) of students who meet the cancellation criteria is generated. The saved list is then used in the second step to process the cancellations in the student information system, and in third step to notify the students by email.

On May 29, 2012, the cancellation process was initiated. Both the saved list generation and course cancellations steps were completed successfully, but an error occurred during the email notification step.

The email notification processor (Datatel's Document Merge Processor) was initiated without providing the saved list. Without the list, the processor began to operate on all Datatel identification numbers contained in the system. After approximately five to 10 seconds, the operator realized the error that had been made and closed the processor's progress window. Unsure of whether the processor had stopped running in the background, the operator attempted to get confirmation of its closure from the Information Technology Services department.

Unable to receive that confirmation, the operator composed a follow-up apology/recall email notice, in order to let the previous recipients know they may have received the initial message in error. That second email was also run through the same processor without providing the saved list. That process was allowed to run throughout the evening, so it attempted to act on every identification number in the system.

The next morning, the operator found that the process was stalled out, and contacted Information Technology Services to terminate the process. The process was terminated and approximately 50,000 emails were also removed from the mail servers. The total number of email messages that were actually sent out remains unknown.

Since both messages included the student identification number in their text, the university immediately began to research the FERPA implications of the inadvertent mailings.

The following was determined:

- The notification processor was run using two email address types, the local and internet.
- For each Datatel identification number, the processor would first attempt to use the local address type. Failing to find that, it would look to use the internet address type. If neither were found, an email would not be sent.
- The local address type contains the (b)(6) email address that was created and assigned to the student.
- The internet address type contains an email address the student would have provided to the institution on his/her application, or an address the student updated once attending.
- The Datatel system contains many identification numbers that are assigned to various groups that are not protected under FERPA (e.g. prospects, students that applied but never attended the institution, employees, vendors, etc.).

We are confident that FERPA was not violated for emails sent to existing (b)(6); (b) email accounts since all information transmitted to, stored on, and transferred from Google Mail servers is done in an encrypted format.

Therefore, efforts focused on determining the number of emails that were sent to non-(b)(6); (b) email addresses. Specifically anyone who:

- Had ever been a student at the institution (where FERPA would apply).
- No longer had an existing (b)(6); (b) email address (i.e. no longer a student and their email account had been closed); and
- Still had an internet type email address maintained in the system.

A total of 12,353 individuals met those criteria, which represented 1.69 percent of the total records the processor would have attempted to act upon. Knowing that the processor was stopped prior to completion, that 50,000 emails were prevented from going out, and that the records would have been randomly distributed throughout the database (meaning the processor may not have even reached them yet), the actual number of messages sent out may have been significantly lower.

Although the emails would have been sent to systems that (b)(6); (b)(7)(C) University did not control, it still remains unclear to the institution whether FERPA was violated since the information:

Although the emails would have been sent to systems that (b)(6); (b)(7)(C) University did not control, it still remains unclear to the institution whether FERPA was violated since the information:

- Was sent to an email address previously provided by the student.
- Could not be utilized to gain access to any portion of the student record either electronically or by telephone.
- Could not be used in-person without providing additional photo identification.

Steps that have been taken in response to this incident:

- The incident was reported to the (b)(6); (b)(7)(C) University Public Safety Department.
- A risk assessment was currently conducted of the events that led to the inadvertent release, in order to incorporate additional security measures to university procedures.
- The Student Accounts department was counseled to prevent further incidents from occurring.
- A review of the software processes utilized was conducted which determined that another notification processor (with enhanced security capabilities) could be used for future email notifications.

Once the scope of the incident had been determined, the university immediately contacted the Family Policy Compliance Office (FPCO) to provide notification and seek guidance. On Wednesday, June 6, 2012, FPCO (Ms. Ingrid Brault) responded to the university and we have acted in accordance with the direction that was provided. We would appreciate any additional guidance you may provide.

If there is any further information you require, please contact me. I may be reached at

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

Sincerely,

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

cc:

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



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



The Family Educational Rights and Privacy Act Office  
Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

Dear Sirs:

I would like to file a complaint against the (b)(6); (b)(7)(C) ( known as (b)(6); ) in Coral Springs, Florida. I am involved in a dispute with the (b)(6); and scheduled a meeting with the Chief Training Officer (b)(6); (b)(7)(C)

I requested to review my file and was told by (b)(6); (b)(7)(C) I would have to get it from or through the city attorney's office. (b)(6); (b)(7)(C) also informed me that he would be going on 5 weeks vacation right after our meeting.

Article VI of the (b)(6); Student Records Policy clearly states that a student can review and have copies made by a request to the **Chief Training Officer** of the (b)(6); (b)(7)(C) which is (b)(6); (b)(7)(C)

The dispute involves my dismissal from the (b)(6); (b)(7)(C) for reasons I contend were wrongfully interpreted and incorrectly handled, primarily by (b)(6); (b)(7)(C). I need the file to review so I may request a hearing to challenge the contents of the record as allowed by Article VII of the (b)(6); (b)(7)(C) Student Records Policy.

This dismissal was made with bias and without reviewing all the pertinent information that the (b)(6); and (b)(6); (b)(7)(C) had at their disposal. It has worked a financial hardship on me and my family and potentially damaged my future efforts in pursuing a Fire Fighting certification.

I feel that the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) is not acting in an open forthright manner in order to delay and hinder my efforts to rectify the contents of my records and status as a fire fighting student.

Thank you for your attention to this matter.

Sincerely,

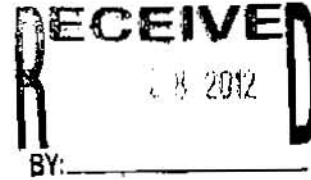
(b)(6); (b)(7)(C)







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



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

SUBJ: FERPA VIOLATION COMPLAINT AGAINST (b)(6); (b)(7)(C) COLLEGE  
STUDENT ID: (b)(6); (b)(7)(C)

ATTEN: FERPA COMPLAINT DIVISION

INSTRUCTIONS: Parents and eligible students who need assistance or who wish to file a complaint under FERPA or PPRa should do so in writing to the Family Policy Compliance Office, sending pertinent information through the mail, concerning any allegations to the Family Policy Compliance Office.

Family Policy Compliance Office:

1. I am contacting you today to seek your assistance because my school's financial aid department is refusing to process my Direct Unsubsidized Loan request and release my financial aid this semester. I requested the remaining (b)(6); Unsubsidized Loan, however, the Financial Aid office is refusing to accept my request. **They originally stated that they would not release my Spring Financial Aid because my student file was incomplete and they claimed that my original Student Loan Request form and other pertinent information were not on file, however they released a portion of my loan payment and will not provide a reason for the inconsistency in processing my remaining financial aid for the 2012-2013 academic year.** I have made several attempts to contact the Vice President of Student Affairs (b)(6); (b)(7), however, she has refused to take my phone calls, and is demanding a face to face meeting. I have made many attempts to resolve this issue since January 29, 2013; however, I am receiving constant antagonizing push back from the Financial Aid Department including the Director ((b)(6); (b)(7)(C)) and Staff. My thought is that they may be working together to try and cover up an administrative error. Here is the backstory:
  1. The financial aid department originated and processed my student loan and I received a disclosure statement for this academic year, however, the financial aid office is refusing to process my unsubsidized loan for the spring 2013 semester even though they certified and released my unsubsidized loan for the fall 2012 semester.
  2. The school's policy requires that all unsubsidized loan borrowers meet with a loan counselor before unsubsidized loans are processed and certified. On 9/5/12, I went to the schools financial aid office and signed in to be seen by a loan counselor at 12:00PM ET. I waited 2.5 hours before I was called back to meet with the loan counselor. The loan counselor signed me in at 3:00PM ET. We met for 10-15 minutes. During that meeting I was advised that, under school policy, I could only request a maximum unsubsidized loan amount of \$790.00

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

per semester as a part time student carrying at least 6 credit hours. However, if I increased my schedule to 12 credit hours the following semester, then, I would be eligible to request the maximum \$6000.00 annual unsubsidized loan amount. I signed the schools unsubsidized loan application and submitted the original copy with my original signature to the loan officer. I even provided the loan counselor my driver's license to verify my identity and I believe that she made a copy and placed it in my records. Upon completing the eligibility process, my unsubsidized loan for the fall 2012 semester was certified, processed, and released to me by the Financial Aid Manager (b)(6); (b)(7)(C); she provided confirmation via email on November 7, 2012.

3. Per the advice provided by the loan counselor, I reached back to the school in January 2013 to request an increase in my unsubsidized loan amount because I increased my course load to 12 credit hours and transitioned into a full time status in accordance with the school's policy.
4. I was told that my aid for the spring 2013 semester would not be approved unless I met with the department heads. I asked about the meeting and I was told that it was to go over information in my financial aid application. I shared that I met with a loan counselor on 9/5/12 and she never mentioned a problem with my application. I also reached to the financial manager and she too verified my eligibility and released my financial aid on 11/7/12. Even though I raised these points, I was still told that my financial aid would not be released.
5. I attempted to reach the VP of Student Affairs to resolve the issue, for the past 15 weeks I have been receiving major pushback from the financial aid department heads when I inquire about investigating why my 9/5/12 visit to Financial Aid is not showing up in the system. The school is refusing to answer questions about whether they reached to the loan counselor that met with me on 9/5/12 to confirm that I completed the eligibility process. I have tried to contact the loan counselor that conducted my face to face meeting, however, she will not return my emails and there is not a phone number listed for her in the school's directory which I find to be odd.
6. In addition, I have been denied access to personally speak with the Vice President of Student Affairs regarding this issue. Each time I have tried to call the VP of Student Affairs, my calls are blocked by the receptionist and I am routed to the financial aid department heads where I get poor customer service, constant pushback, and strong allegations that I never met with a loan counselor. My take is that there is a breakdown in communication within the financial aid department. Instead of admitting to their mistake the school's financial aid department is choosing to make accusations that infer that I did not follow school protocol and failed to meet with a loan counselor but, this assertion is untrue because I wouldn't have received funding for the Fall 2012 semester if I failed to meet with a loan counselor and the 11/7/12 email from the financial aid

manager (acting as the financial aid director) confirms that I did go through the school's eligibility process.

