

Nov. 9th, 2011

Dear Family Policy Compliance Office (FPCO),

My name is (b)(6); (b)(7)(C) and I would like to file a complaint as a parent against the Fontana Unified School District and/or the Rialto Unified School District. I do not know which of the two districts shared student record information about my two twin sons to the media without mine or my wife's consent.

On Tuesday October 25, 2011 I had a parent meeting with my sons' (b)(6); (b)(7)(C) school principal (b)(6); (b)(7)(C) and the interim Superintendent of the Fontana Unified School District (Alejandro Alvarez) at (b)(6); (b)(7)(C) School. Two education advocates were also in attendance in this meeting on my behalf. The meeting was in regards to a disciplinary action against one of my sons by the principal of that school, which my wife and I did not agree with because we felt the punishment was too harsh for my son's action.

At the parent meeting the interim superintendent brought to my attention a separate matter that my children did not have an inter-district transfer form filed with the Fontana Unified School District and advised me to file one for them since we live in Rialto and my children were enrolled with a Fontana address. I explained that the address the children were enrolled with was both my father-in-laws home address and family business address were my wife and I worked, and for work, safety, and child care purposes we chose to enroll our children in Fontana since Kindergarten five years ago. I told them I was not aware of the inter-district transfer form process and that it was not a problem for me to file one immediately.

That same day on Tuesday October 25, 2011 in the evening, I received a call from a newspaper reporter that mentioned he had heard that my children were improperly enrolled without an inter-district transfer form. I suspect an employee of the Fontana Unified School District contacted a reporter of the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) and shared my children's student/minor records information in regards to not having proper inter-district transfer paper work and directory information as the reporter read to me the address my children were enrolled in and the elementary school my children attend. I believe it was possibly a retaliatory action against me for advocating against wrongful disciplinary punishment against my son.

On the other hand, I was elected last November of 2010 to the Rialto Unified School District as a school board member where I have made many friends and also many enemies for questioning everything from wasteful spending of tax-payers' dollars to unfair treatment of school employees, parents and students, to questionable awarding of consultant and construction contracts.

Although I serve on the Board of Education for Rialto Unified School District, I never denied my children attend school in Fontana Unified School District, many teachers and administrators have their children enrolled in the school districts they work at instead of the communities they live in. Since it was brought to my attention I have corrected the inter-district transfer paper work. However, my wife and I feel someone from these two school districts violated our family privacy rights by sharing information about our children's student information without our consent to the media.

I am providing a copy of the newspaper article that was written about my children, a copy of some e-mails that were given to me by interim Superintendent Alejandro Alvarez; these e-mails contain information and request additional information about my children which were circulated among the two school districts and the San Bernardino County School District. I have requested from both school districts to conduct an investigation in regards to possible violations of my children's student/minor privacy rights. I am also requesting that if anyone from either school district committed any mistakes, errors, or violations of any laws in regards to this matter, that person or persons should be held accountable and appropriate disciplinary action be taken against them, and take steps to ensure all parents and students privacy rights are protected according to county, state, and federal law.

I can be reached through e-mail at (b)(6); (b)(7)(C) and by phone at (b)(6); (b)(7)(C)

Respectfully,

(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, D.C. 20202-5920

Dear Family Policy Compliance Officer:

I am writing to inquire about the rights my spouse, the stepmother of my children, has regarding receiving information from teachers and other school officials as well as other school personnel when that information pertains directly to my children. (b)(6); (b)(7)(C)

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

As I understand the FERPA regulations (based on my reading of Letter to Parent re: Disclosure of Education Records to Stepparents dated August 20, 2004 available in the FERPA Online Library on the US Department of Education's website) the 50/50 shared physical and legal custody with neither biological parent being named as custodial means that a stepparent would have the same rights as both the biological parents. This understanding comes from neither parent being considered custodial, therefore, both are treated as such. By extension, this would mean a stepparent in either home would be considered a custodial stepparent and according to FERPA regulations would be given the same access to records and information as a biological parent.

If this understanding is not correct, is it possible that I may grant permission for teachers and other school officials to disclose information to my wife (stepmother of my children) in the same fashion as they would to me? Further, if this is possible, can my ex-wife, the biological mother, revoke that permission and restrict my wife's access if I have given her permission?

Please advise me regarding the guidelines that would govern this situation and my wife's access to the educational records and other information that would otherwise be shared with me regarding my children.

Regards,

(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 Family Policy Compliance Office:

This letter is to discuss the **negligent actions** of (b)(6); (C) University in regards to handling my student records. I have **tried EVERYTHING** to resolve my issues including going to the school ask them to investigate **multiple times** and they did, but refused to correct the inaccurate information as **they said they would**, went to the local police, our local news did a story on my situation **agreeing** my student records were inaccurate. I have tried taking them to court but **represented myself** and could never make it to trial to present my self-explanatory evidence, and I **have only recently** heard about FERPA and hope this will get my issues resolved. **Although** both parties discovered the inaccurate information in my student records in **December 2009** there was no way I could have known of my rights under FERPA because the school official in charge of FERPA at (b)(6); University is also the Registrar, a member of the schools accreditation board, and never informed of any rights. When I learned of my rights I immediately acted by sending a certified letter to the university, included with this complaint, informing them of my intentions. Once you see and read my evidence my claims will be extremely clear!

I called (b)(6); University in December 2009 to find out why I have multiple transcripts and documents with different grades and GPAs on them. The person on the phone laughed and said "Really!?! Wow!" She then went on to look in the system to confirm my allegations and stated that she doesn't know why my grades were changed over time. I requested a copy of the documents she was viewing and she said I could come down and get them. I proceeded to go to the school and recorded all the conversations I had with school officials because I did not want them to tell me something then change their mind later, as they did. I mainly spoke with the Registrar, (b)(6); (b)(7)(C), during my visit. The main issue was some inaccurate grades for the Fall 2003. Because I was a track & field athlete and was told that every semester I attend college as a full-time student it takes away from my NCAA eligibility and (b)(6); (C) University dropped their track program after my first semester there. As I sat out the Fall 2003 semester I was steady requesting transcripts to be sent to other schools as I prepared to transfer. I requested one in September, October, and December 2003. I also requested more transcripts in the years following. The December 2003 transcript sent to (b)(6); (b)(7)(C) College, the school I eventually transferred to, was correct and did not have grades on it for the fall 2003 semester. The transcript evaluation form from (b)(6); (b)(7)(C) College included with this complaint clearly proves that fact. I was told I

requested that transcript on December 8, 2003 and exams were still going on at that time. Now keep in mind I was told that I "requested" it on December 8, 2003. **I had no control over when they were sent out. That is the Registrar's job.** I was also told final grades were not due to the Registrar until December 16, 2003 and once the fall semester 2003 grades were reported my transcript was allegedly updated to reflect those grades. On track 1 of the audio transcript attached to this complaint I asked (b)(6); (b)(7)(C), the current registrar, and once again I quote, "If you knew my grades or yall were going to add grades to my transcript, in four days. Why wouldn't you tell me oh wait we can't do that, we are about to add some grades?" she responded with, "**Yeah, that's what we would put. Yeah that's what we would do.**" She also stated "I will have to pull your file...cause then, cause ummm, **if they sent it without those grades on it then we, are going to have to note it in the system and that's how we are going to have to sent it out** because if that's how it was sent out, because we can't just go back and add.", end quote. The question to be answered is: What would the reasonable professional have done under the same or similar circumstances? Well with the current Registrar (b)(6); (b)(7)(C) stating that she would not do that, we have our answer. (b)(6); (b)(7)(C) University's current Registrar (b)(6); (b)(7)(C) stated that they would not have done the same actions as the previous staff did in handling my student records and would correct the misconducts. The current registrar (b)(6); (b)(7)(C) also stated on the audio transcript attached to the Complaint, track 3, that she **could not verify my student records** from when I attended because, "**they weren't taking accurate records** so I can't see what they sent." She also confirmed in one the emails I included and I quote, "I am not sure, what was giving to (b)(6); before I became the Registrar. **I can only give you a copy of what is in your file, which should be what was sent to (b)(6);**." Well what was in my student records is not the same transcript that was sent to (b)(6); and that is proven by the Transcript Evaluation Form for (b)(6); that is included with this complaint. Track 2 of the audio transcript included (b)(6); (b)(7)(C) stated and I quote, "**Because what you complained about, that's money from the government. You got to show you wasn't here because the government don't play.**" And I stated, "**They are going to come back for yall?**" and she stated, "**That's right! but they aint going to come back for me because I'm the registrar. That's the business office.**" That statement alone shows acceptance of the university's mistakes and what department would mainly responsible. She is the one that told me the previous staff was not following proper procedures or keeping accurate records. She is the one who told me to contact the government, although she didn't tell me how. The audio I have provided was of the registrar speaking freely about the situation and once she did her investigation and discovered they were wrong and could get in a lot of trouble with the government including state and federal financial aid fraud plus their accrediting agencies, they refused to talk to me any further.

I expected a much higher level of service and integrity from (b)(6); University. They are the ones that told of the misconducts of their previous staff and they are also the ones that told me I needed to contact higher authorities. The only documents (b)(6); University showed me were transcript requests forms from the fall 2003 semester which only support the fact that I said I was sitting out and preparing to transfer. I received

benefits from Veterans Affairs because my mother is 100% disabled. (b)(6) University showed me a work study application and since I was sitting out my mother told me I could work at any school that accepted VA paperwork but I never worked at (b)(6) University. They also showed me a VA verification form dated before the start of school and does not prove anything. The previous negligent Registrar was also the VA Certifying Official for the university and the school stated that they did not begin to keep attendance records until 2005. I stayed off campus, 20 minutes away, but yet the school conveniently added (b)(6) and (b)(6) (withdraw absences). Those grades were just enough so that the school could keep financial aid claimed by the school. (b)(6); (b)(7(C)) agreed those grades did not make sense and were highly unlikely to achieve. Knowing that I was preparing to transfer to another college to run track it definitely doesn't make sense. I asked for attendance records, a class schedule, and even a withdraw form since I was given withdraw absences but (b)(6) had none of that, allegedly. Official transcripts are sent in sealed envelopes so there was no way for me to know that they were sending inaccurate grades plus I had already received a copy of the transcripts evaluation form from (b)(6) showing the grades sent from (b)(6) University.

(b)(6); (b)(7(C)) University's official in charge of student records and questions or concerns regarding the Family Educational Rights and Privacy Act admitted that (b)(6) University made mistakes in regards to my student records. That same official, (b)(6); (b)(7(C)), stated she would correct the misconducts of the previous staff. That same official stated that the government would get involved and come after the business office. All I want is my official transcript corrected as they said they would do. I have provided more than enough evidence including audio, emails, and official documents from (b)(6) University. My rights under FERPA have been denied by (b)(6) University and there is no excuse for their failed disclosure of my rights. I had multiple conversations with official responsible for FERPA concerns and not once did she inform me of my rights nor did I get a written response or formal hearing. All I want to do is exercise my rights and have justice served.

Sincerely,

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

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

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

Dear (b)(6); () University:

This letter is in reference to the **Family Educational Rights and Privacy Act** of 1974, a United States Federal Law. I previously requested in December 2009 that my Fall 2003 grades on my official transcript be investigated and you agreed to. At that time:

1. You stated that the University had not been keeping accurate records.
2. You stated that the University had not been following proper procedures.
3. You stated that the school cannot go back and add grades to students' transcripts.
4. You stated that if my official transcript was sent to (b)(6); (b)(7)(C) College without Fall 2003 grades on it then you would correct it by changing it in the university's system and resend it out without those inaccurate grades on it. The Transcript Evaluation Form from (b)(6); (b)(7)(C) College was viewed showing that (b)(6); University did indeed send it without those inaccurate grades.
5. You failed to make the agreed corrections to my student records.
6. Therefore you have denied me my rights under the FERPA and broke the law.

During the week of your investigation I was never informed of my rights under the FERPA either. I was not told of my right to a formal hearing or my right to file a complaint with the Department of Education. Since you chose not to correct the inaccurate Fall 2003 grades I am now requesting a formal hearing to be scheduled. I was not informed that my initial request to correct the inaccurate Fall 2003 grades needed to be written nor does the FERPA state that, but I can provide audio and additional evidence if need be. I am requesting a formal letter, as FERPA requires, stating why you chose not to correct the inaccurate grades by August 31, 2012. Once again I am requesting a formal hearing to be scheduled as soon as possible, no later than September 5, 2012. As of now I plan on filing a formal complaint against (b)(6); (b)(7)(C) University with the Department of Education based on your failure to correct the inaccurate grades, as you stated you would do, and failure to inform me of my rights under the Family Educational Rights and Privacy Act. I will also provide them with audio and documentation evidence to support my claims. Now I know what (b)(6); (b)(7)(C) University's Registrar, meant when she instructed me to contact the government about my inaccurate grades.

Please let me know if any additional information is needed or if you have any questions.

Thank you for your precious time.

