

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

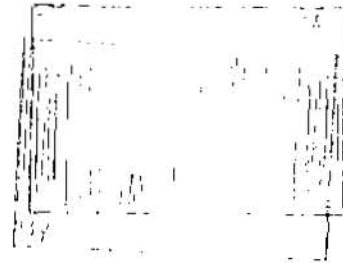
TEXAS

COMMITTEES:  
APPROPRIATIONS  
COMMERCE, SCIENCE,  
AND TRANSPORTATION  
RULES AND ADMINISTRATION  
VETERANS' AFFAIRS

# United States Senate

WASHINGTON, DC 20510-4304

March 16, 2010



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

Dear Sir/Madam:

The attached communication was forwarded to Senator (b)(6); (b)(7) by a constituent who is concerned about a matter that falls within your agency's jurisdiction. I would appreciate it if appropriate inquiries could be initiated on this individual's behalf, and if a full response could be prepared for me to report to the constituent.

It would be very helpful if the attached were to accompany your response. In the event you require more information, please do not hesitate to contact me in Austin at (b)(6); (b)(7)(C) or by fax

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

Thank you for your courtesy.

PLEASE REPLY TO:

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

Enclosure

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

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



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

RESET

United States Senator • Texas

### The Information and Privacy Act Form

I hereby authorize the office of SENATOR (b)(6); (b)(7)(C) to request on my behalf, pertinent to the Freedom of Information and Privacy Act of 1974, access to information concerning me in the files of the Department of Justice & Department of Education. In addition, the office of SENATOR (b)(6); (b)(7)(C) is also authorized to see any materials that may be disclosed pertinent to that request.

NAME:

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

[Redacted name fields]

MAILING ADDRESS:

CITY/STATE/ZIP:

HOME PHONE #:

WORK PHONE #:

SOC SEC #:

VA CLAIM #:

PASSPORT #:

ALIEN REGISTRATION #:

OTHER ID #:

DATE OF BIRTH:

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

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

[Redacted date of birth field]

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

(date)

#### INSTRUCTIONS:

Please write a brief letter outlining the nature of your problem and be as specific as possible. In particular, include the names of any public officials you have communicated with in the past and the dates those communications occurred. Also, please attach any relevant correspondence that you have initiated or received concerning your problem. You can either mail or FAX this completed form, your brief letter, and any other pertinent attachments to:

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

USE THIS PAGE TO EXPLAIN YOUR PROBLEM TO THE SENATOR

In July 2009, after discovering and reporting unsecured educational records on a public web server, I became the target of an FBI investigation. The FBI seized both my work and home computers. As a result, I have been unemployed since July 2009 and been unable to find employment while an FBI investigation is still pending.

It is outrageous to contemplate that a local school district can blatantly violate both FERPA and IDEA provisions at their whim and the State Education Agency responsible for overseeing the local school district completely disregards every plea to fulfill their duties and responsibilities for monitoring and enforcement; yet the party who identified and notified Local, State and Federal authorities in the first place is the target of an FBI investigation? Something is terribly wrong in our educational system where school district retaliatory practices are common place, yet there continues to be no accountability on the part of the school district nor Texas Education Agency.

Furthermore, the FBI has had over six months to conclude their investigation, but has yet to disclose any timelines on how close are they to completion. This has posed unimaginable hardships on myself and my family while I earnestly sought to serve the public good by reporting the district's disclosure of our children's educational records to Leander ISD, Texas Education Agency, the Texas Senate Committee on Education and the U.S. Department of Education.

Parents need swift and effective enforcement of FERPA and IDEA provisions regarding the security of our most personnel and private information regarding our children with disabilities. I urge you to introduce legislation to address the current shortcomings of educational records security.

I furthermore request a formal inquiry to the U.S. Department of Education and the U.S. Department of Justice regarding this matter.

Aug.09.2008 08:01 PM

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

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

PAGE. 4/ 18

----- Forwarded Message -----

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

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

Sent: Monday, July 6, 2009 11:35:10 AM GMT -06:00 US/Canada Central

Subject: RE: (b)(6); (b)(7)(C) Short's complaint

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

Thank you for touching base with us regarding the correspondence you received.

The issue is currently being addressed according to our procedures.

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



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

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

> ----- Original Message ----- From: "Superintendent" <Superintendent@leanderisd.org>  
 > To: (b)(6); (b)(7)(C)  
 > Sent: Saturday, July 18, 2009 12:43 AM  
 > Subject: Re: Parent Notification

> (b)(6); (b)(7)(C)  
 > [Redacted]

> Thank you for your letter. I have attached a response.

> Respectfully,

> (b)(6); (b)(7)(C)  
 > epic.org  
 > [Redacted]

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

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

- > to the e-Sped site through a page from LISD's own website with instructions
- > for establishing an account...TODAY at 11:45 pm. Therefore, I am not sure
- > how the path that you mention in your letter has been eliminated. I did not
- > search through the site, but obviously could have done so and quite probably
- > could have spent enough time to locate my family's records. I would
- > appreciate your attention to the following questions:

- >
- > 1. What was the exact date that you or anyone under the employ of LISD
- > become aware of the breach of security for parents and children subject to
- > the recordkeeping of Leander ISD and e-Sped?
- > 2. In the letter, you stated that, "The District immediately eliminated
- > the path that was apparently used to gain the unauthorized access and took
- > several additional steps to enhance security." What specific steps
- > have been taken to close the existing pathway that allows access to the
- > e-Sped records?
- > 3. Who is the 3rd party that has verified that the access is closed?
- > 4. Attachment #1 above comes directly from your website, and I assume
- > that this is how myself or anyone else could access the e-Sped site. You
- > state that, " it
- > appears that one individual gained unauthorized electronic access to
- > confidential information". Since the previous statement in your letter
- > indicates that, "The District quickly confirmed that its electronic
- > records are not available to the general public via its website." How did
- > this individual gain access?
- > 5. My wife and numerous other individuals who are the parents of children
- > with special needs have requested access to our children's records and have
- > repeatedly and systematically been denied "FULL AND LAWFUL ACCESS" to
- > the records maintained by LISD on this website. Can you please explain why
- > this has happened and what will be done to ensure that the rights
- > guaranteed to persons such as ourselves are not violated in the future?
- > 6. What guarantee can you make that my family's social security numbers,
- > driver license information or other identifying medical
- > information/diagnoses information has not been compromised?

(b)(6); (b)(7)(C) I have borne witness to archaic ARD meetings and hopelessly

- > pored over pages upon pages of the incomprehensible documents associated
- > with them. I have met many other parents and listened to their tales of
- > madness and frustration in trying to do what is right for their children,
- > only to be repeatedly misdirected by administrators who speak of how
- > gracious they should be of the "Life-skills" that (b)(6); (b)(7)(C) wants them to settle
- > on for their children. I have received reports of poorly trained aides,
- > teachers, and principals who direct incompetence, anger, and ridicule at
- > the weakest and most vulnerable of the children placed under their care. My
- > wife and others have attempted for over a year to bring to fruition the
- > progress and improvements that could be readily achieved through the genuine
- > belief by administration that their efforts to better the system are highly
- > needed. I have witnessed my wife struggle valiantly for the greatest cause
- > she or I could ever have, yet her sacrifices have been met by denial, idle
- > placation, or the words of those who are unwilling to accept that any
- > change from the bare minimum is needed.

> epic.org

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

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

> this is how myself or anyone else could access the e-Sped site. You state  
 > that, " it appears that one individual gained unauthorized electronic access  
 > to confidential information". Since the previous statement in your letter  
 > indicates that, "The District quickly confirmed that its electronic  
 > records are not available to the general public via its website." How did  
 > this individual gain access?

> That is a matter being addressed through ongoing legal investigations on  
 > which the District is not at liberty to speak.

> 5. My wife and numerous other individuals who are the parents of children  
 > with special needs have requested access to our children's records and have  
 > repeatedly and systematically been denied "FULL AND LAWFUL ACCESS" to the  
 > records maintained by LISD on this website. Can you please explain why this  
 > has happened and what will be done to ensure that the rights guaranteed to  
 > persons such as ourselves are not violated in the future?

> As we discussed yesterday, I regret that you feel you have not had  
 > appropriate access to records. We are always happy to provide students'  
 > records to their authorized parents or guardians upon request. We fully  
 > comply with the laws in this area, and we do not agree that anyone's rights  
 > have been violated.

> 6. What guarantee can you make that my family's social security numbers,  
 > driver license information or other identifying medical  
 > information/diagnoses information has not been compromised?

> The purpose of our letter notifying families concerning the unauthorized  
 > access was so they could each make decisions about the best ways to further  
 > safeguard and monitor use of confidential information.

> I hope this correspondence addresses your questions.

> Respectfully,

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

>>> (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) > 07/08/09 1:36 AM >>>

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

> My wife was nice enough to provide me with your e-mail address, and has  
 > forwarded me the "Parent Notification" letter that you sent to her earlier  
 > today. I am a lieutenant with the Texas Department of Public Safety and  
 > have taught a course entitled "Identity Theft" to all recruit classes and  
 > many In-Service Troopers for the past 2 years, so you can imagine that I  
 > take the management of my own private identifying information very  
 > seriously. I consider this compromise of the identifying information of  
 > myself, my wife, my daughter, and all of the families of children with  
 > special needs an appalling reflection of the Leander School District. Your  
 > e-mail is extremely vague, and in part an outright misstatement of fact. As  
 > you can see from the 2 attachments, I was able to obtain login information

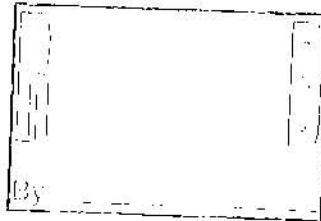
> become aware of the breach of security for parents and children subject to  
 > the record keeping of Leander ISD and e-Sped?

> Leander ISD was made aware of a potential incident of unauthorized access to  
 > information on June 26, 2009. To our knowledge, no one in Leander ISD's  
 > employ was aware of this incident before this date. We immediately  
 > initiated an investigation as to the nature of records that could have been  
 > accessed at that time, as well as the means used.

> 2. In the letter, you stated that, "The District immediately eliminated  
 > the path that was apparently used to gain the unauthorized access and took  
 > several additional steps to enhance security." What specific steps have  
 > been taken to close the existing pathway that allows access to the e-Sped

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

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



To Whom It May Concern:

I would like to file an complaint against (b)(6); (b)(7)(C) School, in Jackson MS. FERPA states that confidentiality with student should be held confidential.

On (b)(6); (b)(7)(C) was suspended. I don't agree with the suspension because it was based totally upon an assumption, but what happened after that point was totally unethical.

The alleged incident happened while classes were in progress it was around 9:00 a.m. There were only four (4) people aware of the allegations. Those four people were The principal, (b)(6); (b)(7)(C) the nineth grade assistant principal Mr. (b)(6); (b)(7)(C) A teacher and the security officer.

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

The suspension was wrongfully given to her because is was based upon an assumption. The spreading of the allegations by staff was worst. Some of the students states the teachers and security were in the hallway laughing and talking about it.

This spilled over on the facebook social network as well. (b)(6); (b)(7)(C) School almost pushed my child to suicide because of how sloppy they handled information about my child that should have been confidential. Please see attached print out from the facebook social network were students were

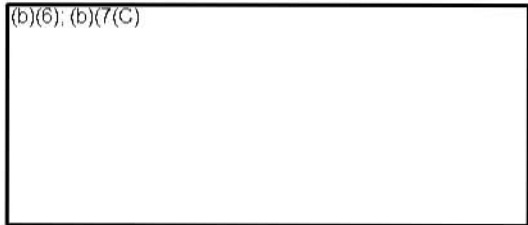
discussing my daughter' allegations at the school.

I pray to God each day that my child gets over this but at the same time I do not want this to happen to another child.

As a result, I would like to file a complaint under the FERPA Law because confidential information of my child was not handled properly.

Sincerely,

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



January 15, 2010

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

RE: School in Violation of FERPA

I hereby lodge an official complaint against the School District of Jay, Oklahoma on behalf of (b)(6); (b)(7)(C) who attends (b)(6); (b)(7)(C) for what I believe to be a violation of the Family Educational Rights and Privacy Act of 1974.

The alleged violation of Act or Regulation involves the inappropriate sharing of confidential information.

Date of Violation: January 13, 2010

Every Wednesday morning, (b)(6); (b)(7)(C) School teachers hold a PLC meeting. In this meeting teachers collaborate and coordinate with others in their same department. In this meeting on Wednesday, January 13, 2010, (b)(6); (b)(7)(C) (b)(6); discussed above mentioned student using her full name and revealed details about this student and her disability to the entire room. Many teachers in the room at that time did not have this student in their class - rendering it a violation of FERPA for Ms. (b)(6); (b)(7)(C) to discuss details openly.

Sincerely,

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



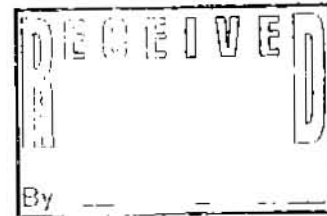






3/05/12

To: 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 Anson County N.C. on behalf of (b)(6); (b)(7)(C) (b) (b)(6); (b)(7) who attended (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C) N.C. for what I believe to be both inappropriate release of personal information and a violation of the Family Educational Rights and Privacy act of 1974.

The nature of the complaint is as checked:

- Alleged Violations of Act or regulations
- Inappropriate sharing of confidential information

Date of violation: January 28, 2012

Other Relevant Information:

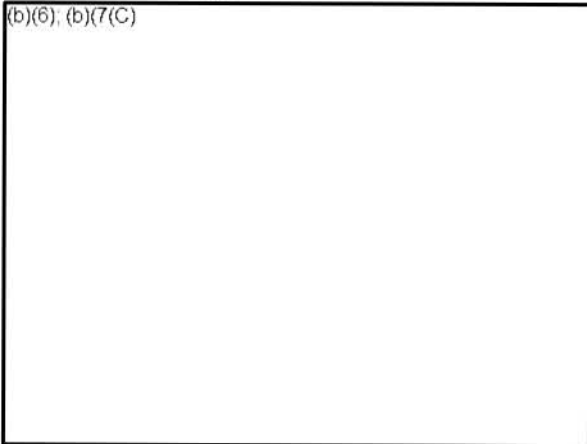
My son (b)(6); (b)(7)(C) (b) (b)(6); (b)(7) was a student at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) school in Ms. (b)(6); (b)(7)(C) 2nd grade classroom. He also received EC services along with Speech and PT.

My husband received a phone call on January 28, 2012 from (b)(6); (b)(7)(C) teachers, Ms. (b)(6); (b)(7)(C) brother. He called to threaten my husband with bodily harm during this phone conversation. Following my husband going to (b)(6); (b)(7)(C) teacher and confronting her for what we believe was unfair treatment to (b)(6); (b)(7)(C) by Ms. (b)(6); (b)(7)(C) Ms. (b)(6); (b)(7)(C) shared my sons name and information with her family, shared with her family the private events at the school involving (b)(6); (b)(7)(C) and my husband (b)(6); (b)(7)(C) violating my families privacy, most importantly violating my son (b)(6); (b)(7)(C) privacy. By her sharing my son's confidential information her brother was

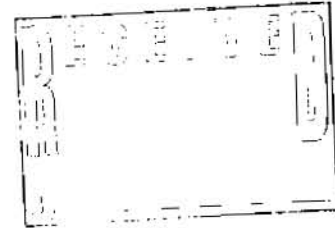
able to invade my son's privacy and call our home resulting in my family feeling terrorized and unsafe. Due to her actions I refused to allow my children return to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) and put in a request for Anson County Schools to transfer my two children to (b)(6); (b)(7)(C) where they currently attend until we can sell our house and move away from this district. I currently work at another school district who advised me to share this information with you because the actions taken by Ms. (b)(6); (b)(7)(C) are illegal.