7. My concern is that I have just completed over 15 weeks of coursework and my loans have already been certified with this school. In addition, I believe that the school is looking for a reason to enforce statute 34 CFR 685.301(a)(8), which states, "as well as applicable statute, grants you (the school) the authority to refuse to originate a Direct Loan as long as the determination is on a case-by case basis, provided to the student in writing, kept in the student's file and does not constitute discrimination based on race, gender, color, religion, national origin, age, disability status or income. So, the law and regulations support you... as law and regulations are clear in granting you the authority to refuse to originate or reduce the amount of a Direct Loan." However, my loan was already originated, processed and certified by the school and although the unsubsidized loan policy is not posted on the school's website, the policy was verbally shared with me by the loan counselor that met with me on 9/5/12.
8. Based on the guidance of that loan counselor, I followed school policy by increasing my course load to fulltime status and I am in accordance with the schools criteria for receiving the maximum allowable unsubsidized loan amount.
9. Because of my concerns and the pushback that I was receiving from Financial Aid Department, on 1/29/13 I reached out to a student advocate outside the school to assist in facilitating discussion with the VP of Student Affairs, however, when we tried to call the VP, my call was rerouted to the same department head and I was asked to conduct an impromptu conference call with the department heads. During that discussion I asked about the allegation that I did not meet with a loan counselor and I was told that there was no record of the meeting however the issue had been resolved. As a follow up to that discussion, on 1/31/13 I received an email from the director of financial aid informing me that my financial aid for the semester was approved and would be processed. The director assigned a new counselor to my student account and told me to watch for my aid and to reach back if I had additional questions.
10. Despite the promise from the Financial Aid Director, my financial aid was never released to my account. After two weeks of not getting a response to my emails sent to the counselor assigned to my student account by the director, I reached out to another loan counselor in that department via email, the loan counselor agreed to assist me with certifying my approved aid. I called the loan counselor to get clarity on next steps to finalizing my aid, and the counselor made questionable allegations and refused to process my loan request unless I met with her face to face when I attempted to explain to her that I'd already been screened for eligibility.
11. After that incident, I was finally contacted by the financial aid department head and she cited that my aid was being withheld and that I need to come in for a face to face

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

meeting because there is no record of my meeting with the loan counselor on 9/5/12. When I inquired about the investigation and whether she had reached out to the financial aid counselor that processed my eligibility she refuse to answer my questions and told me that I had to come into the office and meet face to face with the director and the loan counselor that acted inappropriately.

12. It has been over three months and this financial aid department is still failing to answer my questions about the investigation into why my financial aid visit is not showing up in their system. There has definitely been a bipolar shift in the multiple responses that I have received thus far. It is clear that the financial aid department is desperately trying to paint a picture that supports that they are not at fault for losing my eligibility information.
13. As I write this email, I cannot believe the level of drama that I have endured with this school regarding my financial aid. I have emails and recorded phone conversations that verify the pushback and unprofessional treatment displayed by the financial aid department heads and the loan counselor that I spoke with earlier this week.
14. It is still unclear to me why they insist on going through this much trouble to avoid admitting that they made an administrative mistake. **I don't believe that any student should have to wait 2.5 hours to be assisted by a financial aid loan officer.**
15. Further, I don't believe that it is ethical to lie and cover up administrative flaws by attempting to defame the character of the student.
16. **I am reaching to the office of the FERPA because the financial aid office is refusing to address my questions and provide fair treatment. To date I have not received all of the financial aid due to me this academic year even though I have met SAP requirements and have followed (b)(6) protocol to process my financial aid and Direct Loan request for the 2012-2013 academic year:**
  1. Specifically, I need the school to acknowledge that I did meet with their loan counselor and was previously processed for eligibility.
  2. Once this is verified I need the school to process my written and verbal request to increase my unsubsidized loan to \$6000.00. The remaining difference is \$4420.00. In addition, (b)(6) is also withholding my Maryland State Education Assistance Grant in the amount of \$900.00 and there is no justification for this either.
  3. Finally, I need the school to release my remaining 2012-2013 financial aid to my student account.

Thank you in advance for your assistance. I look forward to receiving your feedback.

Sincerely,

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





**How to File a Complaint**  
**with the U.S. Department of Education under the**  
**Family Educational Rights and Privacy Act (FERPA)**  
**20 U.S.C. § 1232g; 34 CFR Part 99**

A parent or eligible student (one who is at least 18 years of age or attending a postsecondary institution) may file a complaint against an educational agency or institution for violating the Family Educational Rights and Privacy Act (FERPA). Please note that, under FERPA, an individual must have "standing", that is, have suffered an alleged violation, in order to file a complaint under FERPA. The FERPA regulations provide that a complaint must be submitted in writing to:

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

In order to file a complaint, please complete the following form. Be sure to type or print legibly and *include sufficient detail and/or evidence to support your allegation*. You should also attach a copy of any pertinent documentation in support of your complaint. Please do not submit video or audio tapes with your complaint as any extra information not pertinent to a FERPA allegation will be returned to you.

Please consider that in order for the Family Policy Compliance Office (FPCO) to investigate a complaint, it must be *timely* and must contain *specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred*. Therefore, before filing, be sure that you understand clearly what your rights are under FERPA, that you have contacted appropriate school officials about the exercise of those rights, and that you are able to explain in detail and document, if appropriate, any alleged violations. For example, a school has 45 days in which to respond to a request to inspect and review education records and need not, under FERPA, provide you with a *copy* of education records unless, for example, you do not live within commuting distance of the school. Your complaint must also be "timely," meaning that it must be submitted to *the FPCO within 180 days* of the date that you knew or should have known of the violation.

The FPCO will notify you and the educational agency or institution in writing if it initiates an investigation and will ask the institution or agency to submit a written response. The FPCO will also notify you if it does not initiate an investigation if your complaint fails to comply with the requirements for filing a complaint under the FERPA regulations as described above.



RECEIVED  
- 4 2012  
BY: \_\_\_\_\_



U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Regional Manager  
Office for Civil Rights  
999 18<sup>th</sup> Street, South Terrace, Suite 417  
Denver, Colorado 80202  
Telephone: (303) 844-7915  
FAX: (303) 844-2025  
TDD: (303) 844-3439

May 22, 2013

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

RE: Referral of FERPA complaint; OCR Transaction Number: 13-157488

Dear Sir or Madam:

On January 29, 2013, the U.S. Department of Health and Human Services, Office for Civil Rights, received a health information privacy complaint from Mr. (b)(6); (b)(7)(C) against (b)(6); (b)(7)(C) University. Upon review, we determined that OCR lacks jurisdiction to investigate the complaint. As the issues presented may fall within your agency's jurisdiction, we are referring the complaint for any action considered appropriate. Mr. (b)(6); has been informed of this referral. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Velveta Howell".

Velveta Howell  
Regional Manager

Enclosure



U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Regional Manager  
Office for Civil Rights  
999 18<sup>th</sup> Street, South Terrace, Suite 417  
Denver, Colorado 80202  
Telephone: (303) 844-7915  
FAX: (303) 844-2025  
TDD: (303) 844-3439

May 22, 2013

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

Re: (b)(6); (b)(7)(C) State University (b)(6); (b)(7)(C) Counseling Services  
OCR Transaction Number: 13-157488

Dear Mr. (b)(6); (b)(7)(C)

The U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), Region VIII, received the referenced complaint from you on January 29, 2013. Your complaint alleges a violation of the Federal Standards for Privacy of Individually Identifiable Health Information and/or the Security Standards for the Protection of Electronic Protected Health Information (45 Code of Federal Regulations (C.F.R.) Parts 160 and 164, Subparts A, C, and E, the Privacy and Security Rules). Specifically, you allege that: (1) you were required to give private information to the Back on TRAC program offered by (b)(6); (b)(7)(C) University (b)(6); (b)(7)(C) Counseling Services (b)(6); (b)(7)(C); and (2) (b)(6); (b)(7)(C) disclosed such information to third parties, including the (b)(6); (b)(7)(C) University (b)(6); (b)(7)(C) president's office and general counsel, without your authorization.

OCR enforces the Privacy, Security, and Breach Notification Rules. OCR also enforces Federal civil rights laws, which prohibit discrimination in the delivery of health and human services because of race, color, national origin, disability, age, and under certain circumstances, sex and religion.

Upon review, we have determined that OCR does not have authority to investigate your allegations against (b)(6); (b)(7)(C) and OCR is, therefore, closing the subject complaint. The Privacy Rule only applies to uses and disclosures of protected health information (PHI) by covered entities.<sup>2</sup> Under the Privacy Rule, PHI is specifically defined to exclude individually identifiable health information (IIHI) in: (i) Education records covered by the Family Educational Rights

<sup>1</sup> OCR notes that while you participated in the Back on TRAC program; i.e., September through December 2012, you were enrolled as a student at (b)(6); (b)(7)(C).

<sup>2</sup> 45 C.F.R. § 164.502.

and Privacy Act, as amended (FERPA); and (ii) Records described at 20 U.S.C. 1232g(a)(4)(B)(iv).<sup>3</sup> Accordingly, assuming CSUHN is a covered entity, your information maintained by the Back on TRAC counseling program at the CSUHN, while you were enrolled as a CSU student, does not meet the definition of PHI. Your complaint, however, may fall within the jurisdiction of the:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520  
Telephone: 202-260-3887

OCR's determination, as stated in this letter, applies only to the allegations reviewed. Under the Freedom of Information Act, we may be required to release this letter and other information about this case upon request by the public. In the event OCR receives such a request, we will

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<sup>3</sup> PHI means IIII that is transmitted by or maintained in electronic media or in any other form or medium. 45 C.F.R. 160.103, "Protected health information."