Sincerely,

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

September 1, 2012

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



Re: Complaint Against Rio Community School District
Rio, Wisconsin

Dear Sir or Madam:

Please let this letter serve as our formal request to file a complaint against the Rio Community School District pursuant to the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA). We are providing herein copies of all supporting documents communicated thus far. As you will see from these materials, there have been numerous issues with this school including bullying, giving out my cell phone number to a student, and what appears to be coercion of our son by the district administrator/principal.

In addition, we contacted the Wisconsin Department of Public Instruction (emails enclosed), wherein they indicated that they will not assist us in this regard and that we need to try and work it out with the school board. We have attempted to do so and the matters have basically been "swept under the rug."

We do not have the means to hire an attorney but we feel that our rights have been violated. Our family has done nothing wrong and we are hoping that you can help in rectifying these problems.

Our contact information is as follows:

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

Thank you for your time and attention.

Sincerely,

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

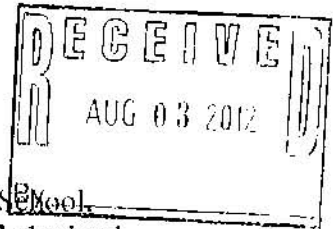
Meeting Request

From: (b)(6); (b)(7)(C) @hotmail.com
Sent: Mon 4/30/12 2:41 PM
To: (b)(6); (b) @rio.k12.wi.us
Cc: (b)(6); (b)(7)(C) @rio.k12.wi.us

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

I have tried to reach you numerous times today to discuss the bullying that continues to cause (b)(6);
distress. I would like to meet with you directly. If you are unable or unwilling to accommodate me, then
I request to be put on the agenda for next week's school board meeting. I understand that you are busy
with students, but this too requires immediate attention.

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



To FERPA:

I am filing a complaint against (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) School, Springfield, Ohio, Springfield, OH city school district. (b)(6); (b)(7)(C) obtained confidential information regarding my son to use for her own benefit. (b)(6); (b)(7) (b)(6); is a teacher at (b)(6); (b)(7) (b)(6); School but she is not a teacher of my son nor is she affiliated with him at the school (she teaches special education). (b)(6); (b)(7) (b)(6); is involved in a

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

On Friday, February 3rd, 2012 I was subpoenaed to testify in court for the case. (b)(6); (b)(6); (b)(7) (b)(6); (b)(7) (b)(6); (b) attorney) asked me questions regarding certain incidents at (b)(6); (b)(7) (b)(6); (b) School regarding my (b)(6); old son, on the stand in court. I was asked if my son had ever been suspended and if there had been a school mediation take place. The judge for the case made me answer the questions asked. My (b)(6); old son at the time of the court mediation, which occurred on November 18th, 2011, was requested by the school for truancy. This information was confidential and its exposure goes against FERPA laws. (b)(6); (b)(7) (b)(6); would not have known about the incidents unless she accessed my son's file or someone at the school gave her the information. (b)(6); (b)(7)(C) (court mediator for Springfield) (who was involved for the mediation at the school) on November 18th, 2011 informed me the information was confidential and would not leave the room; also in attendance was (b)(6); (b)(7)(C) (assistant principle), (b)(6); (b)(7)(C) (the school counselor) and 3 of my son's teachers. I went to the school and spoke to the assistant principle of (b)(6); (b)(7) (b)(6); School. (b)(6); (b)(7)(C), the week after the trial, and asked if my son's records had been accessed or subpoenaed, he told me he did not think so. We proceeded to enter the file room across from his office where he showed me my son's file and explained if it had been accessed it would have been signed out; the file obtained no signature or a subpoena. Therefore, I was puzzled how (b)(6); (b)(7) (b)(6); (and her attorney (b)(6); (b)(6); (b)(7) knew about my son's confidential school information.

I decided that (b)(6); (b)(7)(C) was lying or someone at the school informed (b)(6); (b)(7) (b)(6); (possibly even she accessed my son's file) and filed a complaint with the Springfield, OH City School's Superintendents office. On March 16th, 2012 I received a call from (b)(6); (b) (b)(6); (b)(7) (Principal of (b)(6); (b)(7) (b)(6); School) regarding that my son's school records has been subpoenaed on November 22nd, 2011; I told him that (b)(6); (b)(7)(C) (Assistant Principal) showed me my son's file and stated no signature and no subpoena. He apologized and said he is not sure why (b)(6); (b)(7)(C) told me that unless he did not know and possibly the subpoena was not in my son's file. I asked him why I was not notified and he apologized again and stated that the school receives a lot of subpoenas and they don't always call the parents. I asked him if he was aware of FERPA law and that is was a violation not to inform me, he said he was not aware of it. I told him that I was in touch with the superintendent's office and filed a complaint. On March 23rd, 2012 the Superintendent called me stating an apology that my son's records had been subpoenaed in November, 2011 and that he was not sure why the school did not inform me or tell me of the subpoena at my visit to the school. He did not send me anything in writing.

It was 4 months before I found out about my son's personal information being violated from the time my son's records had been subpoenaed, to me testifying in court, to (b)(6); (b)(7)(C) (b)(6); (b)(7) calling me to inform me that my son's records were subpoenaed. (b)(6); (b)(6); (b)(7)(C) (attorney) also withheld evidence in court in February as she did not inform my boyfriend's attorney (b)(6); (b)(7)(C) that she had in her possession my son's school records that she had subpoenaed in November, 2011.

What I want is an investigation as to why the school did not inform me and why the school system would allow a stranger to access a child's school records for a personal benefit. Would this be considered a conflict of interest? She is in no relation to my son and she works at the school my son attended. She had her attorney subpoena my son's school records for her own child custody case. She still has my son's personal information in her possession, how can this be allowed? The school never informed me nor did they make attempts. There is a violation.

Please respond in a timely manner.

Thank you,

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

To the Springfield City Schools Superintendent:

I am filing a complaint against (b)(6); (b)(7)(C) School. (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) obtained confidential information regarding my son to use for her own benefit. (b)(6); (b)(7)(C) is not a teacher of my son nor is she affiliated with him at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) School (she teaches special education). (b)(6); (b)(7)(C) is involved in a custody (b)(6); (b)(7)(C)

On Friday, February 3rd, 2012 I was asked some questions regarding certain incidents at (b)(6); (b)(7)(C) School by (b)(6); (b)(7)(C) attorney (b)(6); (b)(7)(C) regarding my (b)(6); (b)(7)(C) yr. old son, on the stand in court. I was asked if my son has ever been suspended and if there had been a school mediation take place. I was forced to answer by the judge. My (b)(6); (b)(7)(C) yr. old son at the time of the court mediation, which occurred in November 2011, was requested by the school for truancy. This information was confidential and its exposure goes against FERPA laws. (b)(6); (b)(7)(C) would not have known about the incidents unless she accessed my son's file or someone at the school gave her the information. I spoke to the court mediator and he informed me the information was confidential and she is probably in violation given the reason she accessed it. I spoke to the assistant principle (b)(6); (b)(7)(C) and asked if my son's records had been subpoenaed, he told me he did not think so, and my son's file had not been signed out. Therefore, she obtained this information on her own and used it to her benefit. This information obtained was irrelevant for her case as her (b)(6); (b)(7)(C) old daughter has perfect attendance and grades at her (b)(6); (b)(7)(C) school.

I have no idea what else she illegally knows about my son, she probably accessed his whole file. I feel like my son's information has been completely violated!!! I want this investigated and I want something done about it. I have removed my son from Roosevelt Middle School and he will not go back. I am in the process of seeking legal action against Gretchen Wells and the school.

Please respond in a timely manner.

Thank you,

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

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

VIA USPS MAIL DELIVERY

October 4, 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

COMPLAINT

COMES NOW, (b)(6); (b)(7)(C) as Natural Guardian for (b)(6); (b)(7)(C), and hereby files this complaint for FERPA violations against (b)(6); (b)(7)(C) principal of (b)(6); (b)(6); (b)(7)(C) School and (b)(6); (b)(7)(C), general counsel of (b)(6); (b)(7)(C) College (b)(6); (b)(6); (b) Campus for violation of his rights under Family Educational Rights and Privacy Act (FERPA).

Introduction

1. (b)(6); (b)(7)(C) is a (b) years old male student, (b)(6); (b)(7)(C), an (b)(6); (b)(7) grade student at (b)(6); (b)(7)(C) School, which is operated by (b)(6); (b)(7)(C) College, was initially suspended by the school principal for ten days, was excluded to participate in his English, Biology and French scheduled classes and was excluded to participate in the National Honor Society Inaugural Induction Ceremony, after he in an **emergency situation** went to the bathroom without teacher's authorization.
2. On April 30, 2012, pursuant the Florida Sunshine Law, Public Record Act, I submitted an written public information requests. Specifically I requested disciplinary record/s against any 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 and I did not requested any identifiable information**, I just requested, w/o names, *the demographic background of the student/s, date/s of incident/s, incident type and duration of disciplinary action in days.*
3. On May 5, 212, after (b)(6); (b)(7) failed to provide me the documents I requested. I submitted to him and to the General counsel another letter. (*see exhibit A*)

4. On May 17, 2012; I received an email from (b)(6); (b)(7)(C) communicating me that FERPA prohibits him to disclose the information I requested (*see exhibit B*).
5. On May 30, 2012; I requested to (b)(6); (b)(7)(C) an important information located in my son's educational records, specifically witnesses names, dates and statements provided in relation to an investigation of the incident happened with my son.
6. On June 6, 2012; I received another email from (b)(6); (b)(7)(C) communicating me again that FERPA prohibits him to disclose the information I requested.

Jurisdiction

7. (b)(6); (b)(7)(C) brings this complaint pursuant 20 U.S.C. § 1232g; 34 CFR part 99 for violation of his rights under the Family Educational Rights and Privacy Act (FERPA).
8. Family Policy Compliance Office has jurisdiction to investigate this complaint.

Parties

9. At all times material hereto, (b)(6); (b)(7)(C) was/is a (b) school student in his (b) grade at (b)(6); (b)(7)(C) School located in (b)(6); (b)(7)(C) Florida.
10. At all times material hereto (b)(6); (b)(7)(C) was/is the principal of (b)(6); (b)(7)(C) School (b)(6); (b)(7)(C) Location.
11. At all times material hereto (b)(6); (b)(7)(C) was/is the general counsel of (b)(6); (b)(7)(C) College. (b)(6); (b)(7) Location.

Facts

12. On April 25, 2012 at approximately 11.45 am and according to my son's statements occurred an incident during the World History class, with his teacher (b)(6); (b)(7)(C) Because (b)(6); (b)(7)(C) was sick with cold, he had an *emergency situation and without any disruption* he get up from his seat to go to the restroom to get some tissues to clean his watered eyes, clean his nasal secretions and blow his nose, and prevent that his nasal secretions come down from his nose and everyone, including the teacher make fun of him and cause him emotional distress".
13. After my son returned to the classroom, (b)(6); (b)(7)(C) sent him to the principal office. (b)(6); (b)(7)(C) without listened my son's version told him that he had not time to speak with a troublemaker*, prohibited him to participate in his English, Biology and French scheduled classes and disciplined my son with a 10 days OSS. (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) had not past disciplinary record and according all the teacher's comments my son is an excellent student with excellent grades). Also, is important to add that

according to my son statements, frequently he observed other students left Mr. (b)(6); (b)(7)(C) class without teacher permission and nothing happened with these students.

14. (b)(6); (b)(7)(C) IGNORED and VIOLATED the Parent Guide & Code of Conduct for Students page 26 and page 32.(see below)

** In any situation where a violation of the code of conduct for students or school's discipline plan is alleged, the principal or principal's designee shall hear the student's explanation and carry out an investigation BEFORE imposing any disciplinary action".*

**The discipline matrix specifically identifies prohibited student conduct and list the range of consequences which may be imposed for each infraction. When assigning consequences for misconduct, the principal or the principal designee shall give consideration to factors such as the nature of the infraction, the student's past disciplinary record and the severity of the problem as it pertain to the specific situation. The suggested consequences are a guide. (page 32 of Parents Guide & Code of conduct for students)*

**Insubordination- disrespect*- first offense (minor) (b)(6); (b)(7)(C) (1 day ISS)*

15. (b)(6); (b)(7)(C) GNORED and VIOLATED the parent guide & Code of Conduct for students page 27, after he failed for more than 3 hours to contact me to report my son's situation

**Notification of out school suspension- when a student out of school suspension, the principal or principal's designee will make a good effort to IMMEDIATELY inform the student's parents or guardian by telephone".*

16. On April 26, 2012; I come to the (b)(6); (b)(7)(C) School for a meeting with Dr. (b)(6); (b)(7)(C) AFTER I provided to the school principal the copies for the Parent Guide & Code of Conduct for students 2011-2012, to demonstrate that the disciplinary actions against my son were disproportional and not corresponded with the alleged "fault" the school principal changed my son's "10 days OSS for "2 days in school time out". But; he added another sanction against my son. (b)(6); (b)(7)(C) prohibited my son to participate in the National Honor Society inaugural Induction Ceremony program, in spite of my son was already selected and had the invitation for the Inaugural Induction Ceremony.