Yours Truly,

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



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



## Complaint Regarding Disclosure

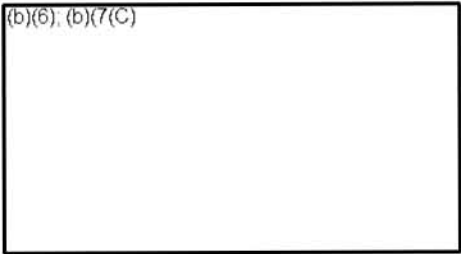
Family Policy Compliance Office: U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-5920, Phone: 1-800-USA-LEARN (1-800-872-5327)

I am filing this complaint against (b)(6); (b)(7)(C) University, in Thousand Oaks, CA for allowing a credential clerk to contact my employer, divulging personal and school related information with my employer without my permission. As you can see by the enclosed copies of the email, this incident took place on August 30, 2012. (b)(6); (b)(7)(C) credential clerk for (b)(6); (b)(7)(C) University contacted the HR Director of the organization where I am employed and disclosed information about a second credential that I was going to (b)(6); (b)(7)(C) University to complete.

I teach at a nonpublic school that is owned by the (b)(6); (b)(7)(C) School. The (b)(6); (b)(7)(C) has more than 2,000 students attending various schools at five different campuses. The HR Director oversees 980 employees at the (b)(6); (b)(7)(C) location. My HR Director was not aware that I was going to school for a moderate to severe teaching credential. My principal and vice principal were. At any time, (b)(6); (b)(7)(C) could have sent me a letter telling me of the problem regarding my internship or called me at the same number she used to contact the HR Director, but at no time did she try. She chose to talk the HR Director, who oversees all of the 980 employees of The (b)(6); (b)(7)(C) and she chose to discuss my educational business with this person, instead of speaking with me directly. At any time during working hours, she could have called the (b)(6); (b)(7)(C) and spoken to me directly. At no time did she ever try. After speaking with the HR Director, who was not aware of what I was doing in school, this clerk took it upon herself to shred the application for internship without talking to me and informed my HR Director at my place of employment that she was going to do that. I feel this is a gross violation of my FERPA rights and I am requesting that this be reviewed. I am enclosing the emails she sent to the HR Director of my place of employment as proof of the actions she took as an employee of (b)(6); (b)(7)(C) University. You may contact me at:

(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**

**Re: FERPA Violation Complaint**

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

**From:** (b)(6); (b)(7)(C)  
**Date:** Saturday, September 22, 2012 10:02 AM  
**To:** (b)(6); (b)(7)(C)  
**Subject:** Fwd: (b)(6); (b)(7) - Friday - 9-21-2012 - Ag. Teacher

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

Begin forwarded message:

**From:** (b)(6); (b)(7)(C)  
**Date:** September 22, 2012, 10:01:36 AM CDT  
**To:** (b)(6); (b)(7)(C)  
**Subject:** Fwd: (b)(6); (b)(7)(C) Friday - 9-21-2012 - (b) Teacher

The email below is addressing (b)(6); (b)(7)(C) rights to privacy, her basic rights to privacy. It is also most definitely addressing her rights to privacy as a Special Education Student who attends public school in Frisco ISD, on the (b)(6); (b)(7)(C) Campus.

If you have any questions concerning this letter that was sent to (b)(6); (b)(7)(C) Principal over at (b)(6); (b)(7)(C) he please ask me.

Copied in is Rick Reedy, Superintendent of FISD, (b)(6); (b)(7)(C) who is the Secondary Coord. for Spec. Ed. FISD, (b)(6); (b)(7)(C) Asst. Principal (b)(6); (b)(7)(C) Spec. Ed. Teacher over at (b)(6); (b)(7)(C) and of course (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) Teacher, a class that Alexa currently has over at (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) violated (b)(6); (b)(7)(C) rights to privacy when she addressed her while (b)(6); (b)(7)(C) stood at her desk in this (b)(6); (b)(7)(C) class, as other Peers of (b)(6); (b)(7)(C) Classmates walked by, also as they sat at their desks in this class.

One of those Peers happens to be a Friend of (b)(6); (b)(7)(C) She even asked (b)(6); (b)(7)(C) what she was so upset about.

Again if you have any questions about this matter feel free to contact us. We would appreciate it if you'd investigate this situation-matter for (b)(6); (b)(7)(C) for us as well. As we said this is a true violation of (b)(6); (b)(7)(C) rights to privacy. Her rights to privacy as a Special Education Student within the Frisco Independent School District.

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

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

Begin forwarded message: (b)(6); (b)(7)(C)

**From:** (b)(6); (b)(7)(C)  
**Date:** September 22, 2012, 9:37:41 AM CDT  
**To:** (b)(6); (b)(7)(C)  
**Cc:** Rick Reedy <(b)(6); (b)(7)(C)> <(b)(6); (b)(7)(C)>  
<(b)(6); (b)(7)(C)>

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

Subject: (b)(6); (b)(7)(C) - Friday - 9-21-2012 - (b) Teacher

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

I met with you and your Staff, along with (b)(6); (b)(7)(C) Spec. Ed. Dept., on Thursday 9-20-12 after school.

(b)(6); (b)(7)(C) Dad was conferenced into that conversation, due to the fact that

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

We spoke about your Staff over at (b)(6); (b)(7)(C) l, and how they were-are still NOT following (b)(6); (b) IEP as it's written.

Then later in the day I spoke to (b)(6); (b)(7)(C) FISD Employee about this same thing.

I told him about our meeting, and asked him to speak to (b)(6); (b)(7)(C), and possibly to you as well about all of this.

Then I went about my day, until I got a text message from (b)(6); (b)(7)(C) about her (b)(6); (b)(7)(C) Teacher (b)(6); (b)(7)(C)

In this text (b)(6); (b)(7)(C) was extremely upset about what took place in (b)(6); (b)(7)(C) classroom on Friday, Sept. 21st.

We do NOT blame Alexa for feeling the way she did!

We were EXTREMELY upset about this when she told us about it in her text message!

We were even more upset when (b)(6); (b)(7)(C) verbally told us about what took place, and then started to cry.

Now prior to this, the week of Sept. the 10th, your Campus, as well as Rick Reedy received a letter from us, (b)(6); (b)(7)(C) Parents indicating that NO FISD Staff was to speak to (b)(6); (b)(7)(C) without either myself or (b)(6); (b)(7)(C) being present to witness, tape that conversation.

Is that not correct?

Then please explain to both of us, and to (b)(6); (b)(7)(C) why (b)(6); (b)(7)(C) Teacher had a conversation with her on Friday in her classroom as (b)(6); (b)(7)(C) stood in front of her desk.

Not only that why did (b)(6); (b)(7)(C) talk to (b)(6); (b)(7)(C) as other students, Peers of (b)(6); (b)(7)(C) walked by to witness, to hear this conversation that she was having with her?

(b)(6); (b)(7)(C) has a right to privacy just as much as the next student.

(b)(6); (b)(7)(C) violated (b)(6); (b)(7)(C) right to privacy when she did this to (b)(6); (b)(7)(C)

Not only that Jennifer, a Member of your Staff, has violated our request tha

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

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

**From:** (b)(6); (b)(7)(C)  
**Date:** (b)(6); (b)(7)(C)  
**To:** (b)(6); (b)(7)(C)  
**Subject:** Fwd: (b)(6); (b)(7)(C) - Friday - 9-21-2012 - (b)(6); (b)(7)(C) Teacher

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

Begin forwarded message:

**From:** (b)(6); (b)(7)(C)  
**Date:** September 22, 2012, 9:37:41 AM CDT  
**To:** (b)(6); (b)(7)(C)  
**Cc:** Rick Reedy <(b)(6); (b)(7)(C)>  
 (b)(6); (b)(7)(C)  
**Subject:** (b)(6); (b)(7)(C) - Friday - 9-21-2012 - Ag. Teacher

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

I met with you and your Staff, along with (b)(6); (b)(7)(C) Spec. Ed. Dept., on Thursday 9-20-12 after school.

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

We spoke about your Staff over at (b)(6); (b)(7)(C), and how they were-are still NOT following (b)(6); (b)(7)(C) IEP as it's written.

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Then I went about my day, until I got a text message from (b)(6); (b)(7)(C) about her (b)(6); (b)(7)(C) Teacher

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

In this text (b)(6); (b)(7)(C) was extremely upset about what took place in (b)(6); (b)(7)(C) classroom on Friday, Sept. 21st.

We do NOT blame (b)(6); (b)(7)(C) for feeling the way she did!

We were EXTREMELY upset about this when she told us about it in her text message!

We were even more upset when (b)(6); (b)(7)(C) verbally told us about what took place, and then started to cry.

Now prior to this, the week of Sept. the 10th your Campus, as well as Rick Reedy received a letter from us, (b)(6); (b)(7)(C) Parents indicating that NO FISSD Staff was to speak to (b)(6); (b)(7)(C) without either myself or (b)(6); (b)(7)(C) being present to witness, tape that conversation. Is that not correct?

Then please explain to both of us, and to (b)(6); (b)(7)(C), why (b)(6); (b)(7)(C) Teacher had a conversation with her on Friday in her classroom as (b)(6); (b)(7)(C) stood in front of her desk.



Not only that why did (b)(6); (b)(7)(C) talk to (b)(6); (b)(7)(C) as other students, Peers of (b)(6); (b)(7)(C) walked by to witness, to hear this conversation that she was having with her?

(b)(6); (b)(7)(C) has a right to privacy just as much as the next student.

(b)(6); (b)(7)(C) violated (b)(6); (b)(7)(C) right to privacy when she did this to (b)(6); (b)(7)(C)

Not only that (b)(6); (b)(7)(C) a Member of your Staff, has violated our request that nobody speak to (b)(6); (b)(7)(C) without the two of us, or at least one of us being present to witness, tape that conversation.

Did you tell your Staff about this letter that was served to you, and your Staff over at (b)(6); (b)(7)(C) I certainly know that (b)(6); (b)(7)(C) is familiar with this letter that we're talking about, because it was addressed to him.

I am certain that Rick Reedy would have told you about this letter, because he too got that same letter served to him as well.

So again please explain to us, (b)(6); (b)(7)(C) Parents why (b)(6); (b)(7)(C) Teacher violated what that letter said on Friday, Sept. 21, 2012.

If (b)(6); (b)(7)(C) ever wants to speak to us, (b)(6); (b)(7)(C) Parents, she is free to do that.

However (b)(6); (b)(7)(C) has NO business addressing a (b)(6); (b)(7)(C) old girl, a minor child, the way she did in her classroom on Friday, Sept. 21, 2012, and especially in the manner that she did it. Nobody has the right to address anyone in this manner!

It was down right rude, and uncalled for, the things that she said to (b)(6); (b)(7)(C) on Friday in her classroom.

Will an apology do, at this point....of course it will NOT!

Do we fully except that (b)(6); (b)(7)(C) will apologize to (b)(6); (b)(7)(C) of course we do.

(b)(6); (b)(7)(C) should apologize to us as well for this incident that took place on Friday in her classroom to (b)(6); (b)(7)(C)

Do we expect that you will apologize to (b)(6); (b)(7)(C) and to us as well, and then assure all of us that this will NEVER happen again....of course we do.

And do NOT apology to (b)(6); (b)(7)(C) have a conversation without one of us being present to hear what you're saying to her.

We know you understood what that letter said that we gave to your Campus, to (b)(6); (b)(7)(C), and we fully expected that you and your Staff would follow it.

(b)(6); (b)(7)(C) clearly did NOT do this, and perhaps it's because someone did not tell her about what it said.

Is that the case?

In fact do ALL of (b)(6); (b)(7)(C) Teachers know about this letter, have they been told what it says yet?

We fully expect that you will do that, although they should have ALL been told about this during the week of Sept. the 10th, 2012 when the letter was served to your Campus, to (b)(6); (b)(7)(C) the school that (b)(6); (b)(7)(C) attends, as well as Dr. Rick Reedy Superintendent of Frisco ISD.

If you have any further questions about this matter, and we fully expect to hear from you about this, then please contact one of us, do NOT, I repeat do NOT attempt to speak to (b)(6); (b)(7)(C) about this matter.

If you do, then we'll consider it another violation.

We'll take it to mean that you are refusing to adhere to this letter that was served to you regarding communication with our Daughter (b)(6); (b)(7)(C)

Once again just so we're all clear about this matter....NOBODY, none of your Staff, NO

Frisco ISD Staff is to speak to (b)(6); (b)(7)(C) unless either Steve or myself are present to witness, tape record the conversation.

Am I talking about general education things, of course I am not.

We all know that (b)(6); (b)(7)(C) Teachers must continue to teach (b)(6); (b)(7)(C) we fully expect that they'll do that.

However if it's involving anything other than that, well then again you must have one of us, or both of us, (b)(6); (b)(7)(C) Parents present during that conversation, so that we can not only witness it, but record the conversation that is being had.

Again please get in touch with me about this matter that took place on your Campus, over at (b)(6); (b)(7)(C) on Friday.

I did leave a message with (b)(6); (b)(7)(C) our Secretary about this on Friday afternoon.

(b)(6); (b)(7)(C) assured me that she would relay the message to you.

I also briefly spoke to (b)(6); (b)(7)(C) Spec. Ed. Teacher about this matter, this incident that took place on Friday in (b)(6); (b)(7)(C) classroom.

I spoke to (b)(6); (b)(7)(C) after school, as (b)(6); (b)(7)(C) was working in the Learning Lab on your Campus to finish up some of her work, work that she had used her IEP service for-her extension of time for.

Personally at this point (b)(6); (b)(7)(C) is asking, requesting to possibly drop this (b)(6); (b)(7)(C) class that she has with (b)(6); (b)(7)(C)

What a shame that is!

What a real shame this is!

(b)(6); (b)(7)(C) was excited about FFA, and the possibility of being able to continue with her archery, which she loves, and is very good at.

(b)(6); (b)(7)(C) made this class, her classroom, a very uncomfortable, a hostile environment for (b)(6); (b)(7)(C)

How is (b)(6); (b)(7)(C) suppose to face (b)(6); (b)(7)(C) after this took place, explain that to her, and to us please.

How on earth could (b)(6); (b)(7)(C) possibly face (b)(6); (b)(7)(C) after all the horrible things she said to her on Friday!?

There was NO need for (b)(6); (b)(7)(C) to say the things that she said to (b)(6); (b)(7)(C) on Friday, no need at all!

If (b)(6); (b)(7)(C) wants to address something with someone her own age, (b)(6); (b)(7)(C) or myself, then she is free to do that.

(b)(6); (b)(7)(C) should NEVER again speak to a minor child, a (b)(6); (b)(7)(C) old girl....to (b)(6); (b)(7)(C) in this manner ever again!

We believe that (b)(6); (b)(7)(C) did this to (b)(6); (b)(7)(C) full well knowing that this would not only embarrass (b)(6); (b)(7)(C) but it would intimate her as well.

That was (b)(6); (b)(7)(C) only intent, it is clear to both of us why she did what she did on Friday to (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) needs to understand that she is the adult here, and that (b)(6); (b)(7)(C) is just a (b)(6); (b)(7)(C) year old girl, a Student in her class.