FERPA applies to most public and private postsecondary institutions and, thus, to the records on students at the campus health clinics of such institutions. These records will either be education records or treatment records under FERPA, both of which are excluded from coverage under the Health Information Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, even if the school is a HIPAA covered entity.

The term "education records" is broadly defined under FERPA to mean those records that are: (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency or institution. 34 C.F.R. § 99.3 "Education records."

"Treatment records" under FERPA, as they are commonly called, are medical and psychological treatment records of eligible students at postsecondary institutions and are excluded from the definition of "education records" if they are maintained, and used only in connection with treatment of the student and disclosed only to individuals providing the treatment. See 20 U.S.C. § 1232g(a)(4)(B)(iv); 34 C.F.R. § 99.3, "Education records."

An eligible student's treatment records may be disclosed for purposes other than the student's treatment, provided the records are disclosed under one of the exceptions to written consent under 34 C.F.R. § 99.31(a) or with the student's written consent under 34 C.F.R. § 99.30. If a school discloses an eligible student's treatment records for purposes other than treatment, the records are no longer excluded from the definition of "education records" and are subject to all other FERPA requirements.

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.

If you have questions, please contact Ms. Meghana Shah, J.D., Equal Opportunity Specialist, at 303-844-0542 or via email at [meghana.shah@hhs.gov](mailto:meghana.shah@hhs.gov). We regret that OCR is unable to assist you.

Sincerely,

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

Velveta Howell  
Regional Manager

cc:

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





**How to File a Complaint  
with the U.S. Department of Education under the  
Family Educational Rights and Privacy Act (FERPA)  
20 U.S.C. § 1232g; 34 CFR Part 99**

A parent or eligible student (one who is at least 18 years of age or attending a postsecondary institution) may file a complaint against an educational agency or institution for violating the Family Educational Rights and Privacy Act (FERPA). Please note that, under FERPA, an individual must have "standing", that is, have suffered an alleged violation, in order to file a complaint under FERPA. The FERPA regulations provide that a complaint must be submitted in writing to:

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

In order to file a complaint, please complete the following form. Be sure to type or print legibly and *include sufficient detail and/or evidence to support your allegation*. You should also attach a copy of any pertinent documentation in support of your complaint. Please do not submit video or audio tapes with your complaint as any extra information not pertinent to a FERPA allegation will be returned to you.

Please consider that in order for the Family Policy Compliance Office (FPCO) to investigate a complaint, it must be *timely* and must contain *specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred*. Therefore, before filing, be sure that you understand clearly what your rights are under FERPA, that you have contacted appropriate school officials about the exercise of those rights, and that you are able to explain in detail and document, if appropriate, any alleged violations. For example, a school has 45 days in which to respond to a request to inspect and review education records and need not, under FERPA, provide you with a *copy* of education records unless, for example, you do not live within commuting distance of the school. Your complaint must also be "timely," meaning that it must be submitted to *the FPCO within 180 days* of the date that you knew or should have known of the violation.

The FPCO will notify you and the educational agency or institution in writing if it initiates an investigation and will ask the institution or agency to submit a written response. The FPCO will also notify you if it does not initiate an investigation if your complaint fails to comply with the requirements for filing a complaint under the FERPA regulations as described above.





January 25, 2012

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

Re: School In Violation of FERPA

I hereby lodge an official complaint against (b)(6); (b)(7)(C) in (b)(6); (b)(7)(C) on behalf of myself, (b)(6); (b)(7)(C) (graduated April 2011) for what I believe to be:

A violation of the Family Educational Rights and Privacy Act of 1974

Alleged Violations of Act or Regulations:

- Failure to provide notification of all rights (totally or in needed language)  
 Inappropriate sharing of confidential information

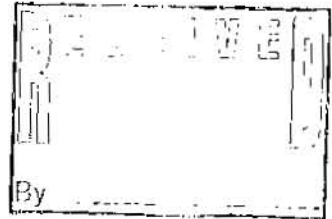
Date of Violation: October 2011

(b)(6); (b)(7)(C) University has not provided notification of all rights (totally or in needed language) to any student since I enrolled in 2009. This information is unavailable in written form and unavailable on the school's website, www.(b)(6); (b)(7)(C)edu, (re-verified January 25, 2012). When an issue arose and I brought up the FERPA guidelines, Mr. (b)(6); (b)(7)(C) Dean of Students, searched and reviewed its policies via search engine.

(b)(6); (b)(7)(C) University disclosed personally identifiable and confidential disciplinary records of myself to several third parties against my request. I never provided written consent for any of my educational records to be released. Each of these third parties were government agencies that I had applied with, and one I was hired with and currently work. Each have conducted full background investigations and have requested these files.

The persons requesting this information are NOT representatives of the Comptroller General of the United States, NOT the Attorney General of the United States, NOT the U.S. Secretary of Education, NOT State or local educational authorities for audit and evaluation of Federal of State supported

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



Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

Dear Sir or Madam:

My son is named (b)(6); (b)(7)(C), and he is a student at (b)(6); (b)(7) University (b)(6); (b)(7)(C) located in (b)(6), Illinois. I have FERPA permission to be informed of his educational pursuits, and the FERPA permission form is on file at the registrar's office at (b)(6).

While at the university during the fall semester of 2011, two of my son's professors named (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) met at the end of the semester to discuss my son's grade and class performance without his permission. Although professors have permission to discuss a student's progress, the FERPA violation that occurred against my son was not related to fulfilling job commitments at the university. Instead, these professors met, without my son's permission, to negatively impact his educational career and to take away rights granted to students at the university.

Prior to the writing of this letter, the infringement was made known to the following university individuals my mail or email, and none of the individuals acknowledged or investigated the allegation: (b)(6); (b)(7)(C) and the president of the school,

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

This letter is to initiate a complaint for the FERPA violation. Please inform me of additional procedures that will lead to an investigation of this complaint. Unfortunately, online information states that your department does nothing to violators of the FERPA law. As an educator, I hope that it is your policy to violate infringements of alleged FERPA violations.

Sincerely,

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

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



April 12, 2012

Dear Sir/Madam:

I feel that my privacy was violated when my instructor (b)(6); (b)(7)(C) at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) delivered a speech about my criminal history. Although somewhat fabricated, he did access my student file and disclose information I was required to disclose about every arrest.

When filing to take the State Board of Cosmetology test, you are required to disclose any and all arrests not just convictions. They also have you write a letter which explains the circumstances in which (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Those records were copied by (b)(6); (C) the Financial Aid Secretary and supposed to be kept private.

Furthermore, Mr. (b)(6); (b)(7)(C) went on to fabricate that I had an upwards of (b)(6); (b)(7)(C) in Chicago. He did disclose some truth. I do have two (misdemeanor) convictions for driving under the influence from (b)(6); (b)(7)(C) In the letter to the state, I explained I was much younger (b)(6); (b)(7)(C) at the time, not thinking clearly and didn't have the responsibilities I have now. I am going to be a hairstylist and I have student loans to pay back, this kind of harassment ruins' ones reputation. My reputation is detrimental to my career.

Being that I was not present to witness this I have enclosed witness statements, my 'been verified' record (which he stated he accessed), a copy of what he could actually look up if he knew what website to look me up on (proof that he accessed my student file and read my state board letter) and finally, a picture of the classroom board where he wrote my name for one of the two 20 minute classes he held on my background. You should also know that this was all done to spite me because I turned my forged timecards, which he forged over to the California State Board of Cosmetology and now they are currently investigating two years' worth of their time cards.

Respectfully

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

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



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

To whom it may concern:

My son is a student at (b)(6); (b)(7)(C) in Hesperia, California. His teacher and principal have denied my requests to examine my son's scores on assignments and have denied to explain a consistent grading rubric. I made my initial request to inspect my son's assignment scores on April 4<sup>th</sup> 2012. I have made the superintendent aware of my concerns and have had no reply. This teacher is keeping multiple grade books and claims to use the two in together in order to calculate student's grades. However, I'm unable to challenge any of his grades because I've been denied access to the scores of his assignments in this phantom grade book. I require access to these records in order to challenge his grades for various subjects. For example in the only grade book I'm allowed access too one of my sons writing grades was determined solely on a ten point art collage that contained to writing or words. Another example can be found in his reading score which contains mostly spelling tests. Spelling test are clearly a writing based activity not a reading one. Thank you for you cooperation in this matter.

Sincerely

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





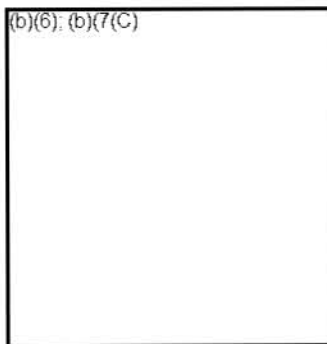
Family Policy Compliance Office  
U.S Department of Education  
400 Maryland Avenue SW  
Washington, D.C. 20202-8520



April 26, 2012

I enrolled my children at (b)(6); (b)(7)(C), and on the enrollment papers I signed a consent form for my children to be able to take pictures. On the consent form it never said that I was giving permission for the staff to put pictures on their own personal Face book page. I have done some research and spoke to a lawyer, because I just don't think is appropriate for staff members to put on her own personal Face Book pictures or recordings of my children while they were performing in the school Pep Rally. I have also spoken to the other parents and they do not agree that their children should be on Face Book. I have called the school wanting to speak with the Principal, but (b)(6); (b)(7) the secretary always wants for me to leave the Principal a message. I have not left a message because I want for this to be anonymous for the safety of my children. I had an incident with one of the teachers that I had complaint and the teacher confronted my son the following day, also I wouldn't want for my children to be withdrawn from (b)(6); (b)(7)(C) this is why I want for this to be anonymous. I have called the Family Policy Compliance Office and they told me that I would have to contact the District and if nothing was being done to (b)(6); (b)(7)(C) then I could file Grievance with her and the Principal for allowing her to put pictures of children without our consent. I have also contact my Lawyer and this is what he told me to do to write you a letter and if (b)(6); (b)(7)(C) was not fired then we would have to be moving forward with Grievance. I enroll my children in this Academy thinking that they will be a safe place for them but I see that is not. I am sending you the pictures and what Ms. (b)(6); (b)(7)(C) took but there is also a video of the kids dancing. I hope that you could take actions as soon as possible I will notify the parents and give them a copy of what I am sending you. This is an important matter and I hope you do what is right for my children privacy.