17. (b)(6); (b)(7)(C) principal of (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C) Campus in bad faith obstructs me to collect important information and deny me as access to necessaries documents, that are not protected by FERPA.

18. (b)(6); (b)(7)(C), general counsel of (b)(6); (b)(7)(C) College, (b)(6); (b)(7)(C) Campus in bad faith obstructs me to collect important information and deny me as access to necessaries documents, that are not protected by FERPA

Cause of Action

19. Family Educational Rights and Privacy Act, commonly known as FERPA applies to all educational agencies and institutions that receive funds under any program administered by the Department. (b)(6); (b)(7)(C) College receives funds from Federal

programs.

20. The violation of my rights to have access to [redacted] school public records does not contain any personal identifiable information and without information directly related to a student may be redressed pursuant 20 U.S.C. § 1232g; 34 CFR part 99
21. The violation of my rights to review and inspect COMPLETE witnesses' statements located in my son's educational records, in order to insure that the investigative records are not inaccurate may be redressed pursuant 20 U.S.C. § 1232g; 34 CFR part 99. ** Student statements provided in relation to an investigation or discipline another party, does not contain information" directly related to a student", therefore does not qualify as educational record.*

Conclusion

[redacted], respectfully requests this Office to:

- A. Assume Jurisdiction of this matter.
- B. Declare that [redacted], principal of [redacted] School and [redacted] [redacted] general counsel of [redacted] College, [redacted] Campus action to obstruct and to deny me an access to important and necessary information violating the Family Educational Rights and Privacy Act (FERPA).
- C. Enter all other relief that this Office deems just and proper.

[redacted]

10/4/2015

October 12, 2012

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



Bernard Cieplak, Program Analyst
Family Policy Compliance Office
US Department of Education
400 Maryland Avenue SW
Washington DC , 20202-8520

RE: Your letter dated 9/28/2012

Dear Mr. Cieplak,

I appreciate you have taken the time to review the document I have forwarded you in regards to complaint of (b)(6); (b)(7)(C) School in Alhambra Unified School District.

I also appreciate you have clarify the term of 'education records' in FERPA. I am aware of this, however, please note , Exhibit #1, a copy of the current procedure for obtaining an Entertainment Permit, the Department of Labor Standards Enforcement (DLSE) which is the agency that issue work permit for minors, indicate the language " When school is IN session, the application must be completed and dated during the current school session by an authorized school official." (b)(6); (b)(7)(C) School official violated FERPA by provided 'extensive detail of school records of extensive time length' which was inapplicable to the term which DLSE required.

DLSE further indicated in their permit application once the school records completed by school official it was for the parents to sent back the completed application with self-addressed and stamped envelop in order to receive work permit for the minor. Please note Exhibit #2, an envelop postmark May 25, 2011, by sender – DLSE, addressce-(b)(6); (b)(7)(C) This indicated (b)(6); (b)(7)(C)

School official singled-handedly sent back the DLSE application without notifying the parent in doing so until letter came in the mail the permit was denied by DLSE due to extensive school records provided which inapplicable to this permit's requirement.

The violation was the consent to mail back to DLSE without notifying me. And I believed you were under the wrong assumption, I gave school official authority in writing for them to act on behalf in this manner in this particular incident.

Initially, my complaint went to California Department of Education on November 2, 2011, when I grew suspicions increasingly of (b)(6); (b)(7)(C) School of Alhambra Unified School District was not in compliance of FERPA policy after a few separate incidents with school official led me to file the complaint. It was on January 10, 2012, I received response from California Department of Education directed me that to address this issue with Alhambra Unified School District. It was on February 14, 2012, I forwarded this complaint to you. Of all which time, non of any CDE responses or Reponses from any party indicated the timeline of filing complaint. And since Alhambra Unified School District officials are 'compromised' and denied of their wrong doing, I have put myself and my daughter in a position vulnerable to retaliation from school officials and school district since my daughter was still attending (b)(6); (b)(7)(C) School. I was very afraid they tainted our records to cover their tracks. Therefore, the reason to explain of this complaint in delaying of filing for investigation. Now that we are no longer attending this school district , which I should comment that I continued to have encountered the same (b)(6); (b)(7)(C) School official a few times and her unprofessionalism manner in communicating with me by phone , by email until which time I direct this to the school principal because according to the school official mentality parents have no rights nor would they ever be stated correctly. That was the reason of me seeking investigation upon the part of this school((b)(6); (b)(7)(C) School) practices which school officials and parents have unbalanced rights.

Appreciate you looking into this with my responses here. Thank you.

Sincerely

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

epic.org

14-04-15-ED 20150401 FOIA Release

000426

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

Parent of

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

Student of

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

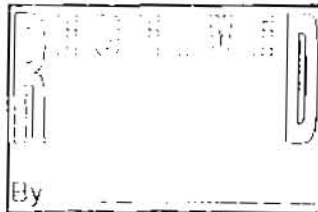
School, City of Alhambra, State of California

Enclosure:

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

October 30, 2012

Re: FERPA concerns



To Whom It May Concern:

On October 10, 2012, I requested my daughter's school files from the principal of (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C). I was requesting her file due to the principal's refusal to address my questions regarding my daughter's 504. I wanted to know where the medical information I provided in 2010 to back up her 504 had gone. Mr. (b)(6); (b)(7)(C) refused to answer my question, so I requested her file which would have covered from Kindergarten to her current (b)(6); (b)(7)(C) grade year. I also requested on this same date, a copy of her 504 for this year as I had not been provided a copy.

Mr. (b)(6); (b)(7)(C) responded to this request via email on the same date: October 10, 2012. He attached a copy of the current 504, though it was incorrect. In the email, he addressed my request for my daughter's files stating that he provided the 504, so my request was fulfilled.

Later that same day, October 10, 2012, my pediatrician notified me that Mr. (b)(6); (b)(7)(C) attempted to access my daughter's medical records using an inappropriate form. He abused the form I had on file with the school nurse. I promptly wrote Mr. (b)(6); (b)(7)(C) and expressed my frustration with his deception. I also repeated my request for my daughter's entire file. This makes two requests for the file in one day.

On October 11, 2012, Mr. (b)(6); (b)(7)(C) emailed me again to try and explain his actions regarding his unscrupulous contact of my daughter's pediatrician. He also said he was arranging to have her file prepared for myself and my ex-husband. I replied same day as did my ex-husband to state that we wanted the copies of our daughter's file sent to our respective homes. I carbon copied this email to the (b)(6); (b)(7)(C), (b)(6); (b)(7)(C) who is also the 504 compliance officer for (b)(6); (b)(7)(C) Central Schools. I told Mrs. (b)(6); (b)(7)(C) additionally that I had requested to see the medical files attached to my daughter's 504 from Mr. (b)(6); (b)(7)(C) but those requests fell on deaf ears.

(b)(6); (b)(7)(C) at (b)(6); (b)(7)(C) has yet to acknowledge my request for the file to this date.

On Saturday, October 13, 2012, my daughter's supposedly complete file was sent to me by (b)(6); (b)(7)(C) from (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) School. When I opened it, it was less than 1/8" thick for 7 years of education. There were no more than 13 pages in this file. I know that this is not her complete file at all. I do not know if pieces of her file have been lost or if they have purposely been left out. Most important of those missing pieces are anything related to her 504. It is as if her 504 doesn't even exist. There are no records of testing that I know was done on two separate occasions nor were there any records of Mediation

Team meetings that took place. I know these should be in the file as I have my personal copies at home.

These missing items are only a fraction of what is missing from the file. Other missing items include: IEP, IEP declassification, several standardized test scores, personal information/contact information, medical notes, medical information, DIBELS scores, physicals for sports, grade cards, book fees, sign up info and so much more. Most of what is present are a few notes, her birth certificate and home language surveys for every year. There is nothing from this current school year at all.

I chose not to talk to Mr. (b)(6) or Mrs. (b)(6) until I spoke to an advocate. In the meantime, I was talking with the Indiana Department of Education to report my concerns, but they brushed it off, sending me to file this report with the United States Department of Education.

On October 17, 2012, Mr. (b)(6) emailed both my ex-husband and myself via email stating that he had 'found' several other things that belonged with the file. He asked if he should send them to us. I replied on the same day and reminded him that I had requested the entire file over a week earlier. I told him to send the additional information.

I picked up the additional information from the post office on October 22, 2012. They were sent from (b)(6); (b)(7)(C) (b)(6) School by Mr. (b)(6) via certified mail. They consisted of: the M-Team Report (2011), the education evaluation report (2011), and the emergency medical authorization permits (2008-2012). These were all documents I had in my own files and still were not representative of the 504 information I was openly seeking.

I truly feel as though a large portion of my daughter's file has been withheld from both me and my ex-husband. We have been harassed and bullied for asking for them. What we have now does not represent our daughter's educational experience over 7 years. I am very upset and want to know what has happened to the rest of my daughter's files.

I have not spoken with the school since I received what Mr. (b)(6) considers the 'complete file'. I wanted to write this complaint and speak to our advocate before I did.

I am enclosing copies of pertinent emails. I have the copy of the file, but was told when I called the US Dept of Education that I did not need to provide it.

If there is anything else that is needed, please let me know.

People Involved and Addresses, Phone:

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

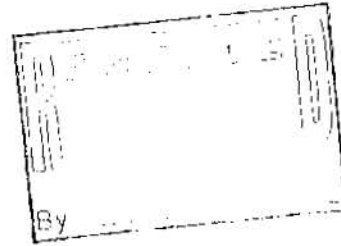
(b)(6); (b)(7)(C)

Enclosure: Pertinent emails between parent and

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

October 31, 2012

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 (b)(6); (b)(7)(C), hereby lodge an official complaint against (b)(6); (b)(7)(C) University for what I believe to be:

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

The nature of the complaint is as checked:

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 proccdures
- 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

Date of Violation: unknown

Date Violation Discovered if different from above: 10/29/2012

Other Relevant Information:

(Use this section to add any additional explanatory comments)

(b)(6); (b)(7)(C) Execituve Assocaite Dean, provided my confidential personal student information to a lawyer and private investigator. A private invstigator came to my place of residence that is not public record as it is not listed under my name and had in his possession information I provided to (b)(6); (b)(7)(C) University, including my emails address, DOB, SSN and address. (b)(6); (b)(7)(C) believes that I am harassing him via the internet (social networks and email). I informed the private investigator that it is not me. By providing my information to this private investigator, (b)(6); (b)(7)(C) has put my small children in danger. Do you know what it is to come home to a stranger in your driveway waiting for you and not knowing what they are going to do? I was very intimated by these individual and I have absolutely nothing to do with anything happening to (b)(6); (b)(7)(C) I have not work^{ed} for (b)(6); for almost a year in November and I am an Alumni. I'm very disappointed that (b)(6); would allow this to happen.

Yours Truly,

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

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

F.E.R.P.A.:

I am contesting the dismissal that I had a behavior problem. The issues that the instructor (b)(6); (b)(6) has listed in her clinical notes are not behavioral problems; they are minute mistakes that should not have been documented to be taken that seriously. I never acted outrageously or hostile. I did say "At least I didn't stab anybody" because I didn't. My classmate (b)(6); (b)(6) did. He jabbed Dr. (b)(6) during surgery. I feel that would be documented as unsafe if anything should be unsafe, but he was only told in post conference that this is all a learning process and we all make mistakes. He was African American and I am white. I was warned that Ms. (b)(6) did not like white people when I started. I have e-mails that address that. I feel I was just picked on.

You can ask any of my professors in my entire 4 years and 175 hours of study if I had any type of behavior problem, because I have never been sent to the Deans office, never been expelled, never been suspended and never been written up. I do not like having something like that on my record, because I do not have a behavior problem.

If the behavioral problem also refers to unsafe practice that I was dismissed for, I can definitely argue I was not unsafe and have evidence I had an "A". Grades were being fixed. I would get the lowest grade possible when the work I handed in was an "A". I am not challenging the grade, but it is relevant in a lab class to show my supervisors documented I was doing well. This is a very simple position in the O.R. 10 out of 12 students should not fail in one class. These students should pass and be graduated and working some where, so we can pay our loans back. This school and this hospital are wasting federal funds and acting negligently and irresponsibly.

I did not get hostile when Ms. (b)(6) and (b)(6) told me I was dismissed. I did not understand why I was being dismissed without warning. Ms. (b)(6) pushed me from behind out the door. She and Ms. (b)(6) are close friends. Ms. (b)(6) said to me a couple of days earlier that she was "going to blow". This was over Ms. (b)(6) being forced into the retirement that the hospital had been trying to put her into since 2007, I have that documentation I will share once we meet.

The Cleveland Clinic Foundation Hospital Main Campus Police Department released the reasons for my dismissal to the Mentor Police Department. Status disclosure in reference to grades is the one thing forbidden under FERPA law. That release lead to vicious rumors and lies. That release and those rumors were personal and not professional. Under FERPA law the release of descriptive characteristics to identify a person is allowable to insure campus safety. That I understand. But my grades are personal and not relevant to police work. And their rumors were inaccurate and I will argue that also. I was not unsafe.