A class that (b)(6); (b)(7)(C) loves, that she is thoroughly enjoying....well up until now.

Not only that there goes (b)(6); (b)(7)(C) career....the path that she had set towards her career goal of becoming a Veterinarian.

We all know that Survey of (b)(6); (b)(7)(C) is required in order for (b)(6); (b)(7)(C) to continue down this path with in FISD to reach that goal.

(b)(6); (b)(7)(C) must take this class, so that when she is a (b)(6); (b)(7)(C) she can work with a Veterinarian at his office off campus.

Please explain to us what we're suppose to tell (b)(6) about this matter?

How do we, how will you explain to (b)(6) that one teacher, a teacher with no manners, no maturity, and no concern for your rights to privacy derailed your career to becoming a Veterinarian?

This is something that (b)(6) has talked about since she was probably 5-6 years old....the ONLY thing that she's ever wanted to do as a career, was to become a Veterinarian.

To our knowledge only (b)(6); (b)(7)(C) teaches this Survey of (b) class over at the (b)(6); (b)(7)(C) on your Campus.

Is that not correct?

(b)(6) wants to drop this class, and take Theatre now.

What a SHAME, what a real shame!

So again explain to us how we can get (b)(6) back on this career path to becoming a Veterinarian when this Survey of (b) class is a required class in order for her to do this.

Especially now that (b)(6); (b)(7)(C) is requesting to not only drop this Survey of (b) class with

(b)(6); (b)(7) but also that she no longer wants to be apart of (b)(6);

And why....well because (b)(6); (b) runs FFA as well.

So again there goes (b)(6); (b) opportunity to improve her archery skills, something else that she loves, and has wanted to, has looked forward to continuing while being apart of this (b)(6) group.

Again please get in touch with us about this very serious matter.

If not someone who works for (b)(6), then someone who works Frisco ISD at least for

(b)(6); (b)(7)(C) sake.

We have said it before, and we'll say it again, there is NO collaboration on the part of the (b)(6); (b)(7)(C) School Staff prior to this incident, and even now as we send this letter to you, when it comes to getting (b)(6); (b) needs met as a Student with disabilities.

We have repeatedly attempted to make this happen for (b)(6); (b)(7)(C) but the door keeps getting slammed in our faces.

The door is also being slammed in the face of the person that matters the most here....that would be (b)(6); (b)(7)(C).

We do NOT understand why this, these things continue to happen to (b)(6); (b)(7)(C) most especially since we're going on week 5 of this school year.

And most especially since ALL of (b)(6); (b) Teachers were trained by (b)(6); (b)(7)(C) prior to this school year starting, everyone but you (b)(6); (b)(7)(C) and of course (b)(6); (b)(7)(C) teacher, but then she does not have that person until Jan.

This just does NOT make sense to either of us.

And again the person that it really does not make sense to, the person that matters the most here, is (b)(6); (b) the Student with the disabilities.

I write this letter to all of you, so that you understand the seriousness of this matter.

Now (b)(6); (b) School, her Campus, (b)(6); (b)(7)(C) School has become a hostile environment for her.

Was it, is it your intent to create that kind of environment for (b)(6); (b)(7)(C)?

We think not, we certainly HOPE NOT!

We fully expect that everything that was talked about in this letter will be addressed for (b)(6); (b)(7)(C), and will be addressed to us, NOT to (b)(6); (b) directly.

If you wish to speak to (b)(6); (b) then at least one of us will needs to be present when you do this.

We hope that we've made ourselves crystal clear about this matter.

If we have not, then feel free, and we fully expect that you will, contact us to talk about all

of this.

This incident that took place on your Campus, over at (b)(6); (b)(7)(C) on Friday, Sept.

21, 2012 with (b)(6); (b)(7)(C) Teacher (b)(6); (b)(7)(C)

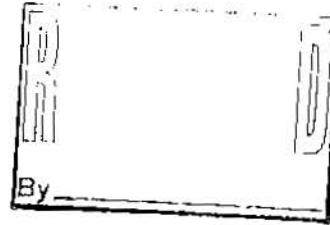
This incident that took place in front of (b)(6); (b) Peers, other Classmates of her's, as (b)(6);  
stood at (b)(6); (b)(7)(C) desk in her Survey of (b) class.

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

Family Policy Compliant Office  
400 Maryland Avenue SW  
Washington D.C 20202-5901

12/9/11

To Whom It May Concern:



This letter has been written to confirm a complaint against Chicago Public School System regarding derogatory comments made against a student (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) creating an environment which would not have been conducive to learning, as well as participating in harassment. Under Title VII a charge for discrimination has been filed with the Department Of Human Rights. As a complaint conference has already taken place, and with the fact finding conference scheduled for December 14, 2010 submitting a complaint to the U.S department Of Education is imperative- primarily so that it may be understood by administrator's, faculty and staff members within the Chicago Public School System that unruly behavior is unacceptable and will not be tolerated in the slightest. Furthermore, purposeful miscommunication with intentional redirection to confuse and or manipulate to steer and cause problems inducing and hindring the child parent relationship; which is already enough of a struggle;utilizing tactics and strategies of old to cause division and confusion is despicable.

With that statement this letter is being submitted to go on record and for recognition that the aforementioned statements above are clear and precise, and that a violation of Title VII has taken place relative to discrimination and harassment of a minor, one who deserves a chance to learn and evolve creating and developing his own thoughts and ideas upon deciphering the necessary given information which should assist him in flourishing. Any educational system or program which does not provide such an environment is not one where I would allow a child to remain, and is the reason why (b)(6); (b)(7)(C) was transferred and is now being homeschooled until a private school of my liking is located. Please submit this letter on the record as I prepare to take the necessary action as I see fit.

Signature:

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





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

December 3, 2011

By \_\_\_\_\_

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

**Re: Second Request for Educational Records**

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

On my behalf, my mother requested a copy of my school records.

On November 17, 2011, you provided my mother with a copy of my records, which upon our inspection appeared to be incomplete.

In order to rectify this matter in good faith, I am once again requesting within 10 days a copy of all education records in the School District's possession that pertain to me. I make this request under the Family Educational Records and Privacy Act (FERPA), 34 C.F.R. Part 99, the Individuals with Disabilities Education Improvement Act (IDEA 2004), and its regulations, 34 C.F.R. Sections 300.501 and 300.610-627.

This request encompasses the identified education records no matter where they may be located, whether in the Central Administration Office, the Special Education Office, or any other department or office within the School District. As authorized by Section 300.616 of the IDEA 2004 regulations, kindly also provide me with a "list of the types and locations of the education records" that are "collected, maintained or used" by the School District.

This request includes any and all items that contain personally identifiable information about me and my parent (b)(6); (b)(7)(C) whether those items name (b)(6); (b)(7)(C) as the parent, name me, or refer to me or my parent, by social security number or by student identifier number.

This request includes, but is not limited to, the following items: progress reports, report cards, deficiency notices, correspondence to and from parents and others, awards, standardized test results, staff memos, interoffice memos, emails, letters, notes and comments of any kind, including notes of telephone calls, multi-disciplinary meetings and observations of child, attendance records, including notices of truancy, suspension



and expulsion, requests for and notices of Section 504 and IEP meetings, medical and school health records, notes of psychologists, speech and language therapists, resource specialists and other personnel who have provided services to, evaluated or otherwise been involved in or responsible for the provision of a free appropriate education, class schedules, referrals for evaluations, evaluations and assessments, third-party reports or writings of any kind, notices of placement and statements of rights that were provided to parents, including notes from multi-disciplinary team meetings and observations of the child, all IEPs and any documents related to the IEPs, videos and audiotapes.

I have authorized and instructed my mother, (b)(6); (b)(7)(C) to contact you by phone by December 8, 2011 to find out when the records will be ready for her to pick-up. Please advise my parent, (b)(6); (b)(7)(C) as to the cost of any reproduction fees that may be associated with same so that my mother can be prepared to remit payment to you upon her receipt of my records on my behalf.

I am requesting that you direct any and all additional concerns and/or inquiries you have regarding this request to my mother (b)(6); (b)(7)(C) between the hours of 9:30 a.m. to 2:30 p.m. at her work number (b)(6); (b)(7)(C)

Thank you for your anticipated courtesies and cooperation.

Very truly yours,

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

VIA CERTIFIED MAIL

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

Cc: Department of Education via Certified Mail  
US Department of Education via Certified Mail

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

July 23, 2012



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

Dear U.S. Department of Education:

My name is (b)(6); (b)(7)(C) and I am filing a complaint against the United States Virgin Islands Board of Education. The basis of my complaint is as follows:

- (1) I have a Bachelor's Degree in mathematics from the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)
- (2) Sit the Praxis Secondary Mathematics Teacher Exams: Exam Codes 0061 and 0063 in the state of Kentucky and exceeded qualifying scores for both exams.
  - (a) Mathematics – 0061- Content Knowledge – Score – Exceeded 125.
  - (b) Mathematics – 0063 – Proofs, Models, and Problem Part I – Score – Exceeded 141.
- (3) I have fifty-three (53) credit graduate level courses from the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) in mathematics, statistics and education statistics.
- (4) I have seven years of teaching experience on the middle and secondary school levels.

Based on the **Virgin Islands Board of Education Professional Staff Certification Regulation** I have met the conditions of issuance for a Professional Educator Class I Certificate, a Professional Educator Class II Certificate, and eligibility for the Virgin Islands Alternative Routes to Teacher Certification (VARTC).

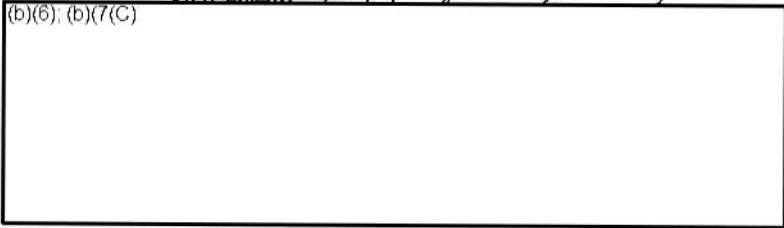
- (1) [www.myviboe.com](http://www.myviboe.com)
- (2) [www.myviboe.com/policies.html](http://www.myviboe.com/policies.html)
- (3) [www.myviboe.com/pdf/professional\\_staff\\_certification\\_regulation.pdf](http://www.myviboe.com/pdf/professional_staff_certification_regulation.pdf)

Even though I have the necessary and advance credentials of applied and theoretical mathematics education and seven years as a professional math educator I am being denied a professional staff certification application for the Class I and Class II certification and VARTC, by the United States Virgin Islands Board of Education.

The United States Virgin Islands Board of Education systematically deny persons who are qualify and eligible for certification by not having professional staff certification application readily available online (VI Board of Education Webpage) or at the physical address of the United States Virgin Islands Board of Education. Application for Virgin Islands professional staff certification is selectively furnished and based not on qualification and eligibility but on personal interest, friendship and nepotism. A request for a United States Virgin Islands professional staff certification application is denied on a personal decision or "the thing to do." United States Department of Education I am bringing this problem to your attention because there is a serious need for certified math educators on the middle and secondary levels in the United States Virgin Islands. Thank you for your valuable time.

Sincerely, *[Handwritten Signature]*

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



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

January 23, 2012

MENT OF EDUCATION  
OS/ES/CCCU

2012 FEB 28 A 10: 01

U. S. Department of Education  
400 Maryland Ave., S.W.  
Washington, D.C. 20202

Re: Kentucky Department of Education

Gentlemen:

Back in November of 2011 I provided Mr. (b)(6); (b)(7)(C) of the McCreary County (KY) Board of Education information regarding a student at (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C) KY, that warranted further investigation. To my knowledge, no investigation was conducted to ascertain or disprove my allegations.

However, the manner in which the issue was handled was contrary to Kentucky law and in violation of the Kentucky Department of Education's Privacy Policy.

As I understand Kentucky statutes, Chapter 171, the document (note/letter) that I sent Mr. (b)(6) became a state government document and of course a document of evidence. Somehow, the original of this document ended up in the hands of the student's mother and she passed it on to disinterested third parties. The manner in which this document handled and mishandled violated Kentucky's statutes, *i.e.*, KRS 620.030—620-050, which are Class B misdemeanors. The mishandling of the document other ways constituted tampering with evidence and constituted a Class D felony.

The results of the crimes mentioned above were that the student's mother and her female partner and perhaps other family members did thousands of dollars of damage to my property.

The Kentucky Department of Education, the local sheriff and county attorney have all been made aware of this matter and as far as I know have taken no action against the culprits.

While I will be filing a multimillion dollar lawsuit against the board of education, Mr. (b)(6); (b)(7)(C) and other school personnel, a deputy sheriff, *et al.*, within the next two weeks, these criminal, so far as I know, are still employed by the McCreary County school system.

One of the allegations that I addressed in my note/letter was the fact that the student's mother's female lover was forging the student's homework and it is known that the student received three (b)(1) on his report card. The student is not receiving an adequate education. Given these circumstances, my note/letter may have qualified as a part of the student's school record. If this be true, then FERPA was violated and the termination of federal funding to the McCreary County schools, and perhaps to the Kentucky Department of Education, would be warranted.

I would appreciate you looking into this matter and taking appropriate action.

Sincerely,

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

c: KY Dept. of Education

To Whom It May Concern,

My name is (b)(6); (b)(7)(C) I am the parent of (b)(6); (b)(7)(C) During the 2011-2012 school-years (b)(6); (b)(7)(C) attended (b)(6); (b)(7)(C) On June 21, 2012 I noticed inaccurate and misleading information on the power school portal ((b)(6); (b)(7)(C) ) uses and (b)(6); (b) end of the year report card. If you look at the supporting documents I applied below-you will better understand my frustration as a parent:

1. Power school report
2. (b)(6); (b)(7)(C) grade policies

Today I am petitioning the percentages given next to my son's grades. According to (b)(6); (b)(7)(C) policies, (percent scale/ grade scale) grades begins at fourth grade; thus, they should not have a presence on (b)(6); (b)(7)(C) report card or personal records as they are misleading.

School: (b)(6); (b)(7)(C)  
Teacher:  
Student:  
Parent:

Sincerely,

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



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



VIA USPS DELIVERY

May 23, 2012

To: Family Policy Compliance Office  
Office, U.S. Department of Education,  
400 Maryland Avenue, S.W.,  
Washington, DC 20202-4605  
(800) 872-5327

Re: (b)(6); (b)(7)(C) College (b) Campus) inappropriate use of FERPA

I hereby lodge an official complaint against the (b)(6); (b)(7)(C) College (b) Campus, located at (b)(6); (b)(7)(C) because in my opinion they are hidden behind the Family Educational Rights and Privacy Act (FERPA) to DENY me an access to important information.

On April 30, 2012 and pursuant the Florida Sunshine Law, I submitted in written a requests to obtain important information to support my allegations against the (b)(6); (b)(7)(C) School principal. Specifically, I requested "disciplinary record/s against student/s for the same or similar offense my son was charged on 04/25/2012 (*disrespect/insubordination\**). Please note that the information I requested, **DOES NOT CONTAIN any information directly related from the student, I do not requested student/s name nor other personally identifiable information from any student.** I just requested, if exists, the demographic background of the student/s who was disciplined, date/s of the incident/s, incident type and duration of disciplinary action in days.

I also indicated, to the (b)(6); (b) State Counsel (b)(6); (b)(7)(C)), that in case of the existence of any record, if he considers that my requests contain some information which is exempt from disclosure, he and/or the custodian of the record can delete only that portion of the record for which an exemption is asserted and to provide me the remainder of the record.