CC:





April 25, 2012

Family Policy Compliance Office  
US Department of Education  
4 00 Maryland Avenue, SW  
Washington, DC 20202-5920



To whom it may concern:

We are parents of a third grade student at the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) (b)(6); (b)(7)(C), MA. We believe the school has been in non-compliance in at least two instances as follows:

1) March 2012 – one day when he was being dropped off at school our son asked if he was smart. As his mother I replied of course and inquired why he was asking. He said his class had gone into the Vice-Principal's office to select a book and his name was on a board with different colors and he was not that smart. He went on to explain what the colors indicated. I asked him how he felt and he said he was not smart and the other students had seen it too. As parents we want to know why his confidential information was on a board for his classmates and anyone else who entered the Vice-Principal's office to view? We believe that this has exacerbated the students calling him names saying things such as he is stupid and has mental issues.

2) April 2012 – we had received an email from the Principal, (b)(6); (b)(7)(C) about an incident where our son allegedly made an inappropriate comment to another student and was disciplined. In addition, in the email Ms. (b)(6); (b)(7)(C) said she thought that our son's continued disturbing behavior without regard for other students' feelings warranted him commencing meetings with the school psychologist. Ms. (b)(6); (b)(7)(C) sent a copy of this email to the Family Engagement staff, Ms. (b)(6); (b)(7)(C) As parents we believe the school was not in compliance when this email was shared with (b)(6); (b)(7)(C) without our consent.

We look forward to hearing from you. Our contact information follows.

Regards,

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

To whom it may concern:

Please help me with this, and I really appreciate.

My name is (b)(6); (b)(7)(C) and can be contacted at (b)(6); (b)(7)(C)  
(preferred)

Here is the information for parties at (b)(6); (b)(7)(C)

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



- 1.) On or about Oct 12, 2012, I write an email to demand this college stop from publishing my directory information (it is also a student right listed in (b)(6); (b)(7)(C) (b) XXX X). (b)(6); (b)(7)(C) refused to and refer me to attorney
- 2.) I filed a lawsuit against (b)(6); (b)(7)(C) college and (b)(6); (b)(7)(C) disclose all my student records to her side of attorney without my consent and without any court order.

Please stop this college from disclose students' records and punish this college. Thanks!

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

To whom it may concern:

Please help me with this, and I really appreciate.

My name is (b)(6); (b)(7)(C) and can be contact at (b)(6); (b)(7)(C)

Here is the information for parties at (b)(6); (b)(7)(C) College:

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

- 1.) On or about Oct 12, 2012, I write an email to demand this college stop from publishing my directory information (it is also a student right listed in (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) XX X). (b)(6); (b)(7)(C) refused to and refer me to attorney
- 2.) I filed a lawsuit against (b)(6); (b)(7)(C) college and (b)(6); (b)(7)(C) disclose all my student records to her side of attorney without my consent and without any court order.

Please stop this college from disclose students' records and punish this college. Thanks!

Monday, March 19, 2012

US Department of Education  
400 Maryland Avenue Southwest  
Washington, DC 20202



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

I am a student at (b)(6); (b)(7)(C) College, in (b)(6); (b)(7)(C) Washington. The following FERPA violation occurred against me, regarding my right to privacy under FERPA and I wish to report it at this time.

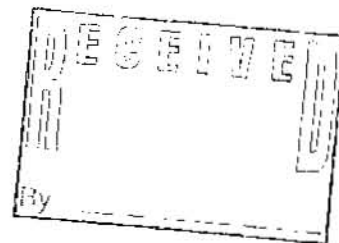
In December of 2011, while I was attending my Spanish class at (b)(6); (b)(7)(C) College, someone whom I was trying to avoid, tracked me down within the classroom, using one of my instructors to do it. The person was a member of my former church. Earlier in the month I had made the decision to leave a certain church permanently, due to serious problems within the congregation, and also with the pastor. I thus changed my address and my phone number largely for this reason. I did not wish contact from any member of this congregation.

One of the members of the church, however, knew of my pursuits with the Spanish Language. In an attempt to find me, she then called the Spanish instructors at my college to find me. Eventually she was able to reach my Spanish teacher, who, not only confirmed my name on the class's manifest, but also told this person she could come to the classroom and make contact with me! Evidently, the church member gave no reason for wanting to come to my class. There was no consent on my behalf whatsoever! When the person walked into the classroom and came over to my desk, I was very surprised and frightened. In essence, she was there to find out why I left the church and if I planned to come back.

Because of the holidays, tests, exams and classes, and the fact that I was unable to find the proper office on campus in which to report this security violation, I did not get it officially reported until March 9, 2012. At that time, I was able to report it to our legal department at the college. An investigation was done. I was treated very poorly during the investigation by (b)(6); (b)(7)(C) at our legal office. Once the initial intake was completed, she deflected my calls & wouldn't answer my voicemail regarding the results of the investigation. She didn't get back to me at all when she stated that she would.

This compelled me to go to the president of the college to ask for the results. He was able to bring (b)(6); (b)(7)(C) into a meeting. At the meeting, (b)(6); (b)(7)(C) revealed the results. She confirmed that the church member who tracked me down works for this college. (b)(6); (b)(7)(C) further confirmed that the church member was able to call my teacher and receive over-the-phone "permission" to come to my class! (b)(6); (b)(7)(C) refused all forms of reasonable questioning

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



February 16, 2012

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

**American Association of Collegiate  
Registrars and Admissions Officers  
One Dupont Circle NW, Suite 520  
Washington, DC 20036**

## COMPLAINT

Dear Mr. Rooker,

On February 21, 2011, I discovered that (b)(6); (b)(7)(C) College located in (b)(6); (b)(7)(C) has violated the provisions of FERPA through releasing my college transcript on at least two different occasions without my knowledge or written consent.

*Written Consent: A student may allow their record to be released to a third party. This request must be in writing and contain the signature of the student. It must specify the records to be released and state the reason for the release and must identify the party or class of parties who may receive the records.*

In addition to the unauthorized release of these documents, (b)(6); (b)(7)(C) University through interim registrar (b)(6); (b)(7)(C) (without my knowledge or consent) discussed elements of the transcripts in an affidavit that was later submitted to the court (enclosure) 3 (b)(6); (b)(7)(C) Affidavit.

suggested that one of the transcripts contained a "manual manipulation". She also admitted to releasing a copy of my transcript to a third party after she altered the GPA. I was never notified that my transcript was being requested, looked over or released

The Federal Education Records and Privacy Act (FERPA) state that any institution receiving federal funds for education may not release school records or any other personally identifiable information without the prior consent of the student. Furthermore, Accessing Records-Third Parties; FERPA prohibits the dissemination of personal information to third parties . . . A notice of each request for access and each disclosure must be created and maintained with the student's record. Any disclosure must be made on the condition that the information will not be re-disclosed unless it is authorized and will be used only for the purpose for which it was acquired.

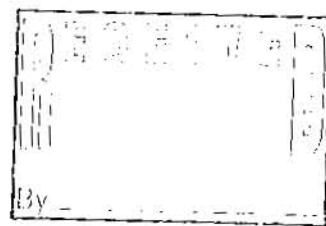
I have provided a detailed complaint for your review. I appreciate assistance provided to me. If you have questions, please call and thank you in advance for your time.

RESPECTFULLY SUBMITTED

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

**Contact Information:** (b)(6); (b)(7)(C)

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



Mr. Ed Thayer  
Area Assistant Superintendent  
Cobb County Schools  
c/o Ms. Linda Davis (Assistant)  
514 Glover Street  
Marietta, GA 30060

Dear Mr. Thayer:

This letter is my notice of complaint against (b)(6); (b)(7)(C) School teacher, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Homeroom teacher and AC Social Studies teacher (3<sup>rd</sup> period) for our son (b)(6); (b)(7)(C). On a side note, we have had two boys attend (b)(6); (b)(7)(C) School for a total of (5) years through this date and have not had an issue with any other teacher at the school. This is the first notice of complaint that has been brought to Principal (b)(6); (b)(7)(C) attention in our five years of attending (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) School.

The events set forth below are a violation of the Family Educational Rights & Privacy Act (FERPA) and also fringe upon Bullying, according to Georgia Code. The confidentially provision under FERPA states: ***"Information which is part of the educational record of a student shall be held in strict confidence. Permanent records shall be kept in a secure area of the school."***

The events set forth below also fringe upon Bullying as set forth in Georgia Code section 3b and 3c. ***"(b) Has the effect of substantially interfering with a student's education. (c) Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment."***

The series of events unfolded as set forth below:

Wednesday, 3/21 - Report Cards were distributed at school. Our son, (b)(6); (b)(7)(C) forgot to bring it home...left it on the desk.

Thursday, 3/22 - approximately 9:00am, (b)(6); (b)(7)(C) was at his locker when his classmate (b)(6); (b)(7)(C) told him that **his 3<sup>rd</sup> 9 weeks report card was posted on the whiteboard just inside the classroom door.** (b)(6); (b)(7)(C) proceeded to Ms (b)(6); (b)(7)(C) classroom. The report card was exposed to all students that attended the CRCT Tutoring Session before school, approx 8:00-8:45am as well as many of the students in Ms. (b)(6); (b)(7)(C) homeroom class. When (b)(6); (b)(7)(C) saw the report card, he pulled it off the white board and rushed to put it in his locker.