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

May 21, 2012

VIA E-MAIL & REGULAR MAIL

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

Dear Ms. Miles:

Thank you for speaking with me on the afternoon of May 16th. As you may recall, I am a parent and an attorney seeking to obtain guidance as to whether the Family Rights Educational Policy Act ("FERPA") would permit the disclosure of an incident that happened at (b)(6); (b)(7)(C) School ("(b)(6); (b)(7)(C)") in (b)(6); (b)(7) New York, on April 26, 2012. The incident is depicted in the accompanying news article which was written after someone may have made a Freedom of Information Law request to receive the redacted police report.

Specifically, on April 26, 2012, one male (b)(6); (b)(7)(C) school student ("student 1") allegedly and forcibly held the front door to a boys restroom closed while a second male middle school student ("student 2") took a third male (b)(6); (b)(7)(C) school student ("student 3") into a stall. *As reported*, student 2 demanded oral sex from student 3. A commotion was heard and an (b)(6); (b)(7)(C) administrator pushed his way into the restroom, entered the restroom, and ended the incident before it could have been much worse.

As we previously discussed, the District Administration took immediate steps to involve the School Resource Officer, who involved local detectives, and student 1 and student 2 were arrested and charged as juveniles. Their cases are pending in family court.

As we also discussed, at the time that I sought informal guidance from your office, the District Administration, as guided by its counsel, had taken the position that FERPA restricts the ability to disclose information concerning the incident to parents of the students because the district's attorney publicly declared that FERPA prevents a disclosure about the details of the incident. The district's attorney publicly advised in an open forum on May 14, 2012, that if the information was made public the school would have released "publicly identifiable" "education records".

Since this incident occurred within a (b)(6); (b)(7)(C) school comprised of many hundreds of students, I advised the school district that FERPA's statutory language protects the disclosure of "personally identifiable" "education records"¹, and I reasoned that FERPA would not prohibit a disclosure which protects the identity of the alleged perpetrators, and which at

¹ "FERPA's regulations apply only to "education records," defined as records "directly related to a student" that are maintained by a school "or by a party acting for" the school, that personally identify a student, and that pertain to the student's school career." See "FERPA Guidance For Students", published by the U.S. Department of Education, at: <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html> (internal citations omitted).

most, leaves fellow students to *speculate* through “circumstantial evidence” as to whether particular “absentee” students in their class were, in fact, the suspended students.

When we spoke, you explained that under FERPA, “personally identifiable” disclosures can be interpreted to mean the following: *If two special education students fight at school and that fight is disclosed by reference to the fact that “two special education students were involved in a fight” – and there are only two special education students enrolled in the school, such information is deemed personally identifiable.*

I believe that the fact pattern I am presenting is very different from the example you have provided.

When we spoke, I additionally expressed my understanding that FERPA “specifically exempts from the definition of ‘education records’ - and thereby from the restrictions of FERPA - records that a law enforcement unit of a school or school district creates and maintains for law enforcement purpose.”² Thus, if (b)(6); (b)(7)(C) school resource officer, in his or her role as a police officer stationed at (b)(6); (b)(7)(C) played a role in the investigation of the incident and drafted any report in his/her employment capacity which is maintained by the school resource officer or his/her employer, I asserted that such a report would be exempted from FERPA and could be disclosed to anyone – even the media.³ You informally agreed that school resource officer records are exempt from FERPA.

QUESTIONS PRESENTED

1. Given the facts addressed above, and as contained in the Journal News article accompanying this letter, could the school district have provided a disclosure to the parent community before the news story was published, stating:

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

² U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention and U.S. Department of Education's Family Policy Compliance Office's “Program Report” entitled, “A guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs” (1997) (http://www.missingkids.com/en_US/documents/SharingInformation.pdf; see also <https://www.ncjrs.gov/pdffiles/fs9878.pdf>).

³ See 20 U.S.C. § 1232g(a)(4)(B)(ii) (“The term “education records” does not include - (ii) records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.”). See also “A guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs”, at footnote 2.

hearing a commotion, a school administrator forced his way into the bathroom and interrupted the incident.

2. If a School Resource Officer drafted an incident report that was prepared in the School Resource Officer's law enforcement role, and that incident report was either maintained by the School Resource Officer or by the officer's employing police department, could the school have issued a disclosure to the community about the incident that was based upon the report, as long as personally identifiable information was not included in the report?

Thank you for your assistance in providing FERPA policy guidance on these two questions.

Respectfully,

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



via electronic transmission and regular mail

June 6, 2012

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



Re: Ossining Union Free School District

Dear Ms. Miles:

It is our understanding that (b)(6); (b)(7)(C), Esq. contacted you regarding the incident which occurred in Ossining Union Free School District at (b)(6); (b)(7)(C) (b)(6); (b) School. This letter is being sent to communicate the District's position on the matter and is sent in response to Mr. (b)(6); (b)(7)(C) letter to the District Administration and Board of Education, dated May 17, 2012. A copy of the letter is enclosed herewith. The facts as I understand them are as follows. The incident involved the sensitive matter of an attempted forcible sexual assault upon a student in the bathroom. Two perpetrators were involved in the incident. The School District did not disclose information about the incident to the public to protect the victim's identity. The School District feared that any disclosure of the incident would inadvertently personally identify the victim, and therefore, violate FERPA. I expressed this sentiment at the School District's Board meeting on May 14, 2012. As a result, Mr. (b)(6); (b) composed a letter claiming that details concerning the incident "could" have been disclosed under FERPA.

Under FERPA, school districts may not disclose personally identifiable information from an eligible student's education records to a third party without written consent of the parents, guardians or an eligible student. Personally identifiable information includes, but is not limited to: "(a) The student's name; (b) The name of the student's parent or other family members; (c) The address of the student or student's family; (d) A personal identifier, such as the student's social security number, student number, or biometric record; (e) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge

Re: Ossining Union Free School District

of the relevant circumstances, to identify the student with reasonable certainty; or (g) Information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates." 34 CFR § 99.3 (emphasis added).

In addition, Mr. (b)(6); (b)(7)(C) asserts that this is a policy issue and he references the School District's Policy 1000 on Community Relations, which is annexed hereto. Policy 1000 sets forth the goals for community involvement with School District affairs. The Policy addresses, among other things, communications between the School District and the community. According to the Policy, it is the Board of Education's ultimate decision regarding communication between the School District and the community. The District decided that protection of the students' identities in this matter was of paramount importance, and the District had no malicious intent in keeping the information from the community. The District acted in accordance with School District policy by exercising its discretion to withhold the information.

My assertion that disclosure of the details of the incident could not be made pursuant to the requirements of FERPA, was based upon the language in 34 CFR § 99.3(f). The School District's actions in this matter were driven by its concern to protect the identity of the victim involved in the incident. The overriding concern was that if anything more than a mere statement that an incident occurred in the (b)(6); (b)(7)(C) School bathroom was released, there could have been a potential FERPA violation. A more detailed disclosure that an attempted sexual act occurred in the (b)(6); (b)(7)(C) School bathroom could have inadvertently identified the actors and the victim in violation of FERPA.

Mr. (b)(6); (b)(7)(C) claims that a general disclosure, protecting the identity of the perpetrators, would only leave fellow students at most to "speculate" as to whether absent students were the "bad actors." However, he does not consider the effect such speculation would have on the victim of the incident. The potential identification of the victim in this matter could discourage further victims from coming forward in the event they are victimized.

It is, and always has been, the School District's position to protect "whistleblowers" and potential victims. The victim of an incident should not be subject to further victimization by potential disclosure of their identity. Contrary to Mr. (b)(6); (b)(7)(C) assertion, because the incident received great notoriety in the Middle School, it would not have been difficult for students and other individuals to identify the

Re: Ossining Union Free School District

actors and/or the victim in this instance. We had been informed by school officials that the identity of the students involved appeared to be well known throughout the (b)(6); (b)(7) School and the release of more information would raise the risk of further inquiry and linkage by parents and students to the incident and the perpetrators and the victim involved. Thus, this link and the ability of outsiders to link the students to the incident was quite evident. As such, I advised that the details of the incident should not be disclosed so as to avoid a violation of FERPA.

Mr. (b)(6); (b)(7) also argues that the information may also fall under the law enforcement exception. His argument is without merit. The law enforcement exception applies to records that are "maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement." 20 USC § 1232g(a)(4)(B)(ii). A law enforcement unit is an individual, office, department, division, or other component of a school district, such as a unit of commissioned police officers or non-commissioned security guards, officially authorized or designated by the school district to enforce local, State, or Federal laws or refer the matter for enforcement thereof, and maintain the physical security and safety of the school. See 34 CFR § 99.8(a)(1). Records of a law enforcement unit do not include: "(i) records created by the law enforcement unit for a law enforcement purpose that are maintained by a component of the educational agency or institution other than the law enforcement unit; or (ii) records created and maintained by a law enforcement unit exclusively for a non-law enforcement purpose, such as a disciplinary action or proceeding conducted by the educational agency or institution." 34 CFR § 99.8(b)(2). The Ossining School District has a School Resource Officer (SRO) assigned to the District. The SRO is not an employee of the District. The SRO is a Police Department employee to whom the School District can reach out to for matters which are criminal in nature. Any notes or reports generated by the SRO were Police Department records and were not the records of the School District. Records generated by District administrators concerning this incident related to potential disciplinary administrative action. As such, the records would constitute protected records under the law. Disciplinary records are protected "education records" under FERPA.¹

¹ See *U.S. v. Miami University*, 294 F.3d 797, 815 (6th Cir. 2002), see also U.S. Department of Education, *Sharing Information: A Guide to the Family Educational Rights and Privacy Act and Participation in Juvenile Justice Programs* (June 1997), available at http://www.missingkids.com/en_US/documents/SharingInformation.pdf.

Re: Ossining Union Free School District

Even if this information did fall under the exception, disclosure of the information was not mandated by the statute. The Family Policy Compliance Office previously addressed this matter. Specifically, in an opinion letter regarding FERPA, the Family Policy Compliance Office opined that the exemption of law enforcement unit records under the statute "neither requires nor prohibits the release of law enforcement unit records, but allows schools to follow their own policies or applicable State Law." *Letter to Bresler and Molinaro*, Family Policy Compliance Office (February 15, 2006). The School District's Regulation attached to its Policy on Student Records, a copy of which is attached hereto, provides that certain records and materials may be made available without prior written consent of parents or eligible students. The list includes information from the school's law enforcement unit records. In accordance with the School District's Policy, it is discretionary whether or not the law enforcement unit information may be released.

Furthermore, as set forth in the United States Department of Education's guidance document (b)(6); (b)(7) refers to, entitled "The Family Educational Rights and Privacy Act, Guidance for Eligible Students," dated February 2011², schools are permitted to disclose exempted personally identifiable information but are not required to do so. Therefore, even if the information was exempt and could have been disclosed, disclosure was not mandatory. The District in good faith withheld the information to protect the identity of the parties involved.

Lastly, the School District has taken proactive steps to ensure the incident was handled properly. The (b)(6); (b)(7) School Principal has reviewed the school level response plan to ascertain if revisions were needed, as well as conducted meetings to discuss same. The building level plan has been modified to include implementation of hallway monitoring outside the school lavatories, as well as the inclusion of safety/security mirrors by lavatories and stairways.

The School District acted in the best interest of the students involved in this incident. This was a very sensitive incident involving a crime of a sexual nature and it was of utmost importance to protect the identity of the victim. The position taken concerning disclosure was based upon all the facts and circumstances surrounding the incident and the language set forth in 34 CFR § 99.3(f). Further, as noted above, the School District's actions in this matter were driven by protecting the identity of the victim, as well as the fact that School District was not required to disclose the

² U.S. Department of Education, *The Family Educational Rights and Privacy Act, Guidance for Eligible Students* (February 2011), available at <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>.

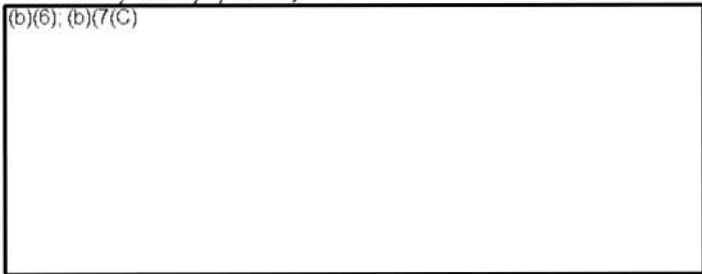
Re: Ossining Union Free School District

information and the District acted within its discretion. Although a general statement could have been released at the time of the incident, the decision not to release the information was within the discretion of the School District and was not a violation of law.

This letter is respectfully submitted as a statement of the School District's position on the above matter. We respectfully ask that you take same into consideration prior to rendering an advisory opinion.

Very truly yours,

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



Enclosures

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



UNITED STATES SENATOR - TENNESSEE

BOB CORKER



CONSENT FOR RELEASE OF INFORMATION

Due to the restrictions of the Privacy Act of 1974, a signed consent form must be returned to Senator Bob Corker to allow for the viewing of any personal files and information. The information includes, but is not limited to, medical records relative to the inquiry.