On 5/17/2012 I received an email from (b)(6); (b)(7)(C) (b)(6); (b) State General Counsel), denying me the access to this information, because according to his statements these records are protected by FERPA.

The Florida Statute section 1006.52 (1) exempts from disclosure under the Florida Public Records Act "education records" as defined in the Family Educational Rights and Privacy



Act of 1974 (FERPA), as amended, enacted as section 444 of the General Education Provisions Act. 1006.52 (1), Fla. Stat. *An education record is defined in FERPA as "those records, files, documents, and other materials which contain information directly related from the student, and are maintained by an educational agency or institution or by a person acting for such agency or institution"* 20 U.S.C. 1232(g)(a)(4)(A).

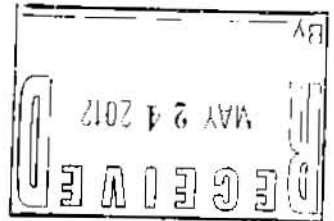
There can be no question that (b)(6); (b)(7)(C) College counsel inappropriately uses the FERPA Act to prevent me to obtain important information to support my allegations of disproportional discipline against minority students against the (b)(6); (b)(7)(C) School's principal.

Thank you in advance, for your anticipated close and careful attention to this matter. If you will need any additional information, please do not hesitate to contact me.

Sincerely,

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

Cc/ file



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

VIA FAX (202) 260-9001

May 23, 2012

To: Family Policy Compliance Office  
Office, U.S. Department of Education,  
400 Maryland Avenue, S.W.,  
Washington, DC 20202-4605  
(800) 872-5327

Re: (b)(6); (b)(7)(C) College (b)(6) Campus) Violation of FERPA

I hereby lodge an official complaint against the (b)(6); (b)(7)(C) College, (b)(6) Campus because in my opinion they are hidden behind the Family Educational Rights and Privacy Act (FERPA) to DENY me an access to important information.

Pursuant the Florida Sunshine Law, on April 30, 2012 I submitted in written a requests to obtain important information to support my allegations against the (b)(6); (b)(7)(C) School principal. Specifically I requested "a disciplinary record/s against student/s for the same/ similar offense my son was charged on 04/25/2012 (*disrespect/ insubordination\**). Please note that the information I requested, **DO NOT CONTAIN any information directly related from the student, because I don't requested the student/s name or other information related to the student. I just requested, if exists, the demographic background of the student/s, date/s of the incident/s, incident type and duration of disciplinary action in days.**

I also indicated, to the (b)(6); State Counsel (b)(6); (b)(7)(C)), that in case of the existence of any record, if he considers that my requests contain some information which is exempt from disclosure, he and/or the custodian of the record can delete only that portion of the record for which an exemption is asserted and to provide me the remainder of the record.

On 5/17/2012 I received an email from (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) State General Counsel, denying me the access to this information, because according his statements these records are protected by FERPA.

The Florida Statute section 1006.52 (1) exempts from disclosure under the Florida Public Records Act "education records" as defined in the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, enacted as section 444 of the General Education Provisions Act. 1006.52 (1), Fla. Stat. *An education record is defined in FERPA as " those records, files, documents, and other materials which contain information directly related from the student, and*

are maintained by an educational agency or institution or by a person acting for such agency or institution" 20 U.S.C. 1232(g)(a)(4)(A).

There can be no question that (b)(6); (b)(7)(C) College counsel inappropriately uses FERPA Act to prevent me to obtain important information to support my allegations of disproportional discipline against minority students against the (b)(6); (b)(7)(C) School's principal.

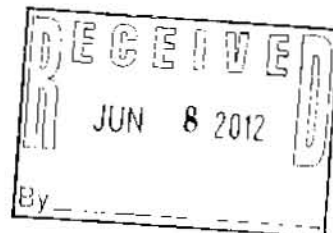
Thank you in advance, for your anticipated close and careful attention to this matter. If you will need any additional information, please do not hesitate to contact me.

Sincerely,

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

Cc/ file

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



VIA FAX (202) 260-9001 and USPS DELIVERY

June 7, 2012

To: Family Policy Compliance Office  
Office, U.S. Department of Education,  
400 Maryland Avenue, S.W.,  
Washington, DC 20202-4605  
(800) 872-5327

**Re: FERPA violation**

I hereby lodge an official complaint against the (b)(6); (b)(7)(C) College (b)(6); Campus, located at (b)(6); (b)(7)(C) Specifically against (b)(6); (b)(7)(C) principal for the (b)(6); (b)(7)(C) School and (b)(6); (b)(7)(C) general counsel for the (b)(6); (b)(7)(C) College, because in my opinion they are inappropriate used the Family Educational Rights and Privacy Act (FERPA) to DENY me an access to important information related to my son.

On April 30, 2012, pursuant the Florida Sunshine Law, Public Record Act, I submitted in written a requests, specifically I requested "a disciplinary record/s against student/s for the same/ similar offense my son was charged on 04/25/2012 (*disrespect/insubordination*). Please note that the information I requested, **DO NOT CONTAIN any information directly related from the student, because I don't requested any student/s name or other information related to the student. I just requested, if exists, the demographic background of the student/s, date/s of the incident/s, incident type and duration of disciplinary action in days.**

I also indicated, to the (b)(6); (b)(7)(C) Counsel (b)(6); (b)(7)(C), that in case of the existence of any record, if he considers that my requests contain some information which is exempt from disclosure, he and/or the custodian of the record can delete only that portion of the record for which an exemption is asserted and to provide me the remainder of the record.

On 5/17/2012, (b)(6); (b)(7)(C) General Counsel, denied me the access to this information, because according his statements these records are protected by FERPA.

On 05/22/2012, after I reviewed my son's educational record I discovered that the school's principal added in my son's educational records 7 "*unnamed and undated*" witnesses statements. After my son carefully reviewed (b)(6); (b)(7)(C) statements and he

compared these witnesses statements, he suggested that at least one of the statements was written by a person who was not in the classroom at the moment of the incident. Casting doubt of some of the statements which leads me to be leery of the techniques used during the principal's "so called" investigation.

For this reason on May 30, 2012, I submitted to (b)(6); (b)(7) a public record requests to obtain the correct copies with the enclosed names and dates (see exhibit 1).

Again (b)(6); (b)(7) refused to comply and used FERPA as an excuse. (b)(6); (b)(7) willfully refuses to provide me access to necessary public records located on my minor son's educational record file and in bad faith obstructs me to collect necessary evidences to support my allegations. There can be no question that (b)(6); (b)(7)(C) College counsel and the school principal inappropriately uses FERPA Act to prevent me to obtain important information.

Thank you in advance, for your anticipated close and careful attention to this matter. If you will need any additional information, please do not hesitate to contact me.

Sincerely,

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

[Redacted signature box]

06/07/12  
Date

Cc/ file

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**CERTIFICATE OF SERVICE**

I, (b)(6); (b)(7)(C) hereby certify that the above document and exhibits were delivered on 06/06/2012 VIA FAX DELIVERY at (202) 260-9001 and USPS to:

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

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

[Redacted signature box]

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Thank you in advance, for your anticipated close and careful attention to this matter. If you will need any additional information, please do not hesitate to contact me.

Sincerely,

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

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

Date

Cc/ file

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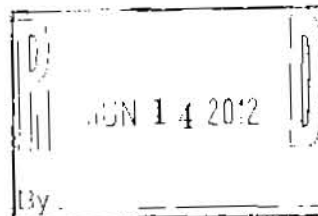
**CERTIFICATE OF SERVICE**

I (b)(6); (b)(7)(C) hereby certify that the above document and exhibits were delivery on 06/06/2012 VIA FAX DELIVERY at (202) 260-9001 and USPS to:

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

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

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



VIA FAX (202) 260-9001 and USPS DELIVERY

June 7, 2012

To: Family Policy Compliance Office  
Office, U.S. Department of Education,  
400 Maryland Avenue, S.W.,  
Washington, DC 20202-4605  
(800) 872-5327

Re: **FERPA violation**

I hereby lodge an official complaint against the (b)(6); (b)(7)(C) College (b)(6) Campus, located at (b)(6); (b)(7)(C). Specifically against (b)(6); (b)(7)(C) Botts, principal for the (b)(6); (b)(7)(C) School and (b)(6); (b)(7)(C) general counsel for the (b)(6); (b)(7)(C) College, because in my opinion they are inappropriate used the Family Educational Rights and Privacy Act (FERPA) to DENY me an access to important information related to my son.

On April 30, 2012, pursuant the Florida Sunshine Law, Public Record Act, I submitted in written a requests, specifically I requested "a disciplinary record/s against student/s for the same/ similar offense my son was charged on 04/25/2012 (*disrespect/insubordination*). Please note that the information I requested, **DO NOT CONTAIN any information directly related from the student**, because I don't requested any student/s name or other information related to the student. I just requested, if exists, the demographic background of the student/s, date/s of the incident/s, incident type and duration of disciplinary action in days.

I also indicated, to the (b)(6); (b)(7)(C) Counsel (b)(6); (b)(7)(C)), that in case of the existence of any record, if he considers that my requests contain some information which is exempt from disclosure, he and/or the custodian of the record can delete only that portion of the record for which an exemption is asserted and to provide me the remainder of the record.

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For this reason on May 30, 2012, I submitted to (b)(6); (b)(7) a pubic record requests to obtain the correct copies with the enclosed names and dates (see exhibit 1).

Again (b)(6); (b)(7) refused to comply and used FERPA as an excuse. "(b)(6); (b)(7)" willfully refuses to provide me access to necessities public records located on my minor son's educational record file and in bad faith obstructs me to collect necessities evidences to support my allegations. There can be no question that (b)(6); (b)(7(C)) College counsel and the school principal inappropriate uses FERPA Act to prevent me to obtain important information.

Thank you in advance, for your anticipated close and careful attention to this matter. If you will need any additional information, please do not hesitate to contact me.

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

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

Date

Cc/ file

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**CERTIFICATE OF SERVICE**

(b)(6); (b)(7(C)) hereby certify that the above document and exhibits were delivery on 06/06/2012 VIA FAX DELIVERY at (202) 260-9001 and USPS to:

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

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



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

July 23, 2012

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



My name is (b)(6); (b)(7)(C). I have scholarship from (b)(6); (b)(7)(C). They cover my tuition for two years at (b)(6); (b)(7)(C) University. I started my MS in Information System in January of 2011. My plan was to complete my degree within one year and continue my PhD at (b)(6); (b)(7)(C) University. After a year of hard work and study, I completed 13 courses by Autumn Quarter of 2011. At that time, I could graduate with one degree MS in Information System with Project Management Concentration. However, my application for PhD was denied by committee at (b)(6); (b)(7)(C) University. So, I decided to continue completing my second degree MS in IT Project Management.

I talked with (b)(6); (b)(7)(C), and I told her that I wanted to graduate with two degrees at the same time because if I graduate with first degree, SACM will stop paying any more tuition for further classes. So, I enrolled in the courses that were required for IT Project Management.

On April 3, 2012, (b)(6); (b)(7)(C), academic advisor, sent me an email and told me I already took IS 535 and I should not take PM 535. I told her my plan for two degrees and that these courses are required for both of them, IS 535 for IS and PM 535 for ITPM. And then, Professor (b)(6); (b)(7)(C) responds and told me I can take PM 535 and expect to have it count as a different course for ITPM degree. Also, she told me that I don't need to take PM 535 and I could choose an elective to replace this course. However, that was after the registration due date. I could not add another course so I kept PM 535 after Prof. (b)(6); (b)(7)(C) informed me that PM 535 could count toward my second degree.

After that, I scheduled an appointment with Professor (b)(6); (b)(7)(C). On April 12, 2012, I met her but she could not evaluate or advise me because I was listed as a Student-At-Large in the System without request from me. (b)(6); (b)(7)(C) Director of Advising, fixed it. Later, I met her again and she evaluated my degree but she told me to talk with the admission office to process the second degree. I asked the admission staff and they told me I should to talk with my advisor. I talked to the advisor again she told me I have to do it through the Office of Admission! So, I called the Dean's Office and I tried to talk with (b)(6); (b)(7)(C) but the receptionist told me that someone will be in contact with me about it.

On April 30, 2012, I got a call from (b)(6); (b)(7)(C) Director of Advising, and he asked me to explain my problem. I did and he asked me why I took some courses with a PM prefix that I already took them as IS prefix. I told him these courses were required for the second degree and I took them after I spoke with the CDM advisors. He told me he is a little confused how I'll know which course is for ITPM and which of them is for IS. At that time, I did not have degree plan written in paper. So, I told him I will

clarify them with my advisor on a paper. He told me he needs to discuss it with the Dean Office. I asked him to meet but he told me it would be better to work by email so that it would be documented. At that point our conversation ended and I was waited for his email.

On May 16, 2012, I met Professor (b)(6); (b)(7)(C) to write my degree plan on paper. My concentration was Project Management and I planned on getting a second degree in IT Project Management. She told me before it will be better to change my concentration. So, I changed my concentration to Business Analysis and Systems Analysis and I made the degree plan for both the degree in Information Systems with a Business Analysis / Systems Analysis Concentration, and a second degree in IT Project Management.

On May 25, 2012, it was the first time I was told by (b)(6); (b)(7) that there are four cross-listed courses and I may not receive credit for them for any CDM degree. I already took these courses! No advisor, even (b)(6); (b)(7) told me I will not receive credits for these courses. I sent him an email but he did not respond. After almost one month, I sent to him another email but he repeated what he told me in the previous email and he wants to know what the 13 courses were completed that should be considered for the MS-ITPM degree, so he may have my record evaluated again.

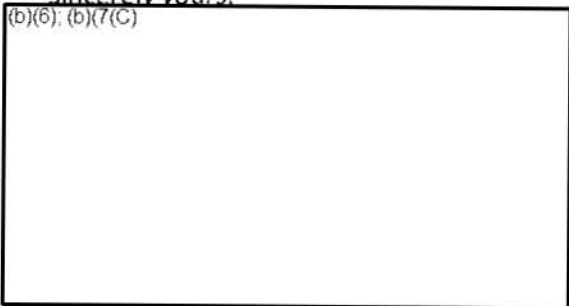
I believe I will complete an additional 13 courses by the end of Summer II as I planned with the CDM advisors. So, I don't want to change my degrees plan. Except PM430 that I dropped because (b)(6); (b)(6) told me that I will not receive credit for any degree with PM 430 if I take it. So, I asked him in the beginning of the Summer I "If I drop PM 430, which class should I take?" But, he did not answer my email. So, I talked with Professor (b)(6); (b)(7)(C) and she substituted it with IS 596.

I feel Mr (b)(6); (b)(7) did not read my situation carefully. So, I am writing to you and I am confident in you that you will make the right decision. I want to earn my second degree In IT Project Management. My transcript shows that I received credits for all the courses that I took even the ones that were cross-listed. There is just one course in the transcript listed as a repeated course, which is PM 577. I want to receive credit toward my degrees for all the 26 courses that I have taken because I CDM advisors told me so. Moreover, I submitted an application for ITPM on April 28, 2012 and they told me it is in process but nothing happened.

I attached all emails that I have from advisors. I appreciate the time that you have taken to read the documents.