Witnesses (students) that saw the report card posted include (b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)  
(b)(6); (b)(7)(C)

That afternoon, (b)(6); (b)(7)(C) came home and reported the incident to his mother, (b)(6); (b)(7)(C) who immediately called (b)(6); (b)(7)(C) School Principal, (b)(6); (b)(7)(C) said he would look into the situation and would need to do "due diligence". He said he (or asst. principal (b)(6); (b)(7)(C)) would speak to (b)(6); (b)(7)(C) about the incident, and that they would then speak to (b)(6); (b)(7)(C) and get back to (b)(6); (b)(7)(C) by Friday or Monday at the latest in order to arrange a meeting that would include himself, (b)(6); (b)(7)(C), Mr. and (b)(6); (b)(7)(C)

Friday, 3/23 - (b)(6); (b)(7)(C) is called to the office to discuss the situation with Asst. Principal, (b)(6); (b)(7)(C) According to (b)(6); (b)(7)(C) he was able to discuss this incident as well as other occasions that (b)(6); (b)(7)(C) **had been condescending/disrespectful to him and others students.** (b)(6); (b)(7)(C) told (b)(6); (b)(7)(C) that it was wrong for Ms (b)(6); (b)(7)(C) to have posted his report card.

Monday, 3/26 – Ms. (b)(6); (b)(7)(C) apologized to (b)(6); (b)(7)(C) for putting his report card on the white board.

Wednesday, 3/28 – (b)(6); (b)(7)(C) called the school to follow up on the incident, as she had not heard back from (b)(6); (b)(7)(C) asked to schedule a meeting with Mr. (b)(6); (b)(7)(C) had originally suggested. Mr. (b)(6); (b)(7)(C) had received a phone call from Mrs. (b)(6); (b)(7)(C) Mrs. (b)(6); (b)(7)(C) had not. Mr. (b)(6); (b)(7)(C) said that he had asked Ms. (b)(6); (b)(7)(C) to call Mrs. (b)(6); (b)(7)(C) on Monday. The meeting was scheduled for Thursday, 3/29 at 9:30am



Page 3.

Thursday, 3/29 - (b)(6); (b)(7)(C) met with (b)(6); (b)(7)(C) and Ms. (b)(6); (b)(7)(C). We shared our concerns regarding (b)(6); (b)(7)(C) and informed all present that we would be filing a complaint with Mr. (b)(6); (b)(7)(C) office at Cobb County Schools and also mail a copy of this complaint to the Family Policy Compliance Office, US Department of Education in Washington, DC.

(b)(6); (b)(7)(C) I appreciate you taking the time to review this matter and I look forward to your response as your investigation unfolds.

Respectfully,

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

CC:

Principal (b)(6); (b)(7)(C) School -Cobb County, Georgia

Assistant Principal (b)(6); (b)(7)(C) School -Cobb County, Georgia

✓ Family Policy Compliance Office, US Department of Education -Washington D.C.



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

April 18, 2012

Family Policy Complaint Office  
400 Maryland Ave. SW  
Washington D.C., 20202

Dear Family Policy Complaint Office,

After considerable thought I have decided to file a formal complaint with you regarding my son (b)(6); (b)(7)(C)

My son (b)(6); (b)(7)(C) has high functioning autism. He graduated from The (b)(6); (b)(7)(C) School of Westchester almost two years ago. The (b)(6); (b)(7)(C) School offers a day treatment program for children with special needs who have a difficult time functioning in the mainstream. (b)(6); (b)(7)(C) is funded by the public educational system. Since graduation, (b)(6); (b)(7)(C) has made great strides at the local (b)(6); (b)(7)(C) College and has recently applied to a number of SUNY schools for transfer. He only was able to apply to the schools that do not require SAT's (which limited his choices). (b)(6); (b)(7)(C) made a formal request last month to (b)(6); (b)(7)(C) to send copies of his academic transcript to the colleges he applied to. Due to human error, (b)(6); (b)(7)(C) at the (b)(6); (b)(7)(C) School sent not only the transcript that (b)(6); (b)(7)(C) requested, but also his IEP, educational and psychological evaluations as well as a "private and confidential" addendum to the psychological evaluation. This addendum was written as part of an OMR-DD application completed 2 years ago and depicted Jeremy at his worst. (b)(6); (b)(7)(C) had proudly and independently applied to his selected 4 year colleges as a transfer student, and not as a disabled student with special needs. He had wanted more than anything to be considered as a typical transfer student. The last thing he wanted was for his private psychological records to be sent and reviewed by the colleges.

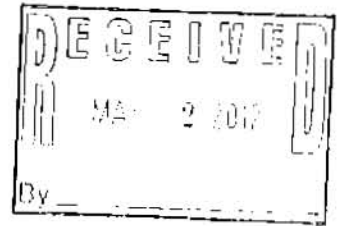
(b)(6); (b)(7)(C) apologized to (b)(6); (b)(7)(C) for the error but, despite having been asked, refused to send written confirmation of their error to the colleges. It is a big concern of Jeremy's that the colleges may believe that he himself requested that this information be sent. (b)(6); (b)(7)(C) feels horrified and betrayed by the school. He has worked very hard to overcome his deficits and is finally ready for a chance to try a 4 year college.

I hope that the report of this egregious error will save other (b)(6); (b)(7)(C) families from any such future problems. We are all very concerned that this error will limit (b)(6); (b)(7)(C) opportunities. I trust that you will follow through with this complaint not just for (b)(6); (b)(7)(C) sake, but for the sake of other children who strive to overcome their disabilities.

Sincerely,

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

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



Family Compliance Office  
400 Maryland Ave  
Southwest, Washington DC 20202

To Whom It May Concern:

My name is (b)(6); (b)(7)(C) and I am the biological parent of (b)(6); (b)(7)(C) age 12) and (b)(6); (b)(7)(C). I am enclosing a written complaint about a breach of confidentiality in detail where both my children's rights were violated. (b)(6); (b)(7)(C) the (b)(6); (b)(7)(C) Director, for The Rutland City School District, in Rutland Vermont 05701, used confidential information from a LIT (Local Interagency Team) meeting held for my son and used it in my daughters Due Process Hearing. This is not a dispute over access; it is about sharing the information with others. My contact information is (b)(6); (b)(7)(C)

Sincerely,

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

Enclosure

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

To Whom It May Concern:

I am writing to inform you that I am considering this to be a formal complaint. The rights of two of our children have been violated, and we expect this breach of confidentiality will be investigated and formal measures will be taken to address this matter in a timely manner.

There have been some challenging things that have occurred in the past few months. From the beginning, we (the parents) have reported all incidents to the appropriate individuals and pleaded for assistance. No one was responding appropriately. We, on our own, placed our child into therapy. During a conference call that included the therapist and a Supervisor from Department of Children and Families a request for a CSP (Coordinated Service Plan) meeting was made and scheduled for 12/20/11. There were a total of 5 CSP meetings which are summarized below:

**CSP Meeting #1 -- December 20th.** At the first meeting, we were informed that a lot of things would need to happen before the issue could be brought to LIT. As a result of an evaluation, the therapist's recommendation's included the possibility of short term residential assessment/treatment. When we shared their concerns about the seriousness of the situation, including safety concerns, we were told we could (A) call the police if something happens (B) Do a "CHINS" or (C) Keep putting additional things in place at home/school i.e "eyes on supervision" at all times, additional therapy sessions, etc.

**CSP Meeting #2 --January 12th.** Another incident with the child occurred on school grounds just prior to the Christmas break. This, involved another child, whom was described by the school as "lower functioning". The school had been made aware of the situation through the parent of that student, but did not respond appropriately to the situation, given the safety concerns we had previously brought to their attention. We were clear that we did not want any other students to be harmed. At this meeting, the school did agree to put supervision supports in place, while on school property, but not including while on the school bus. We were appreciative of the school's increased supervision, but shared our concern

[Recipient Name]

April 25, 2012

Page 2

that supervision alone would not provide the child any necessary treatment. We again requested to schedule a LIT meeting.

**CSP Meeting #3 -- January 26th.** It was agreed that the school would complete an Functional Behavior Assessment and safety plan. Additional incidents since the previous meeting were shared. We were again informed that it is difficult to get supports unless we claimed the child is unmanageable. We reiterated that it was not our wish to do that, and restated we were requesting a LIT meeting. The social worker from Rutland Mental Health said she would connect with the Local Interagency Team facilitator about this, but there should be another CSP meeting. It was decided that a 504 evaluation and FBA would be completed by the school, and that a school/home safety plan would be developed at the next meeting. Also discussed, was the need for a community safety plan

**CSP Meeting # 4 -- February 2nd.** DCF confirmed at this meeting that the parent had indeed made a report months ago regarding an incident with the child, but apparently no one was investigating it. We shared that it is incredibly difficult to come forward with these issues and we had been making reports and asking for help for months. The school inquired if this situation resulted in a residential placement, would it be considered a MH placement. The social worker from Rutland Mental Health confirmed that it would be. There was further discussion of LIT, but confusion as to when LIT meets. The social worker from Rutland Mental Health said she would need to contact the LIT Team facilitator on this. A safety plan was reviewed and updates were provided. Also discussed was an increase in therapy hours with the Psychologist. The child then joined the CSP meeting and the school safety plan was presented and explained to the child.

**CSP Meeting # 5 --March 1st.** There was discussion regarding 504 being in place, and the need for an additional Case Review Committee information packet if there will be a residential request. A LIT meeting was discussed and an agreement was made to get on the agenda for the next meeting. It was clarified that the meeting would be on March 22nd.