To begin processing your request, please complete the following information (Please Print):

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

On behalf of (b)(6); (b)(7)(C)

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

City: (b)(6); (b)(7)(C) State: TN Zip: _____

(b)(6); (b)(7)(C) County: Wilson County TN

Phone Number(s) - Home: _____ Work: _____ Cell: (b)(6); (b)(7)(C)

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

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

Fax: _____

Social Security Number: (b)(6); (b)(7)(C)

Date of Birth (b)(6); (b)(7)(C)

Complete the following fields only if applicable to your case.

MILITARY or VETERANS ISSUES

Veteran's Claim Number: _____ Branch of Service: _____
Rank/Unit: _____

SOCIAL SECURITY ISSUES

Type of claim filed: _____

Initial Claim	Date Filed: _____	<input type="checkbox"/> Pending	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Reconsideration	Date Filed: _____	<input type="checkbox"/> Pending	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
ALJ Hearing	Date Filed: _____	<input type="checkbox"/> Pending	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Appeals Council	Date Filed: _____	<input type="checkbox"/> Pending	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied

IMMIGRATION ISSUES

Applicant's Name: _____ Type of Application Filed: _____
Alien Registration Number: _____ Receipt Number: _____
Date of Birth: _____ Place of Birth: _____

Briefly explain your problem and/or desired information (Include additional pages if needed or copies of any documentation that you may have which would help expedite your inquiry. Please do not send original documents.)

I am needing assistance with the U S Department of Education offices of Office of Civil Rights in re-opening my daughter's claim of failure of the school system to protect her from sexual assault, retaliation. As long as both the school system and the new principal refuse to give me a reason why they will not remove the documents I have requested from Hope's educational file, I certainly believe that it should be considered as retaliation for my filing the original claim.s

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

I am also needing assistance on my claim with FERPA regarding the school system and the principal refusing to remove said documents from Hope's educational file. I also believe that Hope's rights and my rights have been violated in regards to the school system and all administrators failure to notify me that I had the right to request an "Amendment Hearing". Thank you. Willa Johnson

Is kept
or depos
Signature

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

Agency

February 26, 2012

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



Family Policy Compliance Office

I am filing a complaint because I believe (b)(6); (b)(7)(C) School in Sheboygan Wisconsin has violated the federal laws for my son's education records. I will be writing about many things that have happened over the past few months with the school e-mail. Everyone of these e-mail were sent to me at my home e-mail as well as many other school employees.

My son received a parking ticket for being in a parking spot in the (b)(6); (b)(7)(C) parking lot that a teacher had told many kids that they could park. Also according to the contract we signed he was parked legal. The contract they had the school sign does not allow parking for (b)(6); (b)(7)(C) kids the way it was written. When wanting to e-mail with the principal I was told that e-mail was open record and this was not possible. (this situation cannot be handled via E-mail. Law prohibits me from sharing this type of information over public communication.) from an e-mail on 1/30/2012 from (b)(6); (b)(7)(C)

A parking ticket and the school contract for parking in a parking lot are all public information. He had no problem on January 3 when sending me an e-mail talking about this same situation in great detail about the parking ticket and about investigating it with the teacher. How can he talk about it one day and the next he cannot?

Every time I call the school or they call me an e-mail goes out to the superintendant, the principal, the assistant principal, his IEP teacher, the councilor, and me. Let me verify that this has nothing to do with his IEP.

On 2/22/2012 (b)(6); (b)(7)(C) r contacted me at work about a problem my son was having at school. This was a private conversation that he was confiding in his councilor in. The situation again went out in an e-mail because she contacted me. He wanted help because kids are sending nasty text messages to him and things are happening in the hall. This did not need to go out in a public e-mail. My son will no longer go into the office to talk with his councilor because of this situation. My son was also mad that she had contacted me about this. The councilor was also going to send this to my work if I didn't give her my home e-mail when calling her back after hanging up with her the first time because I did not know if she was sending something to me.. The e-mail was given to them for emergency situations only for work

Many more e-mail have gone back and forth. I can supply the e-mails or explain more if needed. Please let me know. Thank you for your time.

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

	A	B	C	D	E
1	Date	Person	Conversation		
2	11/22/11	(b)(6); (b)(7)(C)	receiving homework		
3	11/28/11	(b)(6); (b)(7)(C)	e-mail about tyler		
4	12/19/11		e-mail about IEP		
5	12/21/11		e-mail about two questions he wanted me to ask (b) about parking spot		
6	12/21/11		e-mail about proper paperwork for days of school/or family leave packe:		
7	12/22/11		e-mail about IEP		
8	12/22/11		read handbook my responsibility per (b)(6); (b)(7)(C) no paperwork given to me)		
9	1/3/12		The questions you were to ask Tyler meant to get to the motivation of (b) parking choice Overall, the story does not check out The parking ticket will stay from (b)(6); (b)(7)(C)		
10	1/25/12		I sent letting him know I can not meet at: (b)(7) we need to e-mail to resolve issues/he will not meet at any other school locations		
11	1/26/12		He sent me e-mail saying he called me		
12	1/27/12		Unfortunately E-mail will not work for this discussion E-mail is open record and by law there is sensitive information; I can not share with this medium (That is why I did not include your entire phone number)		
13	1/27/12		I sent e-mail to let him know he had incorrect phone number when contacting me		
14	1/31/12		telling me Law prohibits me from sharing this type of information over public communication about parking lot		
15	2/8/12		Mr (b)(6) accused my son of spraypainting walls/asked for nobody to talk to my son unless I was present/ sent to (b)(6)		
16	2/10/12		IEP/assistant principal/7:30 hour problems/different school		
17	2/22/12		boys sending text messages other info discussed with councilor		
18	2/22/12		My son failing class sent to Below and I was cc: in on e-mail		
19	2/23/12		my e-mail Stacy about him painting school walls 'or credit????woods classaccused but principal claims no in e-mail		
20	2/24/12		told to e-mail the teacher about how to handle his grade how to get it up from an F		

July 16, 2012

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

Via U.S. Mail and Fax 202 260-9001

RE: Letter Dated Stamped July 13, 2012

Dear Director King;

My December 21, 2011 complaint was faxed on December 22, 2011 at 9:05 a.m. to the Family Policy Compliance Office (see attached fax cover sheet). It seems that the December 22, 2011 fax could not be accounted for and therefore it was re-faxed on June 7, 2012 at 3:02 p.m. to the attention of (b)(6); (b)(7)(C) as asked (see attached fax cover sheet). Somehow my faxed complaint of April 26, 2012 at 11:02 a.m. was also missing (see attached fax cover sheet). That was also re-faxed as well on June 8, 2012 at 9:22 a.m. to the attention of (b)(6); (b)(7)(C) (see attached fax cover sheet) and to my knowledge has not been addressed.

I am missing the enclosed "copy of a FERPA fact sheet."

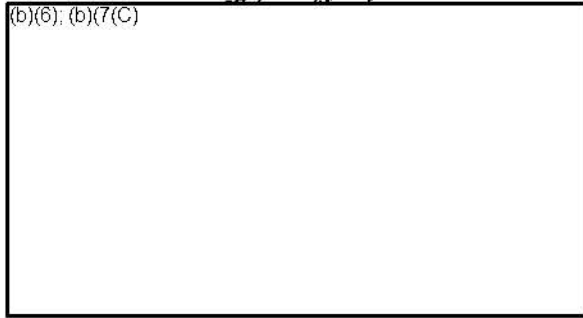
I provided (b)(6) College with a formal letter of written consent. I also gave Power of Attorney to my parents, which (b)(6) College accepted completely. Both are on file at (b)(6) College. (b)(6) College's FERPA policy is that disclosure of Educational records will be given to parents of eligible students that are dependents on their parents' tax returns (see attached Ithaca College FERPA Policy pg. 2, paragraph 4). I am a dependent on my parents' tax return.

I am asking why is it that the Department of Education does not accept a Power of Attorney?

The June 14, 2011 letter referenced was from (b)(6) College, which I responded to by phone to (b)(6) College after receiving it.

I am complying with your directive to mail this to you within the time frame given.

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



c.

Arne Duncan, Secretary; U.S. Department of Education

Winona Varnon, Principal Deputy Assistant Secretary, U.S. Department of Education

Attachment

Letter Dated July 13, 2012 (from Dale King to (b)(6); (b)(7)(C))

Fax cover sheet December 22, 2011

Re-Fax cover sheet June 7, 2012 of December 22, 2011 fax

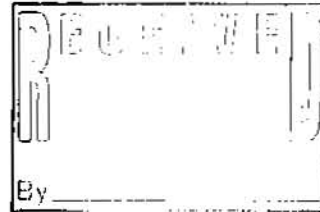
Fax cover sheet April 26, 2012

Re-Fax cover sheet June 8, 2012 of April 26, 2012 fax

(b)(6); (b) College FERPA Policy (July 2011)

July 23, 2012

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



Via Fax 202 260-9001

RE: Letter Dated Stamped July 16, 2012
Ithaca College - FERPA Complaints

Dear Director King;

I have read the Federal Register /Volume 73, No. 237/Tuesday December 9, 2008/Rules and Regulations pages 74812-74839 that was provided to me as requested. The section of interest is **Disclosures to Parents.**

Disclosures to Parents (§§ 99.5 and 99.36) the last column of page 74812 -74813 refers to §99.31(a)(8) which allows for access to educational records if the students is a dependent under Section 152 of the Internal Revenue Code of 1986 (see pg. 74813 column 1, paragraph 1 *Discussions*).

Also an eligible student may give consent under §99.30 (b)(3) (see pg. 74813, column 1, last paragraph, *Discussions*).

In addition on page 74813, column 2, paragraph 1:

“In most cases, when an educational agency or institution discloses education records to parents of an eligible student, we expect the disclosure to be made under the dependent student provision §99.31(a)(8)....”

Furthermore on page 74813, column 2, last paragraph is information about 2 model forms for institutions to adapt for obtaining consent to disclose information to parents. Ithaca College has such which Renee filled out and sent to you earlier this month(see attached Fax Dated July 14, 2011).

However please note that on page 74852 column 1, **§99.5(2) What are the Rights of Students?:**

“Nothing in this section prevents an educational agency or institution from disclosing educational records....to a parent without prior written consent...of an eligible student...or any other provisions in §99.31(a).”

This is quite clear that as a parent I have met these conditions. Which allows me to file a parent complaint under FERPA rules.

There is the outstanding matter concerning Power of Attorney. Previously I requested from your office the Department of Education’s written rules, policies and laws for Power of Attorney. I also requested the definition of Power of Attorney that the Department of Education uses. I have not received this information to date. The packet I received does not address this at all. The third parties aspect does not apply in regard to myself as I am a parent of an eligible dependent student as in **§99.5(2) What are the Rights of Students?**

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

c.

Arne Duncan, Secretary; U.S. Department of Education

Winona Varnon, Principal Deputy Assistant Secretary, U.S. Department of Education

Attachment

Letter Date Stamped July 16, 2012 (from Dale King to (b)(6); (b)(7)(C)

Page 74812 Federal Register /Volume 73, No. 237/Tuesday December 9, 2008/Rules and Regulations

Page 74813 Federal Register /Volume 73, No. 237/Tuesday December 9, 2008/Rules and Regulations

Page 74852 Federal Register /Volume 73, No. 237/Tuesday December 9, 2008/Rules and Regulations

Fax Dated July 14, 2011 (from (b)(6); (b)(7)(C)

December 21, 2011

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

RE : Denial to Access Educational Records

Associate Dean (b)(6); (b)(7)(C)

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

Dear Sir or Madam;

I am filing a FERPA complaint against the Associate Dean (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) of the (b)(6); (b)(7)(C) College who denied me access to my educational records for many months.

The first occasion was on February 18th, 2011 when I met with my Academic Advisor, (b)(6); (b)(7)(C). He attempted to set up a meeting with Associate Dean (b)(6); (b)(7)(C) multiple times, however she was always too busy or my class schedule did not correspond with hers.

Subsequently on February 20th, 2011 I contacted Dear (b)(6); (b)(7)(C) of the (b)(6); (b)(6); (b)(7)(C) about reviewing my grades and educational records for the Fall semester of 2010 as Associate Dean (b)(6); (b)(7)(C) was not available. She denied a meeting with me claiming that she did not handle those matters. Dean (b)(6); (b) referred me to (b)(6); (b)(7)(C), the Assistant Dean for Student Services on February 24th, 2011, who in-turn did not follow through with meeting with me.

Then on April 3rd, 2011 I formally met with Associate Provost (b)(6); (b)(7)(C) to review my grades and to access my educational records, He told me at that time to re-do the process by going back to Associate Dean (b)(6); (b)(7)(C)

Thereafter on June 3rd, 2011, I received a notice of Immediate Dismissal from Dean (b)(6); (b) without being able to review any of my educational records.

On June 14th, 2011, after appealing that decision and once again requesting to review the documents and educational records for that decision of Immediate

Dismissal, I was told in an email by (b)(6); (b)(7)(C) June 28th, 2011 that the matter can only be taken up by the Provost Office.