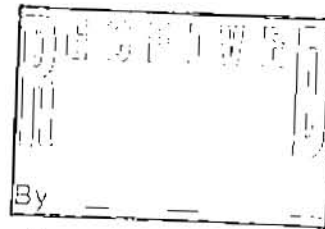
Sincerely yours,

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



7 December 2012

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



To whom it might concern at US Dept of Education,

**This is to report and request appropriate action for potential violations of the Family Educational Rights and Privacy Act (FERPA).**

1. Background:

a. This is in regard to a student with an approved Section 504 Plan for allergy problems. This calendar year, the student did not pass one of the state level test, which is use to identify children that are being left behind (a test to address the federal No Child Left Behind law). The test is named the Maryland State Assessment (MSA). Also, in the prior calendar year, the child did not pass another MSA test. The child is passing from grade level to grade level, because of the help to almost a level of doing home school by the parents and the many considerations from the school teachers to enable my son to have passing grades.

b. After proper scientifically based evaluations, two doctors (a certified psychologist doctor and a pediatrician doctor) wrote recommendations to the school to mitigate the diagnosed attention and alertness problems of the child. Both (parents and the psychologist doctor) referred the child in writing for proper IDEA 2004 Independent Education Evaluations (IEEs). Multiple times, the parent referred the child for neuropsychological evaluations and alertness evaluations, because of suspected neurological problems and sleep disorders. Medical surgery was done to the child at (b)(6); (b)(7)(C) Hospital due to the sleeping disorder, but the sleeping problems and consequential daytime alertness problems continues. As consequence, the pediatric doctor sent a letter to the school requesting 1 hr nap for my son when my son shows signs of sleeping/alertness .

- At this point in time the AACPS is not providing any implementation of the written doctors' recommendations, even on a temporarily basis under RTI and EIS regulations, while a long process for the IDEA 2005 Independent Education Evaluations (IEEs) takes place. This was also notified to the AACPs Attorney verbally at the 27 Nov hearing day and in writing on 28 Nov.

2. **One reason for this request is the potential violation to the FERPA statute as well as violation to the Maryland Public Information Act (PIA) by AACPS.** In accordance with Maryland Montgomery County web information : *"The Public Information Act resides in the Annotated Code of Maryland, Title 10, subtitle 6, Part III of*

the State Government Article, Section 10-611 through 10-628." The annotated code indicates:

(Information source: [http://www.oag.state.md.us/Opengov/Appendix\\_C.pdf](http://www.oag.state.md.us/Opengov/Appendix_C.pdf) )

**10-627. Criminal Violations.**

**(a) In General**

**A person may not:**

**(1) willfully or knowingly violate any provision of this Part III of this subtitle;**

**(2) fail to petition a court after temporarily denying inspection of a public record; or**

**(3) by false pretenses, bribery, or theft, gain access to or obtain a copy of a personal record whose disclosure to the person is prohibited by this Part III of this subtitle.**

**(b) Penalty**

**A person who violates any provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.**

**This leads me to believe that AACPS staff, who were notified in writing and verbally in multiple dates and did not allowed the timely proper access to the student records, has committed a misdemeanor. I understand that a misdemeanor is a crime in the state of Maryland. I am concerned that the AACPS Attorney allowed and not reported a potential misdemeanor crime by his clients in AACPS, after I identified to the AACPS Attorney, in front of the Maryland administrative judge, the Maryland PIA time limits and once again requested access to the students records, at the last due process hearing day, held on 27 Nov 2012. I let the AACPS Attorney know that I had been asking for more that 30 days access to the student records, which I started back in 19 Oct 2012. As of today, 7 Dec 2012, AACPS has not allowed parents to have proper access to the student records . More than 45 days under the FERPA and more than 30 Days under the Maryland PIA has pass since 19 Oct 2012.**

Back in 19 Oct and as a parent, I requested in writing proper and timely access to the students records of my son. Back in 17 Oct very limited access time was provided and limited number of records was provided, to me (information: both parents have full legal custody of the children per a Maryland court order). For more than 45 days since 19 Oct and until the date of this letter, AACPS has manipulated to negate proper and timely review by the parents of all the students records for my son. This refusal occurred even after an administrative judge requested the access for the parents of the student records during the pre-hearing held back in the first week of November.

a. The Compliance and Legal Office of the Anne Arundel County Public School (AACPS) Division of Special Education with superior knowledge of legal matters, did not allowed the parents to have proper and timely access to all the student records in support of an upcoming IDEA 2004 IEP team meeting for review of two AACPS approved IDEA 2004 Independent Education Evaluations (IEEs). The IEEs were approved after a doctor notified in writing to the school that the doctor saw clear indicators of learning disabilities that are being ignored and services are therefore wrongly being denied to this child in need. The psychologist doctor indicated that my son also has a history of learning issues throughout elementary school which have not been adequately addressed by the school system.

b. The Compliance and Legal Office of the Anne Arundel County Public School (AACPS) Division of Special Education, did not allowed the parents to have proper and timely access to all the student records in support of an ongoing due-process hearing requested by AACPS (not a hearing requested by the parents) as required by federal IDEA 2004 regulations. One pre-hearing day and two subsequent hearing days took place and at each of these meetings the parents notified the administrative judge of the failure of AACPS to provide to the parents the proper and timely access to all the student records in preparation for each hearing day.

- I followed-up the verbally recorded request at the pre-hearing and hearing meetings with written request for access, but AACPS did not provide proper and timely access to the records. I sent e-mails to the AACPS attorney with copies to the administrative judge, following the instructions of the administrative judge at the voice recorded pre-hearing. However, the AACPS attorney did not answered in writing the request for access and one of written response of the Attorney was only to claim that my communication to the judge and to him as AACPS attorney was an ex-parte communication. At the pre-hearing (first week of November) and each day of hearing (20 Nov and 27 Nov) the AACPS Attorney verbally indicated that AACPS will provide access to the parents, but time and time again there was not proper and timely access provided to the parents. The only written answer was from the school principal, who only notified access for only 45 minute to review more than 300 pages of records and more than 5 hours of voice recording of the IEP meetings. I notified to AACPS attorney that 45 minutes on 12 Nov 2012 was not appropriate, but the AACPS Attorney did not reply to the request for proper access time. In addition, the school principal arrived late by more than 15 minutes of the 45 minutes allocated by the school principal for the access of records by the parents. Further, the school counselor, who was going to also facilitate the access, never arrived for the 45 minutes appointment. Upon late arrival, the school principal offer access to only me for approx 15 minutes until 4:00 pm. The mother of the child was already gone by the time the school principal arrived, because of the no-show on time of the principal and failure of the school counselor to show for the appointment. However, it was clear that it was impossible for me to review over 300 pages of records and more than 5 hrs of voice recording in approx 15 minutes to analyze and identify proper evidence for the due- process administrative hearing requested by AACPS. The school principal claimed that she was going to allow in a future day to provide access to the parents, but she or anyone in AACPS never



scheduled any appointment as the school principal did for the failed 45 minutes access. In response to a subsequent verbal request made on 27 Nov 2012, the school principal wrote that the only instruction from AACPS Compliance and Legal Office was to provide copies of the school records. The copies provided by the school principal to the parents were incomplete copies of the school records. The parents were provided inappropriate copies of the school records with many incomplete documents (more than 30 pages missing) and whole documents missing. This led me to belief that AACPS either misplaced or destroyed part or whole documents relevant and needed as evidence for the hearing.

- The due process hearing was requested by AACPS. AACPS claimed in writing that there has never been concerns from the parents regarding the other problems to be covered by other IEEs. However, I did not agree with the evaluations conducted by the school and raised multiple times the concerns that need to be covered by the IEEs not approved by AACPS. Those concerns and referral for evaluations were raised before the school evaluations (in writing), as voiced recorded during the Nov 2011 IEP meeting as well as written after the Nov 2011 IEP meeting, and upon written request to AACPS for IEEs, because the parents did not concur with the results of the AACPS evaluations. AACPS approved only two (2) IEEs and refuses to approve another two (2) of the total five (5) IEEs requested by the parents.

- I understand that the parents has the right to have access to her child's answer sheet of all the evaluations and an explanation or interpretation of the answer sheets, which, in some cases, could require access to the question booklet. (Reference the memorandum from the Family Policy Compliance Office of the U. S. Department of Education issued on 2 Oct 1997 regarding access to test protocols and test answer sheets.). This is critical evidence information for the administrative hearings. Thus far this information has not been provided to the parents and was not in the set of incomplete record copies provided to the parents.

3. Another **reason for this letter is the refusal of AACPS Compliance and Legal Office to correct the student records, which contain potential legal misrepresentation from two attorneys representing AACPS ( Reference [http://www.law.cornell.edu/ethics/md/code/CRule\\_4.1.htm](http://www.law.cornell.edu/ethics/md/code/CRule_4.1.htm) )**. One of the Attorneys, who signed the written potential misleading information, indicated at the January 2012 IEP meeting that he never read the letter he signed and addressed to me with copy to AACPS administrators. Verification of the voice recorded verbal statements of the Attorney's failure to read his signed letter to the parent is part of the school records of my son. Failure to read legal written response to the parents request is a potential negligent misrepresentation. AACPS hired and brought an AACPS Attorney to the Nov 2011 IEP Team meeting to review the parents referral and to the Jan 2012 IEP Team meeting for the review of the evaluations. Parents were not legally represented or had any other advocate at these IEP meetings.

- Parents requested coordination of the tests tools to be used during the evaluations. However, ignoring parent's proper participation in the IDEA2004 evaluation referral

process, no coordination took place with the parents. Rather, AACPS determined the test tools to be used by each evaluator and just notified the parents. In addition, changes to the list of test tools were done without any advance notification to the parents. The AACPS Attorneys letter indicates the list of evaluations test to be conducted, but there were changes made without advance notification to the parents. The parents found the changes made to the list of test tools, upon careful review of the evaluators' reports. The list of test tools in the evaluation reports, is not the same as the list provided in written to the parents. The reports were not clear on why the list was changed.

- Parent requested written verification for the AACPS claims done at the Nov 2011 IEP meeting that parent observations of the tests will invalidate the evaluations. The written reply signed by the AACPS Attorneys is contrary to the court statements that the AACPS Attorney used as justification to negate parents' observations of the tests. One of the AACPS attorneys provided a separate follow-on written direction to the school to prevent the parents from doing observations of the evaluations. This leads me to believe that the Attorney knew what he signed in writing to the parents, contrary to the Attorney voice recorded claim that he did not read the letter he signed with the misleading information about a court case used to negate observation of child evaluations by the parents with legal custody of the child.

- As a parent I requested the identified the misleading problem and requested correction to multiple AACPS officials. However, the only AACPS official to answer was on Nov 8 from the Program Manager of the AACPS Compliance and Legal Office, with a claim that "These e-mails border on harassment and served no purpose." This letter was cc to the Director of AACPS Division of Special Education. As consequence, this leads me to belief that is AACPS position that they do not wanted correct the misleading statements in the records.

- In addition, the Program Manager of the Compliance and Legal Office, who I understand is an Attorney, made the misleading statement in her signed letter that up to date (as of 8 Nov 2012), I have not provided AACPS with a Visagraph report for my son. This is a gross wrong claim, because many AACPS officials received copy via e-mail of the VISAGRAPH report for my son on 23 Nov 2011, in advance to any evaluation done by AACPS. My e-mail with the VISAGRAPH report and a video clip sample from the VISAGRAPH evaluation done to my son was addressed under the subject: "Info for AACPS and written reinstatement of parent referral/request for evaluation" to the following appropriate AACPS officials: AACPS School Superintendent, AACPS Regional Assistant Superintendent, Director AACPS Special Education, Compliance Coordinator AACPS Special Education and (b)(6) School Principal.

- Further, the Program Manager of the AACPS Compliance and Legal Office indicated in her e-mail that I may submit a formal complaint to the Superintendent of general concerns regarding the school. However, back in 6 Dec 2011, I sent my concern via e-mail to the following AACPS officials: AACPS School Superintendent, AACPS Director

of Special Education, AACPS Coordinator of Psychological Services, AACPS Coordinator of Assistive Technology Services, and AACPS Director of Legal Services

I did not received any AACPS response on my concern, which was as follows:

*I am highly concern that AACPS denies or does not allows me as a legal custodian parent of a disable child, who might have other disabilities, to **observe** many evaluations, which do not have **observation** restrictions. I am concern that AACPS artificially restricts the ability to observe. AACPS places parents on a very unlevel playing field, unable to properly advocate as legal guardian for the child during follow-on review of evaluations. Further, children with disabilities are unable to effectively communicate what is happening to them; or when they are able, often their efforts to communicate are dismissed or treated as trivial as it has occurred to Alexander.*

*a. The only observation limitation quoted by AACPS hired attorneys is a general statement applicable to observation of the sessions between a psychologist and someone been evaluated. However, it is important to notice that psychologists do not do the majority of the evaluations that AACPS wants to conduct.*

*b. Upon diligent review of the court case quoted by AACPS hired attorneys, I learned that the following was ordered by the court: "(5) The issue of whether G.J.'s parents are permitted to observe all or part of the reevaluation shall be left to the evaluator, and Plaintiffs shall be informed of the evaluator's decision prior to the reevaluation."*

*The court order is contrary to the statement of AACPS hired attorneys addressed to me, which is: "if you are conditioning your consent on your attendance, then the courts have noted that such restrictions constitute lack of consent to the evaluation. See G.J. v. Muscogee County School District. 704 F. Supp.2d 1299 (M. D.Ga. 2010)."*

*Based on the court order, the evaluator (in this case AACPS) can allow parents the observations of all or part of the evaluations. Further, AACPS Policy 503 and AACPS Administrative Regulation 503 does welcome visits to the school in support of official business (see attached policy 503 and respective regulation 503).*

\*\*\*\*\*

Respectfully,

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





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

December 6, 2012

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



RE: Complaint for Violation of Federal Educational Records and Privacy Act

Dear Family Policy Compliance Office:

This letter is a complaint against (b)(6); (b)(7)(C) School in Elk Grove, California for violation of the Federal Educational Records and Privacy Act (FERPA). (b)(6); (b)(7)(C) School gave records for of my son (b)(6); (b)(7)(C) to the Sacramento County Department of Human Assistance (DHA) in response to a request from DHA for records for an investigation of eligibility for subsidized child care. This records release violates FERPA. I did not authorize release of my son's education records, and this release does not fall under any exception to FERPA's privacy protection. This complaint is timely because I learned about the records release on June 29, 2012 in conjunction with investigation of an appeal regarding the child care issue, which is less than 6 months before I am filing this complaint.

I ask the U.S. Department of Education to investigate this case and to take all possible action against (b)(6); (b)(7)(C) School, and to provide me with all possible damages and other remedies available.

If you would like to discuss this complaint, please call me at (b)(6); (b)(7)(C) Thank you for your consideration of this complaint.

Sincerely,

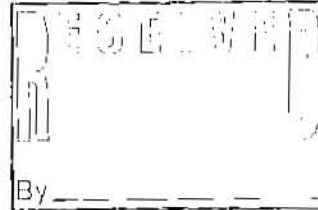
(b)(6); (b)(7)(C)

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

07-30-2012

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

FROM: (b)(6), (b)(7)(C)



To Whom It May Concern,

I have been in the middle of attempting to reach a resolution with (b)(6), University from my (b)(6), (b)(7)(C) year (2008-2009). When they graduated me in August 2011, the President's office and Provost (b)(6), (b)(7)(C) had stated that my transcripts could be altered post graduation. I met several times and it was determined that meetings would continue into this school year (2011-2012) as the need for specific faculty members existed in the repeal process. Despite frequent calls and office visits, neither my parents nor I have received communications that resolved or met our current needs. I still have some matters that need to be settled.