**LIT Meeting --March 22nd** When we entered the meeting, the LIT meeting facilitator said "Congratulations--you have the biggest LIT team ever assembled." There were a total of 24 people in the room, including Eloise McGarry, the Special Education Director of Rutland City (VT) Schools. Ms. McGarry was typing into a computer throughout the LIT meeting, but did not participate in any of the discussions. Less than 5 minutes after introductions were made, the discussion of placing the child into custody began. We said we

[Recipient Name]

April 25, 2012

Page 3

wanted to make it very clear that we came forward for help, not to place the child in custody, and that it should not be a factor to get the child the services and treatment the child needs. One person did state that this was not required, however this was brought up several more times, in addition to us being pressured to agree to a foster care placement in the home of one of 2 families in the area who have "stringent rules and structure". We described our rules, structure, and supervision and the fact that we are trying to get our child TREATMENT.

One of the LIT Team members was redirecting the continuous suggestions of foster care, however some of the people in the group continued to mention the same two local families who have several foster children. It very much felt like a "push" for placement in one of these homes.

In addition to this situation, we have another child in the family with whom we are currently involved in a Due Process complaint with the Rutland City School system. Despite that we were in Due Process with The Rutland City School District we did not request that Ms. (b)(6); (b)(7) excuse herself from the meeting. We went into this process with a full understanding, which was also documented, that any information gathered during the Coordinated Services Planning or Local Interagency Team Meetings is confidential. We do not dispute that Ms. McGarry or other team members can have access to the information, but they cannot use or share this information outside of this process.

On March 29<sup>th</sup>, 2012 we received The Rutland City School District "Statement of Defense" for the due process hearing. On page two, paragraph two, the statement reads:

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

[Recipient Name]

April 25, 2012

Page 4

On March 30, 2012, at the pre hearing conference, when asked what documents were provided by father, (b)(6); (b)(7)(C) through her attorney, said "the court records provided by Father", We stated that is impossible because there isn't anywhere in those documents where that is stated. Her attorney then stated this was obtained "through the Coordinated Service Planning paperwork" (WHICH IS CONFIDENTIAL.

We would appreciate written verification that you are in receipt of your formal complaint..





To whom it may concern at the U.S. Department of Education:

03/13/2012

I am a student at (b)(6); (b)(7)(C) College in Seattle, Washington. During the fall quarter of 2011, I took a (b)(6); (b) course (business math) which is a graduation requirement for the (b)(6); (b) (b)(6); (b)(7)(C) Associate of Applied Science Degree of which I am in the final quarter of this 2 year program. During this course, there was a teacher's assistant who was grading our exams, proctoring exams and taking exams home with him over weekends, mostly while our instructor was hospitalized several times throughout the quarter. I later found out that this assistant was not a faculty member and was not qualified to instruct the class (which he did on many occasions when the instructor was absent) or grade exams. On several occasions this assistant was grading exams at the back of the classroom and had the exams scattered throughout the table he was working at. Most of this took place when we had a substitute instructor or no instructor at all. He would call students over to retrieve their exams. Test scores, names, test numbers and other private information was left to be openly viewed by anyone passing by. Test scores were also written down on Post-It notes and handed to students within clear view of others. I was told by a Trio student advisor and many others that this careless exam handling and exposing are violations of FERPA policies. The fact that this person was not a faculty member or qualified to grade exams, proctor exams or otherwise be in control and possession of exams also concerns me. My graded chapter 7 exam was never returned to me and this was during a time period when this person was grading and handling exams due to our instructor being hospitalized. I reported these violations to the Dean of this department (see attached copy of my email below). I was later told by this Dean that the person was an ADA assistant of the instructor and was not allowed to be instructing the class, proctoring exams, handling exams without direct and immediate supervision from the instructor, taking exams off campus with him or grading exams without direct and immediate supervision of the instructor. I filed a complaint through the campus complaint officer during this time period (the complaint process is reaching the conference/mediation phase soon). I continued to witness the assistant grading exams, openly displaying exams and taking exams out of the classroom after I filed the complaint and had advised the Dean of the department of the above. I contacted FERPA at the 1-800-872-5327 number and was told to fax a description of the incident(s) to the fax number.

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

If there are any questions I can be reached at the following :

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

To Whom It May Concern,

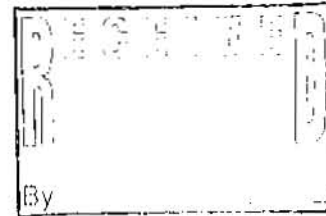


My name is (b)(6); (b)(7)(C) and I am the custodial parent of (b)(6); (b)(7)(C). My son is in the (b)(6); (b)(7)(C) grade at (b)(6); (b)(7)(C) School in Hampton Virginia and has been enrolled at the school since (b)(6); (b)(7)(C) grade in 2010. Prior to (b)(6); (b)(7)(C) he attended (b)(6); (b)(7)(C) School which is also in Hampton Virginia from 2007-2010. On Jan. 11, 2012 the non-custodial parent, (b)(6); (b)(7)(C) (recently married and now is (b)(6); (b)(7)(C)) went to (b)(6); (b)(7)(C) and met with my son's guidance counselor (b)(6); (b)(7)(C). (b)(6); (b)(7)(C) pulled my son out of class for a visit with the non-custodial parent. The non-custodial parent had been estranged since August 2011 and showed up to the school that day. The non-custodial parent has visitation rights every other Saturday and on Tuesday every week for dinner, but no visitation during the week (See attached custody papers). During the meeting with the non-custodial parent and the guidance counselor they discussed (b)(6); (b)(7)(C) academic progress and (b)(6); (b)(7)(C) academic record was shared with (b)(6); (b)(7)(C). On the outside of the academic record was a label (see attached) which I did not authorize the school to place. The whereabouts as to where this letter originated are unknown since no one will admit to ever placing the label on the outside of the academic record. The non-custodial parent asked for a copy of the label (which is a non-official form and unauthorized and whereabouts of who placed it is unknown) and (b)(6); (b)(7)(C) gave it to her. On 2-23-12, (b)(6); (b)(7)(C) went to the court and filed charges against myself due to the label which was on the academic record. She is claiming that I denied her legal right to the access of student academic records. My wife, (b)(6); (b)(7)(C) went to the school and met with the principal on Friday March 2, 2012 at 0849am. He told my wife he would investigate and get back to her. She asked him to remove the letter from the record and to notify her in writing when it was removed. My wife had a phone conversation with the assistant principal on March 5, 2012 and emailed him (see attached for full conversation via e-mail and below):

**On Mon, Mar 5, 2012 at 4:32 PM,** (b)(6); (b)(7)(C) **wrote:**  
*As per discussed on today March 5, 2012, Monday afternoon, I will be following up with you on Thursday March 7, 2012 in regards to our meeting on Friday March 2, 2012. Again, I cannot express the importance that this matter be solved ASAP. The letter placed on (b)(6); (b)(7)(C) (b)'s folder was again not authorized by myself nor my husband (b)(6); (b)(7)(C) As also discussed with you, (b)(6); (b)(7)(C) School denies (I have a letter stating so) that they placed the letter. I appreciate your immediate attention to this matter.*

Sincerely,

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



**How to File a Complaint  
with the U.S. Department of Education under the  
Family Educational Rights and Privacy Act (FERPA)  
20 U.S.C. § 1232g; 34 CFR Part 99**

A parent or eligible student (one who is at least 18 years of age or attending a postsecondary institution) may file a complaint against an educational agency or institution for violating the Family Educational Rights and Privacy Act (FERPA). Please note that, under FERPA, an individual must have "standing", that is, have suffered an alleged violation, in order to file a complaint under FERPA. The FERPA regulations provide that a complaint must be submitted in writing to:

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

In order to file a complaint, please complete the following form. Be sure to type or print legibly and *include sufficient detail and/or evidence to support your allegation*. You should also attach a copy of any pertinent documentation in support of your complaint. Please do not submit video or audio tapes with your complaint as any extra information not pertinent to a FERPA allegation will be returned to you.

Please consider that in order for the Family Policy Compliance Office (FPCO) to investigate a complaint, it must be *timely* and must contain *specific allegations of fact giving reasonable cause to believe that a FERPA violation has occurred*. Therefore, before filing, be sure that you understand clearly what your rights are under FERPA, that you have contacted appropriate school officials about the exercise of those rights, and that you are able to explain in detail and document, if appropriate, any alleged violations. For example, a school has 45 days in which to respond to a request to inspect and review education records and need not, under FERPA, provide you with a *copy* of education records unless, for example, you do not live within commuting distance of the school. Your complaint must also be "timely," meaning that it must be submitted to *the FPCO within 180 days* of the date that you knew or should have known of the violation.

The FPCO will notify you and the educational agency or institution in writing if it initiates an investigation and will ask the institution or agency to submit a written response. The FPCO will also notify you if it does not initiate an investigation if your complaint fails to comply with the requirements for filing a complaint under the FERPA regulations as described above.



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

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

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

March 6, 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 Cut Bank Montana on behalf of (b)(6); (b)(7)(C) 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: \_\_\_\_\_  
 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: \_\_\_\_\_

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

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

Date of Violation: On or about March 1, 2012

Date Violation Discovered if different from above: March 3, 2012

**Other Relevant Information:**

*(Use this section to add any additional explanatory comments)*

Information regarding (b)(6); (b)(7)(C) disciplinary record was released to the local director of Distinguished Young Women. I do not believe that they have any educational right to know, they do not have a signed FERPA release from the student and/or her parents.

In addition, I believe inaccurate information was provided by members of (b)(6); (b)(7)(C) School Administration to educators.

The information was also released prior to a formal hearing.

**Yours Truly,**

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

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



March 16, 2012

Family Policy Compliance Office  
400 Maryland Ave SW  
Washington, DC 20202

Subject: FERPA Violation Complaint

To Whom It May Concern:

I would like to formally complain about my instructor (b)(6); (b)(7)(C) at (b)(6); (b)(7)(C) of (b)(6); (b)(7)(C) for violating FERPA. He sent my grades to several people, who I feel do not have an interest in my academics. He also sent my grades to my Gmail account, which is not secure. Included, is the email in which I feel FERPA has been violated. It also includes an instance in which (b)(6); (b)(7)(C) mentions that my grades are stored in his home office. Your attention to this matter is greatly appreciated.