Sincerely,

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

Attached

Email Dated July 28, 2011 (from Assoc Dean (b)(6); (b)(7)(C))

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

February 22, 2012

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

Subject: Caesar Rodney School District – (Violated our Rights)
Dover, Delaware 19962

Caesar Rodney School District violated our request on February 14, 2012 of “Directory Information” by not providing the address or (b)(6); (b)(7)(C) Parent or Guardian that we requested. This information is known as “Directory Information”. The “Directory Information” includes the following: “Student’s name, Address, Telephone listing, Date and place of birth, Parent or lawful custodian’s name and address”. Caesar Rodney School District is not complying with their own 2011/2012 Student/Parent Handbook Student Rights and Responsibilities page #38, item 4, attachment 1.

I hand-carried the dental bill that was given to me by (b)(6); (b)(7)(C) (b)(6); (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) for dental work done for my son (b)(6); (b)(7)(C) on February 8, 2012 for the incident caused by (b)(6); (b)(7)(C) in the (b)(6); (b)(6); (b)(7)(C) School and the bill hand-carried to Caesar Rodney School District Administration Superintendent Office and given to (b)(6); on the 9th of February 2012 around 9 in the morning.

We receive a letter from Caesar Rodney School District dated February 10, 2012 from the school Claims Examiner the school will not pay expenses (attachment 3). It’s obvious now to us that Caesar Rodney School District Superintendent, Kevin Fitzgerald or his administration staff intends not to reply to our requested information. This is to give Caesar Rodney School District notice that we will take other means to resolve this issue if needed.

Thanks you for your immediate assistance with this request. If you need to reach me I could be reached at (b)(6); (b)(7)(C)

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

4 – Attachments

- 1 – Students Record/Directory Information
- 2 – Dental bill
- 3 – WRM America Claims Examiner letter
- 4 – Letter to Kevin Fitzgerald, Superintendent Caesar Rodney School District

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

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

February 10, 2012

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

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

VS: Caesar Rodney School District

File # (b)(6); (b)(7)(C)

D/A: February 8, 2012

Dear Sir or Madam,

I am in receipt of your claim regarding payment of (b)(6); (b)(7) outstanding medical expenses.

A review of our policy reveals the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

With respect to the operation of any college or school by you or on your behalf:
1. The following exclusion is added to COVERAGE C (Section 1):

We will not pay expenses for "bodily injury" to any student.

Therefore, based on the "student exclusion" in the Medical Payments portion of our policy, we will be unable to honor your request.

Should you have any questions or wish to discuss this matter further, do not hesitate to contact me.

Sincerely,

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

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

Atch II H

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

14 February 2012

TO: Kevin Fitzgerald, Superintendent CRSD,
Attn: (b)(6); (b)(7)(C)

SUBJECT: Parent or Guardian of (b)(6); (b)(7)(C)

We are requesting that Caesar Rodney School District provide us with the address for (b)(6); (b)(7)(C) Parent or Guardian regarding the medical expenses that we incurred because of the injury that happen at (b)(6); (b)(7)(C) School on February 8, 2012, by the swing that (b)(6); (b)(7)(C) was pushing that hit (b)(6); (b)(7)(C) in the mouth. This address will only be used to contact the Parent or Guardian of (b)(6); (b)(7)(C) with a certified letter/return receipt regarding the medical bill being paid.

Thank You!

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

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

11-21-2011

November 12, 2011

Re: Privacy/Civil Rights Violation

Kathleen Styles
Chief Privacy Officer
Department of Education
Lyndon Baines Johnson (LBJ)
Department of Education Building
400 Maryland Ave, SW
Washington, DC 20202

Dear Ms. Styles:

I am not sure whether to send this letter to you or to (b)(6); (b)(7) as my case covers both of your areas of responsibility so I am sending it to both your offices.

As a brief background I live in Illinois but am involved in a custody trial in Arkansas for my (b) month old son. The mother of my son is (b)(6); (b)(7)(C) who is a professor of English at (b)(6); (b)(7)(C) College. Our trial has been very contentious and (b)(6); (b)(7)(C) and her parents, (b)(6); (b)(7)(C) have threatened me on several occasions. Regarding civil rights I should tell you that I am of east Indian descent and (b)(6); (b)(7)(C) has admitted to me that (b)(6); (b)(7)(C) is a racist and in fact refers to all non-white people as "the ethnics" (I have heard her use worse words), (b)(6); (b) admitted this under oath during a deposition on January 6 of 2010 (I am happy to provide the deposition if you need it). I have no doubt that part of the motivation was racial in this case.

Around April of 2010 (b)(6); (b)(7)(C) threatened me saying that she and her family knew a trustee of my alma mater (b)(6); (b)(7)(C), and they would use him to destroy me. The reason they claimed they could do this was that (b)(6); (b)(7) was the chair of the search committee which selected (b)(6); (b)(7) as the new president of (b)(6); (b) College in the spring of 2010 and there was an understanding that he owed (b)(6); (b)(7)

(b)(6); (b)(7)(C) approached (b)(6); (b) around Nov. of 2010 and asked him to get my student records from (b)(6); (b)(7)(C) in an effort to "dig up dirt" on me. (b)(6); (b)(7) approached (b)(6); (b)(7) and was not only given my student records but he was also given other information kept by (b)(6); (b)(7) College including a false allegation made when I was in college that I had fathered a child out of wedlock and this has now been used to threaten me again.

I filed a lawsuit against (b)(6); (b)(7) College on August 30, 2011 and the Chicago Tribune did write a short story about this. The story was not well written but I am enclosing the complaint I filed as well as the Tribune article.

I am appalled that a professor at (b)(6); (b)(7)(C) College who is familiar with FERPA has so blatantly violated federal law along with her parents. I really need your help to find justice. I

don't have the resources to fight all these institutions myself and my young son is at stake here. Please let me know what I can do and if you can help me in any way. We are about to file an amended complaint against (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) so it should be in the news again but the media has been the only leverage I have so far. I am happy to provide you with any additional information you might need but would like to formally file a complaint against (b)(6); (b)(7)(C) College and (b)(6); (b)(7)(C) College in Illinois. Thank you.

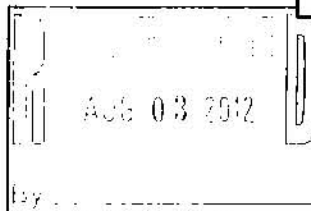
Regards,

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

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

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

July 30, 2012



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

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

To Whom it May Concern:

This law firm represents (b)(6); (b)(7)(C) School District ("District") located in (b)(6); (b)(7)(C) Arizona. The purpose of this letter is to self report that a District employee appears to have violated the requirements of the Family Education Rights and Privacy Act ("FERPA").

Enclosed is a complaint the District received from a member of the community. The District is currently concluding its investigation of the complaint and it appears that the complaint is substantiated. The District will address the concerns raised through its internal policies, including consequences for the relevant employee(s) who appear to have created the infraction.

Please contact the undersigned if you have any questions.

Very truly yours,
(b)(6); (b)(7)(C)

Enclosure
Superintendent Lupita Hightower (w/encl.)

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

4 February 2012

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



RE: School In Violation Of FERPA

I hereby lodge an official complaint against Minnesota School District 197
a.k.a. West Saint Paul-Mendota Heights-Eagan Area Schools on behalf of

(b)(6); (b)(7)(C) who attends (b)(6); (b)(7)(C) School a.k.a. (b)(6); (b)(7)(C)
(b)(6); (b)(7)(C) School for what I believe to be clear violations
of the Family Educational Rights and Privacy Act of 1974 (FERPA).

The nature of the complaint is as checked:

Alleged Violations of Act or Regulations

- Failure to provide notification of all rights
- 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 timely written opinion
- Inappropriate sharing of confidential student information

Date of Violation: 11 December 2011

Date Violation Discovered: 25 January 2012

Other Relevant Information:

Please see the completed and attached *Family Educational Rights and Privacy Act (FERPA) Complaint Form* for detailed information.

Yours Truly

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



Family Educational Rights and Privacy Act (FERPA) Complaint Form

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

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

2. Complainant's daytime telephone number:

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

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

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

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

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

School District 197 a.k.a. West Saint Paul—Mendota Heights—Eagan Area Schools
1897 Delaware Avenue
Mendota Heights, MN 55118
Voice: (651) 403-7000

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

Mr. Tom Nelson

Interim Superintendent of Schools and Chief Administrative Officer of District 197

Voice: (651) 403-7002

E-Mail: tom.nelson@isd197.org

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

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

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

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

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

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

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

7(a) – Because of 7(b), formally requested from Principal (b)(6); (b)(7)(C) full disclosure of all student records, including all communications to third parties, regarding the (b)(6); (b)(7)(C) (student) on **30 January 2012**. At this time, a full disclosure of all student records, including third-party communications by ISD 197, has not yet been received. Until these are received, (b)(6); (b)(7)(C) (parent) and student reserve their rights to amend these records, as per 7(c).

7(b) – On **11 December 2011**, (b)(6); (b)(7)(C) directly e-mailed someone identified as (b)(6); (b)(7)(C) personal and confidential information regarding the student. This secretive communication was completed without any discussion, authorization, or notification to the parent. It is clear Ms. (b)(6); (b)(7) is in direct violation of ISD 197 Policy 515 Protection and Privacy of Pupil Records as well as the privacy sections of FERPA.

Further, it was verbally disclosed by (b)(6); (b)(7)(C) that sometime between **5 December 2011** and **11 December 2011** he authorized Ms. (b)(6); (b)(7) to correspond to this unknown party personal and confidential information regarding the student without any discussion, authorization, or notification to the parent. It is clear Mr. (b)(6); (b) is in direct violation of ISD 197 Policy 515 Protection and Privacy of Pupil Records as well as the privacy sections of FERPA.

Further, this secretive communication done by Ms. (b)(6); (b)(7) was based completely upon unvetted, inaccurate, malicious, and unverified claims received from an unknown source identified as (b)(6); (b)(7)(C) via e-mail on **5 December 2011**. There appears to have been no identification confirmation of (b)(6); (b)(7)(C) done by Ms. (b)(6); (b)(7) or Mr. (b)(6); (b)(7) or in consultation with the ISD 197 Superintendent or in consultation with the ISD 197 School Board prior to this communication—or in consultation with the parent. It is clear Ms. (b)(6); (b)(7) and Mr. (b)(6); (b) directly and with full knowledge violated ISD 197 Policy 515 Protection and Privacy of Pupil Records as well as the privacy sections of FERPA.

Further, Ms. (b)(6); (b)(7)(C) e-mail communication to (b)(6); (b)(7)(C) of **11 December 2011** contained additional references to other individuals within the building (i.e. (b)(6); (b)(7)(C) and Ms. (b)(6); (b)(7)) which further compromised the privacy, safety, and security of the student. This was done in direct violation of ISD 197 Policy 515 Protection and Privacy of Pupil Records as well as the privacy sections of FERPA.

Knowledge of this incident was initially recognized by the student when Ms. (b)(6); (b)(7)(C) disclosed she had been in "constant contact with her good friend (b)(6); (b)(7)(C) during a school field trip on **25 January 2012**. Later that afternoon, in a parent-student discussion, this information surfaced. The parent and student immediately went to the school and met with Mr. (b)(6); (b)(7)(C) who directly denied any knowledge of this incident.

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

Directly after the meeting with (b)(6); (b)(7)(C) on **25 January 2012**, the parent contacted Mr. (b)(6); (b)(7)(C) via voice mail; indicating a potential policy violation, and requesting his presence at the school the next morning to meet with him and Mr. (b)(6); (b)(7)(C)

On **26 January 2012**, a meeting was held with the parent, Mr. (b)(6); (b)(7)(C) and Mr. (b)(6); (b)(7)(C). During this meeting, it was verbally disclosed by Mr. (b)(6); (b)(7)(C) there were "four points of communication" with an un-vetted, third-party regarding this student. At this time, the parent requested physical copies of these "four points of communication", which Mr. (b)(6); (b)(7)(C) indicated would be received by **27 January 2012**. Mr. (b)(6); (b)(7)(C) also indicated this "would not happen again."

On **27 January 2012**, an e-mail was received by the parent from Mr. (b)(6); (b)(7)(C) indicating there was only a "single communication". Please see attachment **E-Mail from (b)(6); (b)(7)(C) 01-27-2012**. From this e-mail, it appears Mr. (b)(6); (b)(7)(C) acknowledges this type of behavior is a district-wide issue.

Later on **27 January 2012**, a meeting was held at the school with the parent, student, paternal grandparents of the student, and Mr. (b)(6); (b)(7)(C). Mr. (b)(6); (b)(7)(C) indicated Mr. (b)(6); (b)(7)(C) had called and indicated the "four points of communication" would not be delivered until **30 January 2012**. During this discussion, it was requested by the parent and student to change classrooms as there was now a significant trust issue with Ms. (b)(6); (b)(7)(C) due to these illegal communications. Mr. (b)(6); (b)(7)(C) indicated he would provide a smooth transition but would be unable to complete the change until **31 January 2012**; it was mutually agreed the student would be voluntarily withheld from classes on **30 January 2012** to avoid further issues.