I am seeking to get an [ ] changed to a late W as a result of FERPA violations by (b)(6), (b)(7)(C) and the violation of her own syllabus. (b)(6), (b)(7) spoke in class and said "I do not know why you are here, you are failing". This occurred at the beginning of class with students in the classroom; although, more students were entering the classroom. I spent many times attempting to get help in FLS 101 and 102 from a different instructor and was told, "Don't worry. I see you study. You will get it". During FLS 201 with (b)(6), (b)(7), I made every attempt to review my tests and get aid with homework. While I had several peers that tutored me, (b)(6), (b)(7) would not look over my work with me. Her only advice was to not take Spanish—a requirement at the time. In addition, I was horrendously ill during the course of her classes and failed to be able to receive homework or assistance from her. I was often given wrong assignments by my peers and tried to bring this up with her. When it came to grade time, I also did not receive any homework or participation points as stated by the syllabus.

I was told that the appeal process would be completed by August or September 2011 and it was not until November 23<sup>rd</sup> that I received a reply from (b)(6), (b)(7). I have spoken to the provost, deans, professors, and various other faculty members attempting to resolve this matter "in house". It appears that I will not be assisted at (b)(6), (b)(7) University and have decided to contact FERPA and the Illinois Board of Higher Education. I will also be contacting a lawyer for legal assistance. While I have limited the scope of this letter to the grievance and health, they are NOT the only issues of negligence I experienced on campus. I sincerely hope that there is a reprimand and resolution on my end.

The medical problem at hand did directly impact my coursework. This prompted several calls to Dr. (b)(6), (b)(7)(C) from me. I was routinely denied health care that caused me to miss class, have professors send me out of class, and travel home for medical care. There were several classes impacted by the ongoing failure to receive medication for severe (b)(6), and (b)(6), (b)(7) (b)(6), (b)(7) was also supposed to contact me after speaking to (b)(6), (b)(7)(C) and other faculty members with regards to (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) I imagine that specific details would be relevant to another department; although, health like other issues would be brought up in the scope of my grievance.

I want to know that this experience is not going to continue for future students. I know I am NOT the only student suffering from FERPA and negligence violations. Offenses like not grading our finals, not grading coursework, and disorganization in offices etc... all impact our chances at successful open inquiry opportunities in the classroom. I plan on stepping up to the plate to expose these issues in an appropriate fashion. If they are not corrected, our degrees will become meaningless. It is hard to be proud when the institution insults the learning process.

As this letter is coming out pre-council, I have not included other names or issues with it—just my own. In the event that this is taken further, I will allow those students to speak up.

I have enclosed several documents relevant ONLY to the (b) 201 grievance. Please let me know that this letter has been received. I would also like to know if you are informing the university. You may use the contents of this letter to assist in communications with them and to resolve the current issues. I can be reached at (b)(6); (b)(7)(C) cell phone); (b)(6); (b)(7)(C) .edu (email) and (b)(6); (b)(7)(C) ; PO (b)(6); (b)(7) PLAINFIELD IL (b)(6); (7) (mailing).

Sincerely,

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

**Enclosures: 7**

Page 1—Additional

Page 2—Syllabus

Page 3—Syllabus Continued

Page 4—Letter from Dr. (b)(6); (b)(7)(C)

Page 5—Letter from Dr.

Page 6—Letter from Dr.

Page 7—Letter from Dr.

To whom it may concern,

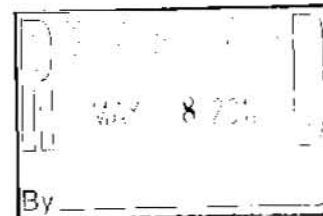
I am filing a complaint today against (b)(6); (b)(7)(C) University (b)(6); (b)(7)(C) (b)(6); (b)(7)(C), MN (b)(6); (b)(7)(C). The most recent person I spoke with was (b)(6); (b)(7)(C) of the Business office. The written request was sent on July 11, 2012. I have on several occasions tried to get my student records from them to send to another school for FASFA needs and they refuse to send them. Today July 11, 2012 I spoke with two representatives and they still will not send my records. Please advise me what options I have in getting my student records. I have read the government policies and it stats they are required to give me my records but the refuse please assist me in getting my records from them.

Thank You

(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 20202-8520

Dear Sir or Madam:

Please accept this letter as an official complaint against (b)(6); (b)(7)(C) University for failure to produce records in violation of the Federal Educational Rights and Privacy Act.

On 19 April 2012, I completed a "Right to Know" request under Pennsylvania's law for records pertaining to billing while I was a student at (b)(6); (b)(7)(C) University. On 20 April, that the request was denied by the Open Records Officer (b)(6); (b)(7)(C) on the basis that the records "were not retained per (b)(6)'s record retention policy. Therefore the University does not have any records in its possession relating to the request".

While I understand FERPA does not require educational institutions to retain records, it does require students the right to inspect records it does have.

(b)(6); (b)(7)(C) University claimed not to have records that it in fact provided just days before taking such a position. Prior to making an official request, I received an email on 11 April from (b)(6); (b)(7)(C) that, in part, read "I pulled and reviewed your file today".

It wasn't until I challenged the "out of state" charges did the university claim to not to have records in its possession.

I respectfully request the remedies afforded to me under FERPA.

If you have any questions, please feel free to contact me at (b)(6); (b)(7)(C) or via email at

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

Respectfully,

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

Enclosures

epic.org

14-04-15-ED 20150401 FOIA Release

000363

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) University, (b)(6); (b)(7(C))  
(b)(6); (b)(7(C)) on behalf of myself, (b)(6); (b)(7(C)) (graduated April  
(b)(6); (b)(7(C)) 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) 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) 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) 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



ren L. Beshear  
ernor



Terry Holliday, Ph.D.  
Commissioner of Education

EDUCATION AND WORKFORCE DEVELOPMENT CABINET  
DEPARTMENT OF EDUCATION

Capital Plaza Tower • 500 Mero Street • Frankfort Kentucky 40601  
Phone: (502) 564-4770 • www.education.ky.gov

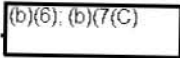
April 6, 2011

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



Re: School volunteer

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



**Volunteers**

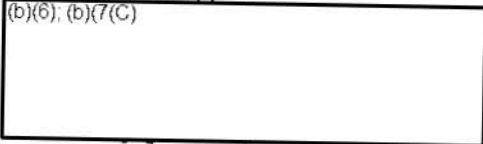
You can be a source of special skills, personal attention, or an extra pair of hands if you become a school volunteer. There are many ways you can help. Just talk to your child's teacher or the Family Resource Center (FRC) to find out what is needed. All volunteers are required to complete a criminal records check and sign a confidentiality statement. Both can be done at the FRC located in Wurtland Elementary School.

The decision to terminate the presence or assistance of a particular volunteer from a local school district is a decision left to the discretion of the local school officials, as stated in Kentucky statute KRS 160.380. I would suggest you again attempt to work with them toward an acceptable resolution of this issue and update them with any new information regarding the situation which you discover.

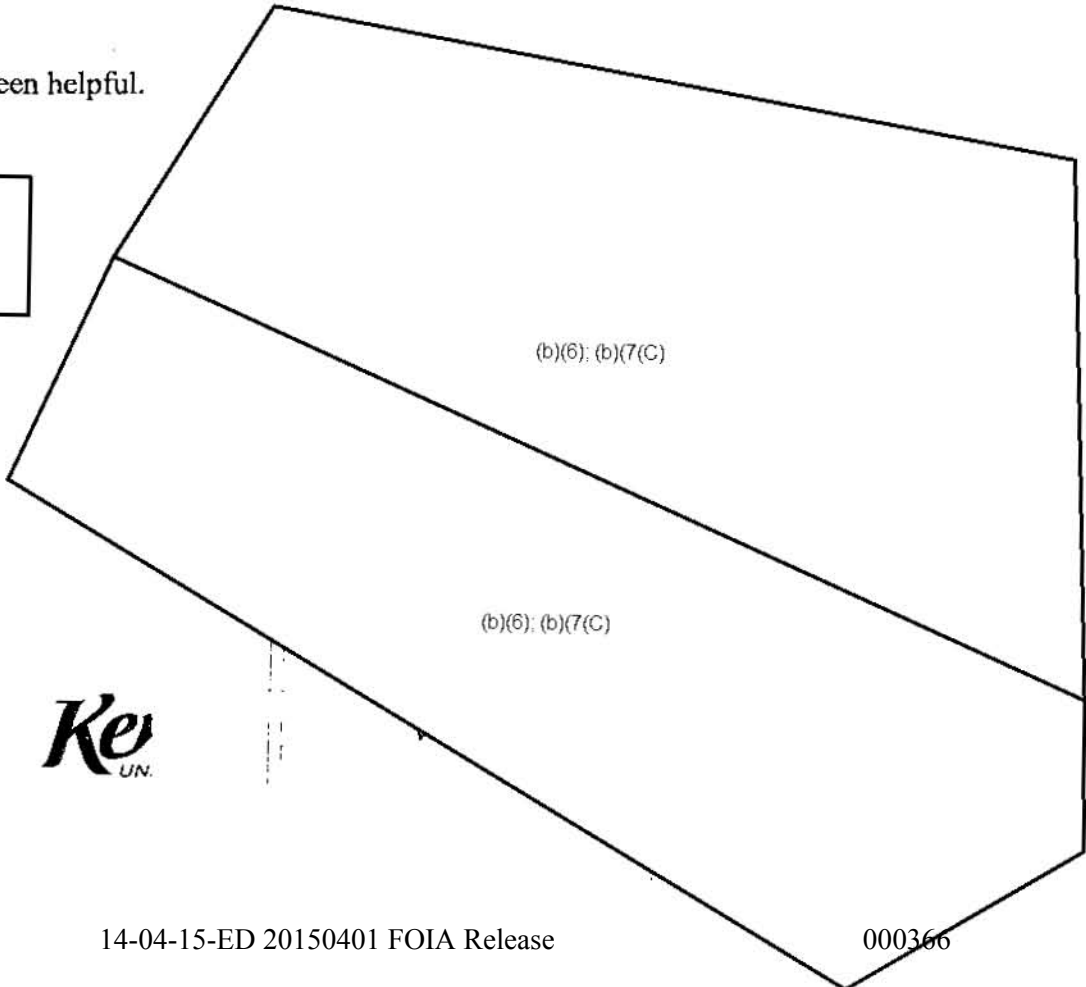
I hope this information has been helpful.

Very truly,

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



Assistant General Counsel



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

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



uckyUnbridledSpirit.com





Steven L. Beshear  
Governor

Terry Holliday, Ph.D.  
Commissioner of Education

EDUCATION AND WORKFORCE DEVELOPMENT CABINET  
DEPARTMENT OF EDUCATION

Capital Plaza Tower • 500 Mero Street • Frankfort Kentucky 40601  
Phone: (502) 564-4770 • www.education.ky.gov

July 6, 2011

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

Re: School volunteer

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

Thank you for your follow-up letter regarding your volunteer services at a local public school district in our state. As I stated in my previous correspondence, the decision to terminate the presence or assistance of a particular volunteer from a local school district is a decision left to the discretion of the local school officials, pursuant to Kentucky statute KRS 160.380. Our agency cannot require a local school district to allow a volunteer to appear on school grounds.

I would again suggest you attempt to work with them toward an acceptable resolution of this issue and update them with any new information regarding the situation which you discover.

I hope this information has been helpful.

Very truly,

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

Assistant General Counsel

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

December 26, 2012

To whom it may concern:

My name is [REDACTED]. I would like to file a formal complaint regarding my FERPA law being violated on June 27, 2012 by an instructor at [REDACTED]

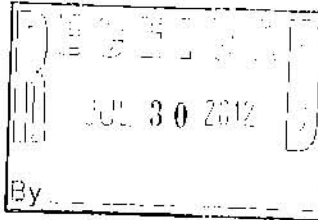
I was a student in the [REDACTED] Medicine Program. My instructor/ program director [REDACTED] [REDACTED] compromised the FERPA law by publicly announcing me and another classmate's grade in front of the entire class. Please contact me so I can provide the additional information on the classmate (that also had their grade announced) as well as the other students that witnessed the exchange that day.

I have attached the following e-mail correspondences to show my attempts to speak not only with my instructor but the Dean of Health Careers and Public Service Programs [REDACTED] as well.

I would like to thank you in advance for addressing this matter.

Sincerely,

[REDACTED]



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

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

July 19, 2012

Re: FERPA Complaint

(b)(6); (b)(7)(C) School – New Haven Public Schools - Principal (b)(6); (b)(7)(C)

To Whom It May Concern,

I filed sent to the US Dept of Education Civil Rights Department and I was given this address to forward my FERPA violation complaint. I have attached the compliant. If there are documents that I need to send a copy of please let me know. Thank you.  
Sincerely,

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

Re: (b)(6); (b)(7)(C) – Student with special needs)

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

Throughout the several years my daughter has been at (b)(6); (b)(7)(C) School there have been issues with me not receiving documents. Their continued excuses are that they do not have to include me and they only have to send it to one parent. Despite that things eventually got resolved and I continued to receive all documents.

In December 2011, I noticed that I had not received anything for that whole school year (September 2011 – June 2012). They had my up to date contact information at Central Office and also at the school because I sent it to them in writing in case they were to say they didn't have it as they have in the past. So I reached out to the school reminding them to include me and yet I didn't receive a response. In January 2012 I decided to send a complaint to the Superintendent of Schools Dr. Reginald Mayo. I then finally received a phone call from (b)(6); (b)(7)(C) School rudely accusing me of making false accusations about her and (b)(6); (b)(7)(C) (School Principal) to Dr. Mayo. She acted in an unprofessional manner and told me that her and (b)(6); (b)(7)(C) did not have to include me and nor would they because of this complaint. I sent a follow up email reiterating the importance of including me, sending me records that I still had not received and reminding them of the importance of being unbiased and professional at all times. From that day forward (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) refused to invite me to any meetings, send me any records I requested and flat out told me that I am just the father and they are only obligated to communicate with the mother. My daughter informed me of a meeting coming up at her school but was unaware of the date. Immediately after I heard from (b)(6); (b)(7)(C) I contacted the school again reminding them if there is a meeting coming up they must include me. On 1/19/2012 I received an email indicating that they sent me a certified letter inviting me to the meeting and they indicated that I received it. I immediately informed them I did not receive it and yet they had my address, email and cell phone number and informed them that they did not once again send it and it seemed as if they were making an attempt to cover up their mistakes once again. So I asked them to provide me with a copy of the signed certified card. Some time after they indicated that it sent back to them. I told them to send me a copy of that but they could not reproduce that or find it.