Signature:

*D*

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



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

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



February 10, 2012

RE: FERPA VIOLATIONS IGNORED

Dear Compliance Office:

On Friday, December 2, 2011 my son, (b)(6); (b)(7)(C), was involved in a fight on the bus. The other child involved goes by the name (b)(6); (b)(7)(C). Later that evening a police officer appeared at the front door and explained that (b)(6); (b)(7)(C) had filed a citizen's arrest. He explained this was entirely due to the citizen and was not being pursued by the police as the police were not present or called to the scene. We explained that we were not overly concerned as there would be a videotape that would clearly show that (b)(6); (b)(7)(C) acted solely in self defense. We requested the video be placed in the report file.

We were later informed that there was some sort of malfunction and therefore no videotape of the incident was available. We became extremely concerned and called the (b)(6); (b)(7)(C) and spoke with a woman who identified herself as (b)(6); (b)(7)(C), our bus driver (b)(6); (b)(7)(C) supervisor. She explained there was no video tape due to an "electronic problem" which "occurs frequently" "due to" the nature of "electronics". She further stated that the tape for Thursday was just fine.

Our bus driver, (b)(6); (b)(7)(C) has always gone out of his way in the past. We have 3 sons and they have all ridden the bus so we have come to be well acquainted with (b)(6); (b)(7)(C). He is very kind to the boys and stops in front of the house for the boys when they are running late getting to their bus stop. For some reason he had taken a special liking to (b)(6); (b)(7)(C) and bought him several gift cards over the past couple of years, tells him that he is his favorite rider, frequently gives him the thumbs up out the left front window and even pops (b)(6); (b)(7)(C) on the rump every now and then when (b)(6); (b)(7)(C) is getting off the bus. I was so upset over the missing tape that I called back and asked to speak directly with mark to find out exactly what was going on from someone with whom I am better acquainted.

I spoke with the School Officer after I discovered there was no video. I asked that in light of the missing video, all of the students involved should be questioned. (That is what police officers would do.) He refused and took only a representative sampling. Of Note: I specifically asked that he interview (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) has still not been questioned as of this date.

When (b)(6) came to the phone and spoke with me, he explained that he would not be speaking with either child's family and that any questions either family had would be handled directly by (b)(6); (b)(7)(C). He explained that he did not want to "get caught up in the middle" as he feared this might adversely affect his job. Of note: I have honored his request.

(b)(6) was suspended for 3 days for fighting on the bus and we were informed that (b)(6) would be off the bus for the next few weeks of school left in this semester, but he could get back on the bus at the beginning of the next semester. No White Slip was ever issued as (per (b)(6); (b)(7)(C)) the moment the police became involved, this became a police matter. As the school is quite aware, this lack of school sponsored public transportation put a horrible burden on our family financially. It is costing us literally a little over (b)(6); (b)(7) a week to transport (b)(6) to and from his scheduled, state mandated classes. My husband and I are unwell, physically disabled and unable to maintain gainful employment. Our family income for a family of seven is under (b)(6); (b)(7) annually. Our sons are on the free lunch program and we get assistance from Douglas County Social Services as well.

A great deal has transpired but most is not relevant to this, my formal complaint.

On January 23, 2012 we appeared in the juvenile court of Douglas County. During the hearing we discussed the following;

- Inappropriate filing of temporary protection order within "ADULT" justice court system when dealing with juveniles.
- Extreme requirements as set forth by the temporary protection order filed in the Adult Justice Court. (Set forth without an ad-litem).
- Legal requirement to deal with case in Juvenile Court in compliance with the laws.
- The Jacobonis have filed a financially exorbitant civil case (per the DA) in this matter though no papers have been served to date.
- The question regarding the relationship of the court with Mrs. (b)(6); (b)(7) a known friend of the courts and an active representative for Mothers Against Drug Driving. The concern was raised about the possibility of a fair trial in Douglas County.
- Judge (b)(6); (b)(7) agreed to recuse himself if he found any kind of issue that could interfere with his ability to be impartial.

The Judge ordered both the DA and (b)(6) representative to come to a reasonable working solution wherein River felt comfortable and (b)(6) could ride the bus. His order was given with the understanding that during the next hearing this "resolution" would be presented and the parties could all agree to correct the jurisdictional problem and bring this case involving a minor back into the Juvenile court system.

An agreement was reached and the Juvenile court Judge, Judge (b)(6); (b)(7), signed the order on January 27, 2012. This would allow (b)(6) to receive transportation to school.

On January 30, 2012 the following interested parties appeared in the ADULT Justice Court:

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

student involved  
River's father and complainant

student involved  
Pro Bono representative

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

(b)(6); (b)(7)(C) parents  
Juvenile Probation Officer  
Deputy District Attorney  
Bus Driver & School District Employee

(b)(6); (b)(7)(C) appeared in court to assist the (b)(6); (b)(7)(C). During the court proceedings many alarming statements were made that were attributed to (b)(6); (b)(7)(C) and for which (b)(6); (b)(7)(C) was present to attest to the veracity of a number of allegations.

For example: "(b)(6); (b)(7)(C) does not feel comfortable with (b)(6); (b)(7)(C) and refuses to allow him on the bus."

As (b)(6); (b)(7)(C) made a number of allegations about (b)(6); (b)(7)(C), the Judge asked the source of his information and it was usually (b)(6); (b)(7)(C). **Most concerning was the lack of veracity or the privileged nature of the information which is only known to him through his employment with Douglas County School District.**

For Example: According to Mr. (b)(6); (b)(7)(C) notified (b)(6); (b)(7)(C) that (b)(6); (b)(7)(C) was "loitering around" "looking for trouble" as he "stalked" (b)(6); (b)(7)(C) stop on the afternoon of Monday, December 5, 2011. (b)(6); (b)(7)(C) was not on the bus that day. Furthermore, (b)(6); (b)(7)(C) was involved with voluntarily providing a community service activity until dark. There is no possible way that (b)(6); (b)(7)(C) was at the subject bus stop and (b)(6); (b)(7)(C) call to (b)(6); (b)(7)(C) not only went against his own "no involvement" policy but it only served to artificially inflame the situation.

(b)(6); (b)(7)(C) also reported the same misinformation about (b)(6); (b)(7)(C) on Tuesday. He explained to (b)(6); (b)(7)(C) that this was abnormal for (b)(6); (b)(7)(C) as he had never seen (b)(6); (b)(7)(C) there in the past.

According to the testimony of (b)(6); (b)(7)(C) was seen on Tuesday as (b)(6); (b)(7)(C) got off the bus. (b)(6); (b)(7)(C) was 2 blocks away and walking AWAY from the bus stop towards his home. (b)(6); (b)(7)(C) reports that (b)(6); (b)(7)(C) never even turned his head to look back at the bus nor did he slow down. He just kept walking.

Of Note: (b)(6); (b)(7)(C) was doing community service work all day again on Wednesday, December 7<sup>th</sup> and did not get off work until after dark. On Thursday, December 8<sup>th</sup> (b)(6); (b)(7)(C) returned to school and was driven home by his father directly after school. He did not leave the house after he came home for school so the other two dates provided to the (b)(6); (b)(7)(C) "12/7/11 & 12/8/11") where it was reported to the (b)(6); (b)(7)(C)s that "(b)(6); (b)(7)(C) was spotted loitering around (b)(6); (b)(7)(C) Bus Stop as if he was waiting for him. Further (b)(6); (b)(7)(C) had no reason to be there and had never been seen there prior"

Note: These quotes are taken directly from the Temporary Restraining order issued December 13, 2011 and form grounds for the order even though the information provided by (b)(6), (b)(6) was factually incorrect.

(b)(6) has had NO OTHER PROBLEMS ON THE BUS AT ALL THIS YEAR and hence no prior warnings. In fact, (b) has not had any unsatisfactory behavior whatsoever.

In Court Mr. (b)(6); (b) brought up a fight (b)(6) was involved with early last school year. When the judge asked where he got this information, he explained it was from (b)(6) who was a school district employee and prepared to testify to the veracity of all this information and more including:

Mr. (b)(6); (b) stated that we (the (b)(6); (b)) were offered alternate transportation to the school several times but we refused. Again this information came from (b)(6) and we have never been offered alternate transportation to the school. Yet this information was given to the judge as if it were fact because it came from (b)(6); (b) a school district employee.

After this hearing I called the school district office and I spoke to (b)(6); (b)(6); (b)(7) who stated that she has been trying to work with (b)(6); (b)(6); (b) about transportation alternatives (such as us transporting (b) to a neighboring subdivision to ride an alternate route but (b)(6); (b)(6); (b)(7) is adamant.)

I called the (b)(6); (b)(7) and (b)(6); (b) answered the phone. I did not ask for (b)(6); (b)(6); (b)(7) but she assumed that is who I was calling for and advised that he hurt his back and was going to be out for weeks. I explained that I wanted to speak with (b)(6); (b)(6); (b) and (b)(6); (b)(6); (b)(7) explained that she thought I wanted to speak with (b)(6); (b)(6); (b) as Mr. (b)(6); (b) calls frequently and it seems like (b)(6); (b)(6); (b)(7) is "always on the phone with him". (Furthermore, several of the neighborhood children have discussed seeing (b)(6); (b)(6); (b)(7) visiting for quite a while at the (b)(6); (b)(6); (b)(7) home.)

Note: (b)(6); (b)(6); (b)(7) states that he does not feel safe with (b)(6) on the bus however (b)(6); (b)(6); (b)(7) is not even driving the bus.