On **30 January 2012**, Mr. (b)(6); (b)(7)(C) e-mailed the parent with now the "two points of communication" which are the e-mail received by Ms. (b)(6); (b)(7)(C) on 5 December 2011, and the e-mail reply by Ms. (b)(6); (b)(7)(C) on 11 December 2011. Please see attachment **E-Mail from Eric Bradley 01-30-2012** for the following:

- Page 1 – Communication disclosure from Mr. (b)(6); (b)(7)(C), authorized by (b)(6); (b)(7)(C) dated **30 January 2012**.
- Page 2 – E-mail from (b)(6); (b)(7)(C) " (b)(6); (b)(7)(C) " dated **11 December 2011**.
- Page 3 – E-mail from (b)(6); (b)(7)(C) to (b)(6); (b)(7)(C) dated **5 December 2011**.

On **30 January 2012**, a formal request was made by the parent to (b)(6); (b)(7)(C) for full disclosure of all his student's records, including all communications to third parties. To date, only an insignificant set of documents has been disclosed. Most apparently missing are:

- A transcript of all verbal, electronic, and/or written communications between ISD 197 employees and (b)(6); (b)(7)(C)
- All e-mail communications between ISD 197 employees and the parent regarding the student
- All 2011-2012 school year verbal, electronic, and/or written records regarding the student.

I request the Department of Education would immediately and thoroughly investigate these appalling disclosure and privacy FERPA violations—which are apparently a district-wide issue.

9. Complainant's signature: _____

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

Date: 4 February 2012

Attachments: E-Mail from
E-Mail from

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

01-27-2012 (1 page)

01-30-2012 (3 pages)

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

Date: Friday, January 27, 2012, 2:03 PM

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

I have visited with our staff and have been assured that there was only one communication shared with (b)(6); (b)(7)(C) (b)(6); (b)(7)(C). As I stated to you yesterday, this will not happen again. This has been shared with the Principal, and he will share this message with the teacher and his staff.

The message in question deals with four specific issues:

1. Ms. (b)(6); (b)(7)(C) was encouraged to visit with Dakota County Child Protection if she had concerns. The phone number for child protection was included.
2. Ms. (b)(6); (b)(7)(C) was told that (b)(6); (b)(7)(C) has a school counselor and a school social worker that are free to visit with (b)(6); (b)(7)(C). She was told the district would not set this up without the father's permission, but that (b)(6); (b)(7)(C) could speak with them on her own if she, (b)(6); (b)(7)(C) requested.
3. There was a statement about (b)(6); (b)(7)(C) using bad language at school and that the teacher would soon be visiting with the father to discuss ways to assist with this issue.
4. Ms. (b)(6); (b)(7)(C) was told that if she had questions, to contact the principal.

We have discussed this sharing of information and we want to make sure all district employees know the laws and rules in this area.

Sincerely,

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

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

.org>

Date: Monday, January 30, 2012, 9:42 AM

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

The Superintendent asked me to forward the below email exchange to you, per our conversation on Friday. Below is the entirety of the school's communication with Ms.

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

The new teacher and I are still planning to meet with you and (b)(6); (b)(7)(C) this afternoon at 3:00.

Thank you -

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

From: (b)(6); (b)(7)(C)
Sent: Sunday, December 11, 2011 8:24 PM
To: (b)(6); (b)(7)(C)
Subject: Re: (b)(6); (b)(7)(C)

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

I apologize for not getting back to you sooner on your concerns. I have been having computer problems and finally was able to get my email working again.

I did bring your concerns to our principal, (b)(6); (b)(7)(C) to see what we could do. He encourages you to call Dakota County child protection so that you can discuss your concerns more specifically, and anonymously if you would like. The number for child protection is (b)(6); (b)(7)(C). (b)(6); (b)(7)(C) has a lot of experience working with the County and highly recommends that you at least get your concerns to them. Your email did not explain specifics, but if you think it is really bad this is the way to go.

We do have both a school counselor and a school social worker at (b)(6); (b)(7)(C) is always free to talk to about any concerns that she has. I would encourage you to tell (b)(6); (b)(7)(C) to speak with (b)(6); (b)(7)(C) when she sees her next. We are a bit hesitant to set this up for (b)(6); (b)(7)(C) without her father's consent, but (b)(6); (b)(7)(C) would always be welcomed to seek out Mrs. (b)(6); (b)(7)(C) Ms. (b)(6); (b)(7)(C) or even myself on her own. If she can explain things more, we would have a good place to start from then.

I have observed (b)(6); (b)(7)(C) using some bad words at school - seemingly unintentionally - but it is something that disrupts her learning and the learning of others. I will be in contact with (b)(6); (b)(7)(C) soon on this, but am working on a delicate way to discuss this with him. While this may not get to the root of the problem, at least we will have a chance to express some of our concern about what we see on the school side of things that may be influenced by home.

I hope this helps and gives you some ideas of where to go next. Without having many details of the situation, I'm not sure what else to advise. Please let me know if I can be any further assistance. Also, feel free to contact (b)(6); (b)(7)(C), the principal here at (b)(6); (b)(7)(C). His number is (b)(6); (b)(7)(C) or you can email him at (b)(6); (b)(7)(C). He is aware of the situation and has an extensive background in this area as he once was a social worker himself. Again, please let me know if there is anything else I can do for you. I want to make sure we take care of (b)(6); (b)(7)(C) both here at school and home.

Take care.

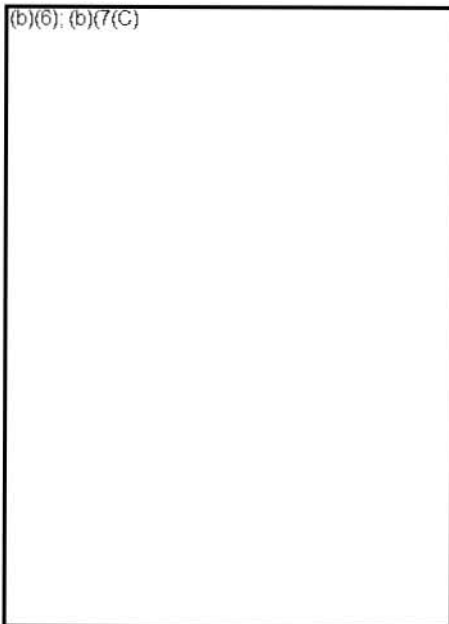
October 20, 2011

Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520
1-800-872-5327
Facsimile: 202-260-9001
-Sent via Facsimile and U.S. Mail-

Dear Sir or Madam:

Pursuant to my telephone conversation with your office, I am including the following information regarding a F.E.R.P.A. violation:

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



Sequoia Union High School District
District Office
480 James Ave.
Redwood City, CA 94062
(650) 349-1411
(650)306-8870 FAX

Narrative Description: My daughter (b)(6); (b)(7)(C), experienced delinquency issues while in the physical custody of her father. She is on formal probation. Legal custody was and is shared equally between the parents.

(b)(1) was sent to temporarily live with her paternal grandmother in Belmont, CA in June 2011. Paternal grandmother is her "Temporary Caregiver". She is not her legal guardian. I retain legal custody and educational rights.

I sent a certified letter to (b)(6); (b)(7)(C) (b) School on August 22, 2011 requesting my daughter's records. This letter was received on August 25th, 2011.

I called (b)(6); (b)(7)(C) (b) School on the morning of August 24, 2011 to confirm my daughter's registration. I received a call-back at 11:43 a.m. from (b)(6); (b)(7)(C) (b) (secretary to Principal (b)(6); (b)(7)(C)) informing that (b)(1) was not registered. School started August 25th.

At 4:42 p.m. on August 24th I received a telephone call from (b)(6); (b)(7)(C) (b) School informing me that (b)(1) and her grandmother had registered her that afternoon. She is an excellent student and I was informed that it appeared that she would qualify for early (December 2011) graduation.

My next call to (b)(6); (b)(7)(C) (b) School was on October 11, 2011. I left a message asking for a call-back. I left another "please call me back" message on October 12th. Mr. (b)(6); (b)(7)(C) called at 3:49 p.m. He did not seem to be familiar with F.E.R.P.A. but was "turning this over to the legal department". Mr. (b)(6); (b)(7)(C) agreed to have the matter resolved by Friday, October 14, 2011 as 45 days had passed. I wrote a confirming letter regarding our conversation.

I have not heard anything from (b)(6); (b)(7)(C) (b) School since October 12, 2011.

However, my daughter's Probation Officer, (b)(6); (b)(7)(C) informed me yesterday that on Monday, October 17, 2011, he received a telephone call from paternal grandmother's attorney, Ms. (b)(6); (b)(7)(C), claiming that I am "harassing" (b)(6); (b)(7)(C) (b) School.

Thank you very much for your courtesy in this matter. Please feel free to contact me with if you require any further information.

Very truly yours,

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

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

UNIVERSITY OF MARYLAND
FAMILY POLICY COMPLIANCE OFFICE
400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202

RECEIVED
By _____

RE: FERPA Violation of Confidential Information

February 17th, 2012

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

To whom it may concern,

My name is (b)(6); (b)(7)(C) and I am currently a student attending the University of (b)(6); (b)(7) at the (b)(6); (b)(7)(C) campus. I am writing to you today to inform you of what I believe to be a violation of the Family Educational Rights and Privacy Act (FERPA) by professional staff members at the University.

On November 11th, 2011 I was removed from my position in University Housing as a resident advisor due to allegations of mail theft. (I would like to state that such allegations are false and I have not been arrested, nor have criminal charges been filed against myself.) After my departure from staff, it came to my attention on the week of November 14th, 2011 by (b)(6); (b)(7)(C) that student staff members have been discussing specific details related to my termination that were not publically available.

While working his community center shift on Saturday November 12th, 2011 from 8pm-10pm, (b)(6); (b) had heard (b)(6); (b)(7)(C) and another staff member (b)(6); (b) recalls that it was either (b)(6); (b)(7)(C) (b)(6); (b) discussing that I was an alleged suspect and that there were video recordings of myself while working my mailroom shift on October 29th. This information was not publically available to student staff members at any point of the investigation. This information was written into an ADVOCATE report, an electronic report that the University uses to document incidents within the residence halls and on campus. All staff members who use this interface are required to sign an electronic agreement to abide by FERPA. The only individuals that would have access to this report or knowledge of the incident are Housing Security, the Department of Public Safety, (b)(6); (b)(7)(C) Leadership Team (b)(6); (b)(7)(C), and the Housing superiors to the Leadership Team.

On November 11th, 2011 at 4:22 pm, (b)(6); (b)(7)(C) sent an email to the (b)(6); (b)(6); student staff informing the staff of the alleged situation and encouraged staff members to consult the Leadership Team (b)(6); (b)(7)(C) if they had any questions about the alleged incident.

I believe that one or more student staff members had asked one or more Leadership Team members about the alleged incident and that a Leadership Team member inappropriately disclosed details related to my case. In addition, the letter that (b)(6); (b)(7)(C) sent states, "As some of you are aware there has been an on-going issue of mail missing from our residents." I feel that one or more members of the Leadership Team may have also discussed this situation with multiple student staff members prior to (b)(6); (b)(6); releasing her statement to staff.

I have made attempts to resolve this within the University as well. On November 17th, 2011 I had a meeting with (b)(6); (b)(7)(C) at the Office of Student Affairs and mentioned that I felt that the Leadership Team was possibly disclosing information about my situation to student staff. She had stated that, "Sometimes things like this just happen, just like with the (b)(6); (b)(7)(C) incident". I stated that I felt such things shouldn't be happening and asked if she could help me look into the avenues of addressing my concerns. At a follow up meeting on November 28th, (b)(6); (b)(6); mentioned that she had passed on my concern to the Housing administration, but I had not heard from anyone on how to address these concerns further. On February 2nd, 2012 I had a meeting with (b)(6); (b)(6); (b)(7) the University Ombudsman, to discuss various grievances, including the disclosure of information. I passed on my concerns to him and he followed up with me on February 13th, 2012. He stated that he talked to (b)(6); (b)(7)(C) Director of Residence Education at University Housing, and she stated that if there were current staff members that felt that the Leadership Team had disclosed inappropriate information about me, that they should contact the Housing Human Resources department. I felt confused as to why it wouldn't be appropriate for myself to file a formal complaint, as it was my file that was being discussed. This message also seems to be contradictory to the Department of Education's stance that the affected party must make all claims of FERPA violations and that third party complaints cannot be submitted.

In closing, I feel that the actions outlined above by the Leadership Team are grossly inappropriate and have violated my FERPA rights to confidentiality. Included in this attachment is a list of contact information for the relevant individuals listed above. If you have any questions, need clarification, or are in need of additional documents, please do not hesitate to contact me. I look forward to the Department of Education's response to this matter in future correspondences.