Request for records (all documented and I have copies of the documents):

- 1/19/2012 (phone and email) – didn't receive report card, teacher reports, graded goals or IEP
- 1/24/2012 (email) – didn't receive attendance record, teacher reports or IEP
- 2/1/2012 (email) – request for records. Reminder that I need a notice sent to me in advance of a meeting in order for me to attend.
- 2/2/2012 (email and letter) – reminding school of my contact information and reminding them that I still had yet to receive any records

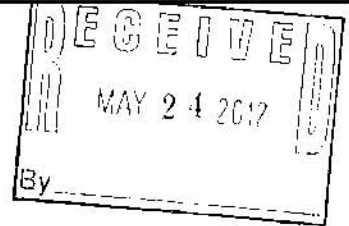
- 2/7/2012 (email and letter) – didn't receive attendance record, 1<sup>st</sup> report card from school year, 2<sup>nd</sup> report card from school year, behavior plan, graded goal and most recent IEP
- 2/6/2012 – Letter sent to Dr. Mayo and to (b)(6); (b)(7)(C) clearly outlining my continue concern because of my daughters lack of progress and the continued refusal to provide me records. It also outlines my concern regarding attendance with 7 absences (4 unexcused). I also requested help with addressing that with my daughter and her mother to avoid truancy.
- 2/9/2012 (email and letter) – didn't receive attendance record, behavior plan, 1<sup>st</sup> report card from school year, teacher reports, behavior plan, graded goal and most recent IEP
- 2/9/2012 (at PPT meeting) – reminder that my name was removed on the parent section on the IEP (not sure why), Reminder that a behavior plan was necessary and must be implemented, reminder that Justice is continuing to fail and more services must be put in place as I have continued to request (the school must finally step up and do something to help her achieve), reminder that measurable achievable goals must be put in place and current goals must be changed.
- 2/15/2012 dated behavior plan per my request – which clearly doesn't address clear areas of concern
- 2/17/2012 (letter and email) – didn't receive attendance record, teacher reports, graded goals or IEP
- 3/23/2012 (email and letter) – indicating that I received a few progress reports and their letter to me indicated she was failing and all teacher reports were all included but they were not). I requested all teacher reports which needed to outline concerns. My email outlined my continued concern over my daughters lack of progress. My email indicated that no attendance record still had been received.
- 3/23/2012 – (email received from (b)(6); (b)(7)(C) with attendance record from 9/1/2011-3/23/2012 indicating that there were no absences from 2/28/2012 – 3/23/2012. It also outlined 3 excused absences and 8 unexcused absences) with a total of 11 absences and despite my continued request to address this area with the student and mother (b)(6); (b)(7)(C) told me she didn't have to discuss that with me and if I had a problem with it I could just report her to the State because nothing would be done and shortly after that I did.
- 6/5/2012 – Letter from the State of Connecticut ((b)(6); (b)(7)(C) requesting the school provide various records to me once again.
- Final Report Card Received outlines 13 total absences (10 unexcused and 3 excused) – which conflicted with prior attendance record provided in March 2012.
- No detailed attendance record received after 3/23/2012
- 5/28/2012 – I received a PPT invitation to my daughters PPT meeting to be held on 5/24/2012 (envelope dated that it was mailed on 5/24/2012). Once again I was not invited to the meeting or sent an important record. My email dated 5/28/2012 clearly indicates that. It also requests my daughters detailed records which still have not been received (despite numerous requests).
- 5/29/2012 – Complaint filed with the State of CT (to date no resolution from the State of Connecticut or New Haven Public Schools)

- 6/6/2012 – Email and letter to (b)(6); (b)(7)(C) requesting copies of my daughters records.
- 6/7/2012 – Email and letter to (b)(6); (b)(7)(C) requesting copies of my daughters records. I received a response back on 6/7/2012 from (b)(6); (b)(7)(C) stating she was forwarding it to her supervisor (b)(6); (b)(7)(C) for review. To date records have not been received, no modified IEP to reflect my requests has been received, no detailed attendance record has been received, no updated behavior plan has been received, no truancy referral has been received, no response to my letter has been received and everything has been disregarded.
- 6/22/2012 – Email – Reminder that I have not received the modified IEP (per my parental requests), final records, attendance records or anything requested.
- 6/25/2012 – Email -- Reminder that I did finally receive Justices report card and graded goal by certified mail sent by (b)(6); (b)(7)(C) I reminded her that I still had not received her detailed attendance record, teacher reports or modified IEP
- IEP finally received and the only thing modified was the language from Spanish to English. Not other issues were addressed or changed, no other modification were put into place (per my letter).
- To date I still have not received the records requested and yet despite complaints from the school that she was failing she was passed on the next grade.

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

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

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



May 18, 2012

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

Re: FERPA Complaint

Dear Family Policy Compliance Office:

This law firm represents (b)(6); (b)(7)(C) who is a student with the Tigard Tualatin School District in Tigard, Oregon. This complaint is being made by the undersigned and on behalf of (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) contact information is:

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

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

The name and address of the educational agency and its Superintendent is:

Superintendent Rob Saxton  
Tigard Tualatin School District  
6960 SW Sandburg Street  
Tigard, Oregon 97223

At this time there are no other known individuals involved.

(b)(6); (b)(7)(C) was and is being denied access to his educational records.

On March 29, 2012 a letter with a signed FERPA Release was sent to the Tigard Tualatin School District requesting all of its records concerning (b)(6); (b)(7)(C). See Exhibit 1. This records request was sent to address deficiencies in (b)(6); (b)(7)(C) education as noticed in the request. The TSD did not respond or otherwise acknowledge the request.

On May 1, 2012 a second letter was sent within the 45-day time period in which the school district is required to respond. See Exhibit 2. As of the date of this complaint, TSD has failed to acknowledge or respond to the requests for records.

Complaint is now being made because the Superintendent and the Tigard Tualatin School District refuses to respond to valid requests for records under Federal and state law.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

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

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

Encl.

cc: Client



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

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

March 19, 2012

TTSD Administration Office  
Attn: Student Records  
6960 SW Sandburg St  
Tigard, OR 97223

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

Dear Records Custodian:

Enclosed is a FERPA Release for all records of (b)(6); (b)(7)(C). Please note, this request for education records includes meeting notes, e-mails, working files of every teacher and administrator, the "cum" file, attendance records and all other documents related to (b)(6); (b)(7)(C) in the District's possession.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

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

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

Encl.

**STUDENT CONSENT FOR RELEASE OF EDUCATION RECORDS**

Pursuant to the Family Educational Rights and

Privacy Act (FERPA) of 1974

20 USC § 1232g and 34 CFR § 99.

We, (b)(6); (b)(7)(C), hereby give our express written consent to Tigard Tualatin School District to discuss and release our son's, (b)(6); (b)(7)(C) records, education records, meeting notes, related e-mails, working files of every teacher and administrator, "cum" file, attendance records, and all education records in your possession to:

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

This request is made for the purpose of addressing Tigard Tualatin School District's supervision of (b)(6); and his related education.

This Request will remain in effect until I notify Tigard Tualatin School District in writing of its cancellation.

I understand that the specific information referenced within this Request is being released to a third-party at my request.

DATED this 19 day of March, 2012.

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

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

**EXHIBIT** 1

**PAGE** 2

000376

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

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

May 1, 2012

Superintendent  
TTSD  
6960 SW Sandburg St  
Tigard, OR 97223

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

Dear Superintendent:

On or about March 20, 2012 the TTSD received a FERPA release and request for records for (b)(6); (b)(7)(C) (copy enclosed). To date, I have not received a response from TTSD and the 45-day time period to respond is nearly passed. I would prefer not to have to file a complaint with the U.S. Department of Education, Office of Civil Rights for TTSD withholding student records.

Please immediately provide the following education records of (b)(6); (b)(7)(C) including meeting notes, e-mails, working files of every teacher and administrator, the "cum" file, attendance records and all other documents related to (b)(6); (b)(7)(C) in the District's possession.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

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

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

Encl.

EXHIBIT

2



**7(a). If you have been denied access to education records:**

**8(b). If your or your child's educational records have been improperly disclosed:**

**9(c). If you are seeking to amend educational records:**

**7(a). If you have been denied access to education records:**

A. On February 8<sup>th</sup> I [redacted] requested an Educational Evaluation and a copy of our son [redacted] complete school records, due to academic scores being lower then previous testing scores. Also the administration stated that the IEP is just a plan, not a requirement. We have not received any responses yet. When we stated we would like an outside agency to be brought in the administration stated we could not make demands and that they would check into other options. It was also stated that the school did not have the resources to accommodate [redacted]

**7(b). If your child's educational records have been improperly disclosed:**

B. On December 7<sup>th</sup>, 2011, [redacted] (principal of [redacted] School) disclosed to the student body that our son [redacted] has [redacted] (a sort of autism he called it). He did this without any consent from us. [redacted] told students that [redacted] has a tendency toward aggression and that if they saw him hurting himself or others to let [redacted] know. We were told by [redacted] prior to this that [redacted] does not bother anyone and minds his own business and stays to himself. The Administration did not inform us they were going to disclose any information and we were told they didn't think there would be a problem. This is a small community and we know most of the people. We received many phone calls of concerned parents that know [redacted] and were wondering what was going on. [redacted] had implied that [redacted] was a threat.

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

I [redacted] called [redacted] on December 7<sup>th</sup>, 2011 immediately after I received notice the information was disclosed. [redacted] did not have a response and the administration has not resolved the complaint. The only statement was by a school official that they didn't think we had a problem with it. After the disclosure, [redacted] (counselor) stated that students were upset that because [redacted] has a disability, they couldn't touch him [redacted]

**9. Complainant's signature**

Students at (b)(6); (b)(7)(C) 12/9/2011  
This is what we were told

(b)(6); (b)(7)(C) a sort of autism where he cannot communicate with others  
and his social life is low.

We were told if we saw (b)(6); (b) hurting himself or others to let Mr. (b)(6); (b)(7)(C) know so he can take care  
of it

If we saw (b)(6); (b) running through the hallway not to do or say anything, go see Mr. (b)(6); (b)(7)(C)

If we see (b)(6); (b) causing trouble to go see Mr. (b)(6); (b)(7)

Mr. (b)(6); (b) told us to go see him if we were having problems with (b)(6); (b)(7)

(b)(6); (b) has a tendency toward aggression do not confront him

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

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

February 26, 2012

To whom it may concern:

The evening of December 7, 2011, my son, who was in ninth grade at (b)(6); (b)(7)(C) School, told me that (b)(6); (b)(7)(C) came into his first hour Science class that day. He mentioned that (b)(6); (b)(7)(C) may hurt himself or others and all students were to report it to a teacher. The class was told that (b)(6); (b)(7)(C) has (b)(6); (b)(7)(C) a diluted form of autism. (b)(6); (b)(7)(C) then said that if any students saw (b)(6); (b)(7)(C) hurting himself or others, they were to try and stop the behavior themselves.

My concern as a parent and friend of the (b)(6); (b)(7)(C)s was that I could not imagine (b)(6); (b)(7)(C) hurting himself or others. I was very concerned how the other students would perceive these instructions and was afraid for (b)(6); (b)(7)(C) safety. I saw (b)(6); (b)(7)(C) the next evening and asked her if everything was OK with (b)(6); (b)(7)(C) because of what my son told me.

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

May 20, 2012

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

To whom it may concern,

We the parents of (b)(6); (b)(7)(C) would like to file a formal complaint, as we believe our son's academic disciplinary records were improperly disclosed to a third party (b)(6); (b)(7)(C) University's Men's assistant basketball coach (b)(6); (b)(7)(C) assistant basketball coach (b)(6); (b)(7) or by another member of the Men's basketball program.

On May 15, 2012, (b)(6); (b)(7)(C) received a call from (b)(6); (b)(7)(C) Basketball Assistant Coach (b)(6); (b)(7)(C) inquiring about (b)(6); (b)(7)(C) basketball status at (b)(6); (b) University. During that conversation, Mr. (b)(6); (b)(7)(C) mentioned "that he knew (b)(6); (b) made a mistake with plagiarism at (b)(6); (b)." As we understand the FERPA law (Family Education Rights to Privacy Act) (20 U.S.C. § 1232g; 34 CFR Part 99), this statement constitutes a direct violation of Richard's privacy rights. In addition, (b)(6); (b)(7)(C) also made a similar comment to a (b)(6); (b) student, who is willing to come forward upon request if the statement is disputed.

The reason we believe Coach (b)(6); (b)(7) is the individual who disclosed (b)(6); (b) Academic disciplinary record, is because Coach (b)(6); (b) also gave (b)(6); (b)(7)(C) cell phone number to Mr. (b)(6); (b) sometime during the Month of April, without his consent. On April 23, 2012, Mr. (b)(6); (b) utilized this information and called (b)(6); (b)(7) and left a message on his cell phone. On April 25, 2012, (b)(6); (b)(7) called (b)(6); (b)(7)(C) inquiring how he obtained (b)(6); (b)(7)'s cell phone number. (b)(6); (b)(7)(C) then replied, "he received it from Coach (b)(6); (b)(7)(C)" Included with this letter is a recorded voicemail message from Mr. (b)(6); (b) left on (b)(6); (b)(7)'s cell phone stating he got the number from "Coach".

Also On April 25, 2012, (b)(6); (b)(7) called (b)(6); (b)(7)(C) Head Basketball Coach) informing him of the cell phone number being dispersed without (b)(6); (b)(7)(C) consent, and he responded by saying, "Coach (b)(6); (b) was just trying to be helpful." (b)(6); (b)(7) responded he felt otherwise and thought Coach (b)(6); (b) was being malicious. At that moment Coach (b)(6); (b) stated that (b)(6); (b)(7)(C) athletic scholarship will not be renewed for the 2012-2013 season. (b)(6); (b)(7) replied, "we will appeal the decision once we were officially notified in writing." Coach (b)(6); (b) warned us that if we appealed the rescission of the scholarship, that everything will be made public. (b)(6); (b)(7) left a message on (b)(6); (b)(7) voicemail (b)(6); (b)(7) Athletic Director) asking to speak to him about the cell phone matter. On May 26, 2012, Dr. (b)(6); (b) called (b)(6); (b)(7) and apologized about this incident and stated that he talked to the coach in question and that this won't happen again.

Thank you in advance for your cooperation. I look forward to hearing from you in this matter.

Sincerely,

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







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

## 2<sup>nd</sup> Request for Records

Date: August 24, 2011

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

Ssn:

DOB:

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

It is with great disdain that I have to contact your school for a second time in order to obtain information that I am entitled to under the law. I am submitting a second request to you after several unsuccessful attempts to get in touch with you directly, and after intentionally receiving false and misleading information from your Data Specialist, Mrs.

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

My initial request was submitted to you via fax on 7/12/11 and reviewed by your Data Specialist, (b)(6); (b)(7)(C). She contacted my mother via telephone on 7/26/11 and informed her that there was no record of my daughter ever attending the school or being registered to attend for the current school year. She also stated that my daughter's mother tried to register her but was too late. If there was no information regarding my daughter in your database, then how did she know that her mother tried to register her, but was too late? After speaking with (b)(6); (b)(7)(C) again today, she stated that the school does not give out information over the phone, and that I need to go to court in SC in order to prove that I am entitled to my daughter's records. So now it appears that my daughter was indeed registered to attend your school at the time of my initial request. I would like a copy of this specific school, state, and/or federal policy that (b)(6); (b)(7)(C) quoted since she appears to have been quite comfortable referring me to the court system. Her statement is a direct contradiction to the **Family Educational Rights and Privacy Act of 1974 Section 99.4** which clearly states:

***"An educational agency or institution shall give full rights under the Act to either parent unless the agency or institution has been provided with evidence that there is a court order, state Statute, or legally binding document relating to such matters as divorce, separation, or custody, that specifically revokes these rights."***

In addition, the South Carolina Code of Laws, Section 20-7-100 regarding school records states the following regarding rights and duties of parents in regard to their minor children:

*Each parent, whether the custodial or noncustodial parent of the child, has equal access and the same right to obtain all educational records and medical records of their minor children and the right to participate in their children's school activities unless prohibited by order of the court.*

My daughter, (b)(6); (b)(7)(C) is currently in (b)(6); (b)(7)(C) kindergarten class. According to federal and state laws, I am entitled to her school records, and I am demanding that they be sent to me immediately. Note that school records include but are not limited to:

- Report cards
- Enrollment forms
- Emergency notification cards
- Medical records
- Any other officially generated reports, including email

I should have received a written response within 45 days of my initial request. The 45 day time period ends on August 26, 2011. Since it is obvious that I intentionally received misleading information, and I am purposely being refused access to my daughter's school records, I am demanding that I be provided with my daughter's records via fax or the U.S. Postal service **immediately**. Failure to provide me with this information, or a written response documenting that Leyla is not currently attending, and/or has never been registered at your school, will result in your educational institution having to answer a charge of violating Federal law.