\*

I spoke with (b)(6); (b)(6); (b) and delineated the privacy issues clearly. I went over the severity of my concern given the extent of disclosure and the resulting impacts to date. When I spoke to (b)(6); (b)(6); (b) about my concerns regarding (b)(6); (b)(6); (b) privacy rights, him being subjected to unfair legal processes as a result of released private information and incorrect information and his inability to ride the bus without use of a progressive disciplinary process and the devastating financial impact on our family (disabled status included), she replied in short terse answers.

\*

Finally I just asked point blank – "Aren't you concerned at all about the violation of privacy issues as well as other concerning developments here?" She replied "Aw, (b)(6); (b)(6); (b) is just a nice guy trying to help out. As far as what he says in court, that is up to him it is on his time." I said "Well, I don't think he is such a nice guy as he is spreading private information out of (b)(6); (b)(6); (b) records as well as untruths". She said "Well of course YOU

don't think he is a nice guy." in a very condescending manner. It seemed as if she was poking fun at me for voicing my concerns about the problems with (b)(6). Privacy issues rather than dealing with the concerns and evidence I relayed to her. I realized it is just a waste of time trying to talk with the people in the bus (b) as they do not seem to follow the school districts rules or policies. I am concerned as my son is getting treated unfairly as a result. I do not understand why (b)(6) has changed his behavior toward (b) so drastically.

Why do the school district and the transportation department have progressive disciplinary policies if these policies are ignored as freely as the privacy rules are ignored, if not abused in this instance? Does it not seem strange to anyone else that a bus driver suddenly without a single white slip or warning states he is "afraid" of a student he has previously identified on numerous occasions as his "favorite" and routinely treated with surprise gifts and subsequently he cannot ride the bus? Your printed material states these drivers are trained professionals. Ultimately (b)(6) has played a major role in instigating and inflaming the situation and ongoing problems for (b)(6)

Please accept this letter as a Formal Complaint regarding the failures to comply with the requirements of FERPA. I hereby request that Douglas County School District comply with FERPA guidelines. I hereby restrict the release of any further information regarding (b)(6) (b)(6); (b) regardless of its veracity other than to institutions of higher learning as outlined in the FERPA guidelines.

Furthermore, I demand both punitive and corrective measures be taken. (b) (b)(6); (b) record will need to be revised to reflect accurate information.

I RESPECTFULLY REQUEST THAT TRANSPORTATION SERVICES COMPLY WITH THEIR PROGRESSIVE DISCIPLINARY POLICY AND ALLOW (b)(6); (b) TO RECEIVE SCHOOL BUS TRANSPORTATION TO AND FROM SCHOOL. (b)(6) (b)(6); (b) falls under 504 guidelines due to his (b)(6); (b)(7(C)) I do not believe this has even been considered in the transportation department's haste.

Sincerely,

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

**February 20, 2012**

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue Southwest  
Washington, DC 20202-4605



Re: (b)(6); (b)(7) (b) (b)(6);

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

Dear Sir or Madam:

This letter is to file a complaint against (b)(6); (b)(7)(C) School in Polk County Georgia for failure to comply with the requirements of FERPA.

This involves my (b)(6); (b)(7)(C) year-old son, (b)(6); (b)(7) (b)(6); who was expelled on January 4, 2012 by a tribunal appointed by the Polk School District Board of Education. My husband and I are aware of several School Code of Conduct laws that were broken, which may have resulted in our son receiving an unfair and potentially unlawful judgment. As a result, we filed an immediate appeal with the Polk County Superintendent to express our concerns and complaints.

On January 18, 2012, we received notification in writing of the school board's decision of our appeal. To our astonishment, the school board upheld the decision and disciplinary action of the tribunal to expel our son for the remainder of his senior year. Since the information in the letter was presented to us in a standard, generic format with no mention if our concerns were addressed or even considered at the school board meeting, it was if our grievances had been swept under the rug to be forgotten. For that reason, we felt like we had no choice but to file an appeal with the State Board of Education. That appeal is currently pending.

There were several procedural errors in the disciplinary process and I feel certain that the school did not consistently follow the proper disciplinary procedures in accordance with Georgia Law. On numerous occasions the school failed to provide my husband and I with proper notification regarding a disciplinary decision made for our son, and this argument was presented during the tribunal hearing. There are several discrepancies in our son's disciplinary records.


One example is Saturday work detail assignments as a form of punishment. Although the school records show that a parent was notified this is false information. We were never notified. We found out about Saturday work detail assignments for the first time during the tribunal hearing on January 4, 2012. Please picture yourself in our shoes for a moment. We've just been presented with information unbeknownst to us. Since we've never experienced a tribunal hearing before, we didn't know when or how to address this issue. We were afraid to say anything during the tribunal hearing for fear of making things worse for (b)(6); (b)(7) since he didn't tell us that the school had assigned him Saturday work detail. Nevertheless, we as his parents should have been notified by the school by phone regarding a Saturday work detail assignment, not only for the protection of our minor child, but for the school's protection as well. For example, if our son had been injured on school property while performing Saturday work detail, we would have held the school accountable since we knew nothing about it.

Approximately twice during the tribunal proceeding, **confidential information was accidentally referenced to and disclosed on another (b)(6); (b)(7)(C); (b)(6); School student/defendant.** Although, this was entirely unintentional, we had already seen and now know the student's name and read the disciplinary charges against her; including her grades and attendance records. Evidence of this can be found in the tribunal transcript and I would be happy to present you with a copy if needed. Consequently, when the final judgment was rendered, we left feeling that the tribunal committee may not have been fully prepared to judge our son's case due to the mix up between the two cases as well as contemplating the possibility that confidential information on our own child may also have been accidentally exposed to others. We feel certain that the parents of this student wouldn't appreciate that confidential information on their child was disclosed to another (b)(6); (b)(7); (b) School student and his parents.

Because of this expulsion, our family is being robbed of priceless memories with (b)(6); (b)(7) with each passing day that can never be replaced. We have another son who is a (b)(6); grader at (b)(6); (b)(7); (b)(6); (b) School, and our entire family unit has been broken because we are not allowed to attend school functions together as a family. All of this could have been prevented if the school had only worked with us. The school system has failed us.

The school board is steadfast with forcing a student to be held accountable for his or her actions. They are sometimes too quick to expel a student when expulsion is not always the best option. But what about the school system's actions? Are they being held accountable? We have received NO reassurance that the faculty at (b)(6); (b)(7)(C) School is being held accountable for mishandling confidential information on students and discrepancies in school records.

I sincerely hope that this information prevents another family from going through what we are currently experiencing. If you have any questions, please contact me at the any of the numbers below.

Sincerely, 

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







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



To Whom It May Concern;

I have read the FERPA and I believe (b)(6) and the Borough of Dunellen may be in violation. I am not in a financial position to address the issue with a hired attorney and therefore would like the compliance office to look into the matter.

In November 2010 my ex-wife made allegations regarding my involvement in my son's special education and meeting with schools in court papers seeking change of custody. My son is out-of-district from the Borough of Dunellen and attends (b)(6) in Chatham NJ.

As early as December 2010 I wished to inspect education records, contact information etc. Concerning my son and daughter. As I was no longer receiving copies of report cards or IEP reports. What I learned was the records were changed as far as contact information was concerned (**Exhibit A**). I asked the Dunellen special services and the Dunellen Board of Education to change the records back. As I have residential custody and provided the court order the same. (**Exhibit B**)

In March 2011 I sent an e-mail to the principal (b)(6); (b)(7)(C) requesting the same records, emergency cards etc to verify that (b)(6) records were also altered. What I was provided were the IEP reports through USPS mail delivery. Within it was a Father basketball that had already passed. My request was never address nor was I ever contacted or provided the documents I requested. (**Exhibit C**)

I have spoken with (b)(6); (b)(7)(C) of the Dunellen Schools special education who is also my son's case worker. My concerns were allegation that my son was able to be left home alone, records, IEP reports and why I was not listed on my children's records. Ultimately, I was under the assumption that appropriate action would be taken.

On January 11, 2012 I again attempted to request documents by again e-mailing the (b)(6) principal Mrs. (b)(6); (b)(7)(C), (b)(6) director (b)(6); (b)(7)(C) and Pio Pennisi -Dunellen superintendant. Frustrated, I sent it in a form of Open Public Records because I was not able to receive the documents through FERPA. What I received was a simple synopsis from (b)(6); (b)(7)(C) of services and an IEP report again sent through US mail. (**Exhibit D**).

Through various e-mail responses I reiterated my demand for records including e-mail I was aware were being sent by school officials to my adversary. In addition, I advised them that I received notification that school officials would be called as witnesses to my pending child custody litigation. **(Exhibit E)**.

**(b)(6); (b)(7)(C)** advise the staff was not advised, where I then provided Mrs. **(b)(6); (b)(7)(C)** **(b)(6); (b)(7)(C)** e-mail advising her of family litigation. **(Exhibit F)**.

Following I received an e-mail from Mr. **(b)(6); (b)(7)(C)** advising staff would not respond to me and I was to speak with the attorney for **(b)(6); (b)(7)(C)** because copies were being sent to a family law attorney to appropriately advise me of my case and whether to retain his services. **(Exhibit G)**

On January 24, 2011 the Dunellen director of Special Services and **(b)(6); (b)(7)(C)** met with me and provided me the documents I wished to review. **(b)(6); (b)(7)(C)** had sent to Dunellen

- (a) One emergency card from summer 2011
- (b) IEP report

At this time I believe e-mails have been erased by staff of **(b)(6); (b)(7)(C)** as I was told they do not have any e-mails. The very little technical knowledge I have, I am aware that e-mails are retrievable even after deletion. Additionally documents may have been destroyed. To date my request that school records be corrected to provide my address and contact information has been ignored. Although **(b)(6); (b)(7)(C)** is private I am entitled to view and receive copies of my son's file, records concerning him, including but not limited to e-mails. This would also explain the mishap of **(b)(6); (b)(7)(C)** on not providing the December 2011 IEP. Any help you may provide would be very useful.

Sincerely,

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