As I stated in my first request, there is NO court order, state statute, or other legally binding document that prohibits me from sharing in my child's school records, so I **DO NOT** have to provide any documentation proving that I am entitled to this information as (b)(6); (b)(7)(C) improperly advised me!

I look forward to your prompt response and to receiving my daughter's entire school record immediately.

Regards,

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

C: Dr. Valarie Truesdale, School Superintendent, 843-322-2371 (fax)

*2/4/11* *1-28-11* *11-027411*

**Catoe, Tracy**

**From:** Catoe, Tracy on behalf of Duncan, Arne  
**Sent:** Wednesday, December 28, 2011 8:02 AM  
**To:** (b)(6); (b)(7)(C)@yahoo.com  
**Subject:** RE: Thank you, Secretary Duncan, for Helping Communities Help Young People

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

Thank you for your e-mail to Secretary of Education Arne Duncan. We appreciate hearing from you.

Your message has been forwarded to the appropriate staff office for review.

Thank you again for contacting us.

Sincerely,

T. Tracy Catoe  
Deputy Director, Correspondence and  
Communications Control Unit  
Office of the Secretary  
U.S. Department of  
Washington, DC 202

*closed  
FYI only  
1-10-12*

-----Original Message  
**From:** (b)(6); (b)(7)(C)@yahoo.com  
**Sent:** Tuesday, December 27, 2011  
**To:** Duncan, Arne  
**Subject:** Thank you

(b)(6); (b)(7)(C)  
Childcare Coordinator  
(b)(6); (b)(7)(C)  
Bellbrook, OH 45305

December 27, 2011

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

Dear Secretary Duncan:

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

Ensuring young people are ready for college, work and life requires a

number of institutions, systems and organizations work together, with community leaders utilizing rigorous data that crosses departmental lines to hold decision-makers collectively accountable for results.

I would hope that by sending this message, State and Local Officials will see the importance of helping educate and fund Urban communities with the best intentions by providing an educational tool to teachers who want extend their teaching abilities outside the suburban areas.

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

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

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

Sincerely,

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

Please use this link to SEE ME and view more information about me

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

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













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

7/31/12

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 Willingboro Public Schools on behalf of (b)(6); (b)(7)(C) (b)(6); (b) date of birth (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: Failure to provide access to educational records

Date of Violation: Ongoing since 6/7/12

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

**Other Relevant Information:**

On 6/7/12, I submitted a written request for copies/review of educational records specific to Speech/language evaluation and treatment/consultation notes held by (b)(6); (b)(7)(C) (speech/language specialist). (b)(6); (b)(7)(C) Director of Special agreed to provide the documents "with a disclaimer" but has failed to provide the documents. Since my original request, I have made four additional requests for the documents and also reminded (b)(6); (b)(7)(C) of the 45 day timeline and the expiration of the timeline on 7/23/12.

Yours Truly,

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

Washington, DC 20202

To Whom It May Concern:

I am writing in reference to my complaint, Case no. (b)(6); (b)(7)(C). I would like to file a petition for reconsideration. I am sending you a document [attached, page 2] that shows that the Los Angeles Unified School District (LAUSD) mistakenly sent confidential, personal and extremely important information (so that I could be informed and take part in the education of my son) about my son, (b)(6); (b)(7)(C) date of birth, (b)(6); (b)(7)(C), who lives at (b)(6); (b)(7)(C), (b)(6); (b)(7)(C), to another child, with another date of birth, and different needs son has. And the Department of Education informs me that they did not find anything wrong???? Wow! I am surprised. Could someone please look at the letter that was sent to see that what I am saying is the truth, please? And, if for you these are unimportant mistakes, they [certainly] are not for me. I learned about this by chance and I have to go find out what's happening, which is to say, if the mother of the other child had not informed me [of the situation] I never would have found out that the LAUSD [has] frequently sends personal information about my son to the wrong family. If the Department of Education cannot see what is happening, could [the Department of Education] let me know where to find someone who may be interested in preventing this from happening again or at least someone who will consider it[?] I would appreciate your information [copy cuts off].

Sincerely,

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

[PAGE 2]

[Page 2 is a photocopy of an English-language form letter sent from the Los Angeles Unified School District, Division of Special Education, Nonpublic Services Department, to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) wrote notes on the letter in Spanish and these are translated below.]

Feb. 22, 2013

This [letter] is about the service for my son, (b)(6); (b)(7)(C), date of birth, (b)(6); (b)(7)(C)

My name is (b)(6); (b)(7)(C) and my address is (b)(6); (b)(7)(C)

The LAUSD clearly is incorrectly notifying [(b)(6); (b)(7)(C)] and I learned of this only because [she] told me on Oct. 2, 2012. I waited two weeks and the LAUSD did not realize that they sent the letter out incorrectly until I went personally on Oct. 15, 2012. PLEASE, this is not [copy cuts off].

[Signed]

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

#

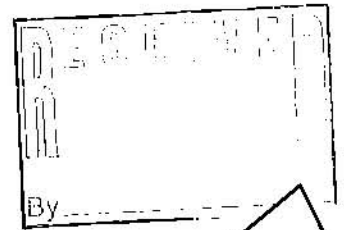
(Translation by (b)(6); (b)(7)(C) OCO; editing by (b)(6); (b)(7)(C) OCO)

# # #

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

October 10/2012

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



**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School District of Ballston Spa New York 12020 on behalf of (b)(6); (b)(7)(C) who attends (b)(6); (b)(7)(C) (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: (b)(6); (b)(7)(C)

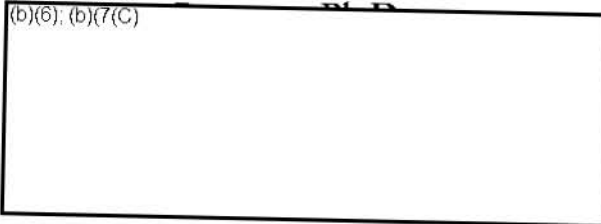
cumulative file, her disciplinary file, her special education file, nursing file, main office file and her confidential file. Please include all reports written as a result of the school's evaluations; reports of independent evaluations; medical records; summary reports of evaluation team and eligibility committee meetings; 504 plans; any correspondence retained between myself and the school officials; any correspondence written between school personnel regarding my daughter including emails; any records maintained by the school nurse, and her teachers, and any member of the IEP team; notes or letters written in connection with any planning or discussions, or



any other matters in connection with my daughter that are maintained in my daughter's educational records.

Persons responsible for Entry or persons currently maintaining record:

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

A rectangular box with a black border, containing the text "(b)(6); (b)(7)(C)" in the top left corner. The rest of the box is empty, indicating redacted information.

Dates challenged content discovered:  
All letters sent certified return receipt requesting copies...

2/20/2011, 3/2/2011, 5/9/2011, 5/9/2011, 9/28/2011, 10/7/2011  
4/20/2012, 4/24/2012, 5/3/2012, 6/6/2012, 6/7/2012, 6/12/2012

In a letter dated June 21/2012 The Ballston Spa School district are finely allowing me to review records and want to charge me for copies I can not afford to pay for. Fees-34 cfr section 300.617. It took 18 months to be told I could review my child's educational records. This is truly a violation of FERPA. In a letter dated 10/5/2012 the

Ballston Spa school district refuses to pay for copies only allowing me to inspect and review it has now been 22 months and my child is disabled.

**[x] 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: Destruction of information 34 cfr section 300.62

Date of Violation: 2/21/2011 threw 10/5/2012

**Other Relevant information:**

1. Fees-34 cfr section 300.617
2. Amendment of records @ Parents request-34 cfr section 300.618
3. Opportunity for a hearing 34 cfr section 300.19
4. Hearing procedures- 34 cfr section 300.621
5. Destruction of information 34 cfr section 300.624
6. Minimum State Complaint procedure 34 cfr section 300.152;8 NYCRR Section 200.5(1)
7. Filing a due Process complaint - 34 cfr section 300.507
8. The child's placement while due process hearing-34 cfr 300.518
9. Impartial due process hearing-34 cfr section 300.511
10. Hearing Rights-34 cfr section 300.512: 8 NYCRR section 200.5(j)
11. Hearing decisions-34 cfr section 300.513: 8 NYCRR section 200.5(j)
12. Civil action 34 cfr section 300.516: NYCRR section 200.5(k)
13. Attorneys Fees 34 CFR section 300.517
14. Authority of school personnel-34 cfr section 300.530; 8 NYCRR Section 201.2-201.7
15. Change of placement -34 cfr section 300.536;8 NYCRR Section 201.2
16. Protection for children not yet Eligible-34 cfr section 300.534; 8 NYCRR Section 201.5

In a Supreme Court document dated December 7th 2006 the Ballston spa school district was advised of my daughter's disabilities. The Ballston school district has been discriminating against (b)(6); (b) from 2006-2012. Had my daughter been receiving a free appropriated education from Sept 2006-Present things that were done to her would not been allowed. (b)(6); (b) civil rights to a free appropriate public education under (FAPE) had been denied and violated. In a letter dated 10/5/2012 the school district is still denying (b)(6); her rights. Fees-34 cfr section 300.617. September 2012 The Ballston Spa school district classified her as being disabled and (b)(6); (b)(7(C)) is no longer working at the school district.

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

Sincerely,

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

**RECEIVED**  
15 2012  
BY: \_\_\_\_\_

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

April 9, 2013

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

To: The Investigator(s) of School Records Violations:

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

(b)(6); (b)(7)(C) has never fulfilled its obligation to notify parents of their rights with regards to student records at all, let alone each school year.

This violation is in addition to other student records violations reported to the Department of Elementary and Secondary Education (DESE) in Massachusetts for both the prior year and this year for which there are ongoing investigations.

We feel that the school needs to be in compliance at both the state and federal levels and that their violations have had and will continue to have a negative impact on the students attending the school and of course, especially our child.

If you need further information, please contact us:

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

We would also appreciate updates on how this violation proceeds through your investigative process.

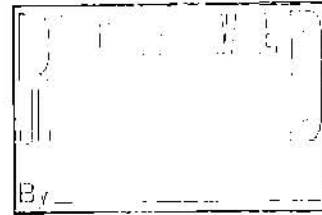
Thank you for your attention to this matter.

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

Family Policy Compliance of US Dept. Of Education  
400 Maryland Av South West  
Washington, DC 20202

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

December 9<sup>th</sup> 2012



On June 29<sup>th</sup> 2012 I received my daughter's (b)(6); (b)(7)(C) report card and saw very low grades for the 4<sup>th</sup> marking period. On this day I called (b)(6); (b)(7)(C) School and left a message with the office and house administrator (b)(6); (b)(7)(C). The message left stated that I would need to speak with the teachers (with their names given) regarding grades. I did not get a return call. I called again on 7/2/12 and left another message with no return call. On 7/3/12 I faxed a letter to (b)(6); (b)(7)(C) (school office) and (b)(6); (b)(7)(C). On 7/10/12 I received a message on my cell phone from (b)(6); (b)(7)(C) saying all teachers were notified and each would be contacting me. On 8/1/12 I faxed another letter to the school at both numbers listed above and no response from anyone.

On 9/6/12 first day of school I went and spoke with (b)(6); (b)(7)(C). During the conversation she was advised that I needed to speak with all teachers to see the test and assignments papers for my daughter. (b)(6); (b)(7)(C) stated that she spoke with all teachers but cannot make them respond to me. She then had me see (b)(6); (b)(7)(C) (guidance counselor) to again show me the grades which I already had. The test and papers were asked to be seen on 9/21, 9/28, 10/2, 10/3, 10/4, 10/9, 10/10, 10/17, 10/18, 10/30, 11/3, 11/27 and 11/28/12. I have been advised verbally and by email that both (b)(6); (b)(7)(C) (principle) and (b)(6); (b)(7)(C) has the documentation needed to support the grades that teachers gave my daughter. As of 12/9/12 I or my daughter still have not been allowed to see the test/paper assignments that made the low grades.

Thank you,

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

Superintendent  
Mrs. Cynthia Bianco  
630 66<sup>th</sup> Street  
Niagara Falls, NY 14304  
716-286-4211

Board  
Mr. Dobbs  
630 66<sup>th</sup> Street  
Niagara Falls, NY 14304  
716-282-5152

Deputy Superintendent  
Mr. Laurie  
630 66<sup>th</sup> Street  
Niagara Falls NY 14304  
716-286-4211

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





Ellen Campbell, Acting Director

400 Maryland Avenue, SW

Washington, D.C. 20202



Dear Ms. Campbell

The question relates to the release of education records from a post-secondary institution without written permission. I do understand that there are exceptions that a school may use (but does not have too). So FERPA is prescriptive, not restrictive.

If a student is (b) enrolled at college, and parents have provided tax dependency information and the school releases educational records to them as the school is allowed and may do so. Now, if another student is (b) enrolled at the same college, parents have provided tax dependency information and the school does not release educational records as the law says may, but does not require release. The two situations are identical except for the age of the student but the college releases records for one but not the other as they interpret may as to allow them to differentiate when they choose, in this case age.

I feel they cannot as I was given this policy by (b)(6); (b)(7)(C) and also it was given by (b)(6); (b)(7)(C).

"Further, neither the age of the student nor the parent's status as custodial parent is relevant to determining whether disclosure of information from the education records of eligible students to a parent without written consent is permissible under FERPA."

(b)(6); (b)(7)(C) has said they can differentiate in the above scenario as she feels "What this means is that no matter the age of the student is irreverent under FERPA". She also stated "This is permissible but again NOT required for the school to do" (prescriptive). I have summarized her views on this.

On a personal note, (b)(6); (b)(7)(C) and I strongly disagree but her calmness and coolness did lead to a very civil conclusion.

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

This policy clarification is based on your response in a seminar you gave in December 2011. You stated:

This is clear to me, you can't change the rules unless you tell the parents/students of change and give them option of opting out. But here are 2 examples of actual policies.

The first example clearly states what information will be given to others. It states FERPA allows release and then specifically entails what will be released. If the policy is changed in the future, a parent and/or student would be aware of the changes and be given the opportunity to opt out.

**The Federal Family Educational Rights and Privacy Act allows CSULB to release "directory information" about current and former students to other people, organizations, and agencies (see the CSULB Catalog). Effective Fall 2003, CSULB designates the following items authorized by FERPA as Directory Information:**

- Student's name
- Address and Telephone number (see below for conditions)
- Major field of study
- Dates of attendance, grade level, and enrollment status
- Degrees, honors and awards received
- E-mail address

The second example is unclear as the word may is used to describe what can be released. The decision rests with the college as they used the word may and the parent/student does not have prior knowledge of what will or will not be released.

(b)(6); (b)(7)(C) considers the following as directory information and may release the following information upon request without the student's consent:

- Name
- (b)(6); (b)(7)(C) Email address
- Campus address
- Hometown (city & state)
- Telephone listing(s)
- Degrees and dates received
- Honors and awards received (including Dean's List)
- Major(s) and Minor(s) field of study
- Classification (Freshman, Sophomore, Junior, Senior, Graduate)
- Date of birth



- Dates of attendance\*\*
- Photograph
- Previous educational institution / agency attended
- Weight/Height of athlete
- Participation in officially recognized activities and sports
- Enrollment status

**How can both policies conform to your statement about revising and reissuing and giving an opportunity to opt out?**

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