Sincerely,

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

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

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

Notary Public, State of Michigan
County of Washtenaw

My Commission Expires 05-11-2012

Acting in the county of (b)(6); (b)(7)(C)

2-17-12
Date

Contact Information

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

Student Staff

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

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

Leadership Team

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

University Housing Administration

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

University Staff

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

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

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

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

COLLEGE

By _____

July 9, 2012

Family Policy Compliance Office
US Department of Education
400 Maryland Ave., SW
Washington, DC 20202-4605

To Whom It May Concern:

In an attempt to correct a miscalculation by (b)(6); (b)(7)(C) College on the certification of classes for VA benefits, approximately 60 student names, social security numbers and financial data were released via email to the office of Senator John Barrasso and a representative of the VA without the permission of the students on June 27, 2012. The VA already has this information on file and we believe that we were permitted to release PII on these students in connection with their financial aid, but we acknowledge that we should have sought student permission prior to release of the information to the office of the Senator.

The recipients of the information were asked to destroy the email sent in error. We have identified the students affected by this situation and we contacted them by mail on July 9, 2012. I have enclosed a copy of that letter. We are also maintaining a record of the disclosure.

In order to prevent further incidents, we will continue to train on Family Educational Rights and Privacy Act and the release of PII with added emphasis on electronic communication.

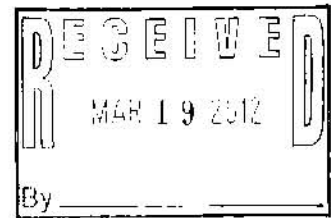
Please contact me if there is anything else we need to do. I am also available to answer any questions that you might have. My telephone number is (b)(6); (b)(7)(C) and my email address is (b)(6); (b)(7)(C)@wy.edu. Our mailing address is (b)(6); (b)(7)(C)

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

Dean of Enrollment Services

March 7, 2012

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



To: Family Policy Compliance Office

My name is (b)(6); (b)(7)(C) live in (b)(6); (b)(7)(C) OK. I was a student of (b)(6); (b)(7) University School of Nursing on 2005 spring. I failed the last class of the first level with unfair and unclear reasons. (b)(6); (b)(7) University is one of the (b)(6); (b)(7) universities in Oklahoma. I fax the letter to (b)(6); (b)(7)(C) who was the Dean of the nursing department on August 2005 to seek the help but no response to me.

I sent a certify mail to (b)(6); (b)(7)(C) to requested two record on December 12, 2011 related the Health Assessment class what I failed. I waited for a month. (b)(6); (b)(7) University, (b)(6); (b)(7)(C) has violated the State Open Records Act by failing to provide the records. (b)(6); (b)(7)(C) who is my attorney sent certify mail to (b)(6); (b)(7)(C) University on January 26, 2012 to request two records.

Mr (b)(6); (b)(7)(C) who is the attorney of (b)(6); (b)(7) University sent the records to Mr (b)(6); (b)(7) office dated on January 31, 2012. Mr (b)(6); (b)(7) sent wrong records that were the Health Assessment clinical records not the final Health Assessment grade report from the instructors, (b)(6); (b)(7)(C)

My friend made a call to (b)(6); (b)(7)(C) University) and (b)(6); (b)(7)(C) University) and asked about Oklahoma Open Records Act. The both of school told my friend school under the Oklahoma Open Records Act, they will release certain records, not complete if they do not want to release and it is not require.

I read reread the letter from (b)(6); (b)(7)(C) and there are lots question. (b)(6); (b)(7)(C) University does not provide me the final grade report of Health Assessment from instructors. It is raising question. I want to access my educational records and inspect and review records the Health Assessment final grade report. I am 63 years old.

This is my question of the letter from (b)(6); (b)(7)(C)

1. We did not practice with a patient to changing out catheter. We did practice with a mannequin doll, male and female doll and insert catheter at practice and clinical test.
2. I made (b)(6); (b)(7)(C) grade because (b)(6); (b)(7)(C) who was lecture instructor never clarified or explained to me the mistakes that I made at the test. Another student who also failed was given another chance to retake the exam. I, on other hand, was denied that privilege. I know why.

3. When I took the clinical test what was insert cather (b)(6); (b)(7)(C) screamed in front of everybody that I made 10 mistakes and it was not true because (b)(6); (b)(7)(C) did not clarify and explain the 10 mistake what were made during my testing. I retook the clinical test from (b)(6); (b)(7)(C) After I finished my clinical test (b)(6); (b)(7)(C) told me I made multiple mistakes and could not pass the test in front of (b)(6); (b)(7)(C) office. I left (b)(6); (b)(7)(C) office with teas. (b)(6); (b)(7)(C) did not clarify and explain the mistakes that were made during my testing. I have been working at a hospital but I was nerves but I did not make 10 times. (b)(6); (b)(7)(C) told a lie. (b)(6); (b)(7)(C) Comment: You receive score of marginal and acceptable techniques of skill and knowledge of phamacology which are clinical behaviors. (b)(6); (b)(7)(C) did not ask me about my clinical behavior. My behavior should not have any merit of my grade. Mr. Fern just told my grade was poor. This situation everybody made (b)(6); (b)(7)(C) no explain about mistakes and denied retake the exam.

4. (b)(6); (b)(7)(C) were no longer employed by the university. The computer used has been replaced. (destruction of my records? It is the violation of the Federal statute.) We can get a transcript anytime even we graduated from school 10 or 20 years ago.

I want to have two record accesses to educational records, I have a right to inspect and review record. Why I failed the class what kind of mistakes I made that cause the failing the grade?

(b)(6); (b)(7)(C) told a lie to (b)(6); (b)(7)(C) block the investigation, violation of the Federal statute.

Do I need to submit a FERPA form to get the clear Health Assessment Final Grade report. if your office has a form, please send to me?

Thank you very much and I am waiting to hear from your office.

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

Associate General Counsel

Board of Regents of (b)(6); (b)(7)(C) University and the Agricultural and Mechanical Colleges

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

December 12, 2011

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

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

I am requesting two records.

1. 2005 Spring I took a class Health Assessment that was the last class of the first level of Nursing class to me and I could not make clinical and lecture. (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C), she remarried (b)(6); (b)(7)(C) and retired now was clinical instructor. Not grade what I knew I made (b)(6); (b)(7)(C) and I could find the grade from a Transcript. I would like to see how (b)(6); (b)(7)(C) wrote grade, why I could not pass the clinical, what kind of mistakes I made during taking the test that (b)(6); (b)(7)(C) did not explained to me after the test, I want to see what (b)(6); (b)(7)(C) wrote exactly with her words to the school.
2. September 13, 2005 I received the letter from (b)(6); (b)(7)(C) she was Site Coordinator of (b)(6); (b)(7)(C) of of Nursing, (b)(6); (b)(7)(C) that time. The letter said The Admission Progression Graduation Committee has met and you may reapply during the application period of January-March 1, 2006. Who was the member of The Admission Progression Graduation Committee on 2005 August or September. When I took the class, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) were there. I would like to know who was there as meeting, who told, how to . I would like to see the exactly what they told at the meeting.

Oklahoma Open Record Act, Oklahoma Open Meeting Act will permit us to see the records, I am requesting two records. Please send me a copy at my address:
Thank you very much for your kindness in this matter.

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

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

January 26, 2012

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

Office of Admissions and Records

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

In Re: The Application of (b)(6); (b)(7)(C) to the School of Nursing

Sent by Certified Mail number: (b)(6); (b)(7)(C)

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

On the 12th day of December, 2011 Ms. (b)(6); (b)(7)(C) wrote a letter to (b)(6); (b)(7)(C) requesting her grade report for a course entitled "Health Assessment". The instructors in that course were, to the best of my knowledge, (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C) has been trying, since 2006 to gain readmission to the School of Nursing. She has patiently sent letter after letter, and email after email [of which we have copies] to your institution and have received no cooperation regarding her readmission.

She was advised by letter that she was readmitted to the University [your letter of August 19, 2011], but, to date all of her efforts to gain readmission to the School of Nursing have been rebuffed or ignored.

Apparently her denial of readmission is or was based upon her apparent failure to achieve a passing grade in the above mentioned "Health Assessment" class.

It is the records regarding this class that (b)(6); (b)(7)(C) demands you turn to her. These records include [1] the grade received, [2] any and all student evaluations to include the reasons that (b)(6); (b)(7)(C) was alleged to have failed the course, [3] lesson plans, tests and other teaching materials, and [4] any and all personal communications from the above instructors (b)(6); (b)(7)(C) and/or Porter regarding this student (b)(6); (b)(7)(C)

This request is presented to your office pursuant to Title 51 Oklahoma Statutes § 24A.16 (A)(1)(2) and (3) otherwise known as the "Oklahoma Open records Act".

A response to this demand under the provisions of the above cited act is required by (b)(6); (b)(7)(C) within ten [10] days from the receipt of this demand letter.

Very Truly yours,

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

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

January 3, 2013

Senator James Inhofe
1924S Utica Avenue
Suite 530
Tulsa, OK 74014-6511

2013 JAN -7 AM 10:18
SEN. JAMES M. INHOFE
TULSA OFFICE

Senator James Inhofe

I am writing to your office to ask your help. I am very difficulty with
Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

(b)(6); (b)(7) the director of the office.

I sent a certify mail to the Compliance Office on March 7, 2012. I received the letter from Dale King who was the Director of the Compliance Office on mid July. I sent a certify mail with a complain form to Dale King, the Compliance Office on early August. I did not hear anything from the Compliance Office for a month. I sent a certify mail to Dale King on September 19, 2012. I did not hear anything again. I sent a certify mail to Dale King on December 5th, 2012. I did not hear anything from the Compliance Office. Each time I received the return slip sing by different person whom I believed the federal officer or agent of the Compliance Office.

Oklahoma Open Records and Open Meeting Act permitted to us access the records.

I sent a certify mail to (b)(6); (b)(7) who is the dean of (b)(6); (b)(7) University school of nursing to requested two record on December 12, 2011. There was the two records what I requested
1. Final grade report of Health Assessment Class for school from the instructors, (with own words.)

2. The Admission Progression Graduation Committee final report to the school from members. (I was kick out from the nursing program, if one student failed the class twice, one student had to leave the school what was kind of policy but I was one times failed the class with unclear and unfair I really want to know who told how, what and so on.) I waited for a month. (b)(6); (b)(7) University, (b)(6); (b)(7) has violated the State Open Records Act by failing to provide the records.

(b)(6); (b)(7)(C) who was my attorney sent certify mail to (b)(6); (b)(7) University on January 26, 2012 to request two record. (I paid \$1,000 to (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) who was the attorney of (b)(6); (b)(7) University sent the records to (b)(6); (b)(7)(C) office dated on January 31, 2012. (b)(6); (b)(7) sent wrong records that was the Health Assessment clinical report records not the final Health Assessment grade report from the instructors, (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) told old file or document was not exit after new computer system using and after each semester the file or document was destroyed or though away by the instructors. But the file that I did not requested was exit and what I requested was not exit and it does not make a sense. (b)(6); (b)(7) also told the

instructors were no employee a school. We can get transcript anytime when we need and the school must keep the record(include the transcript) for ever that is a law.

My friend made a call to [U((b)(6); (b)(7) University) and [U((b)(6); (b)(7)(C) University) and asked about Oklahoma Open Records Act. The both of school told my friend school under the Oklahoma Open Records Act, they will release certain records, not complete if they do not want to release and it is not require. One of the private university told me about FERPA(The Family Educational Rights and Privacy) is federal law.

FERPA grants three primary rights to parents and eligible students(over 18 years old)

- 1.Right to Inspect and Review/Right to Access Education Records.
- 2.Right to Challenge the Content of Education Records
- 3. Right to Consent to the Disclosure of Education Records.

I sent a certify mail three times but did not hear anything. I do not want waste a time anymore. Would you please contact the complaisance offloe for me?

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-8520

Dale King who is the director of the office, I really want to know how is going my request.

Why the Compliance Office took so long, just ignore until I will give up?

Thank you very much your help!

[Redacted box containing (b)(6); (b)(7)(C)]

FOR YOUR IMMEDIATE ATTENTION

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

May 16, 2012
NEW DISCOVERIES & DOC's INCLUDED

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

Reporting allegations of Fraud and Misused funding, FERPA Violation, PLUS Kickbacks, and Misconduct
by (b)(6); (b)(7)(C)

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

Subject #1: (b)(6); (b)(7)(C), Executive Director of (b)(6); (b)(7)(C) and (b)(6); (b)(7) the largest before and afterschool on-site program at eight elementary schools in Santa Cruz County... (b)(6); (b) has failed to comply with my FOIA request faxed and hand delivered.

(b)(6); (b)(7) **professional education experience:** Unknown and to the best of my knowledge, NONE.

Criminal Charges for (b)(6); (b)(7)(C)

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

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

Misconduct: On Friday January 13, 2012 (b)(6); (b)(7)(C) did not honor my exercising my parental rights in picking up my daughter (b)(6); (b)(7)(C). Instead (b)(6) continued to honor an invalid 'stay away' order used by father (b)(6); (b)(7)(C) in his 'fathers rights' rigged custody case. Cases like mine that misuse HHS state and federal funding not authorized for this type of activity are wide spread across the county laundering thousands of unauthorized funding. (b)(6) went as far as locking the classroom door during working hours to prevent me from entering to say goodbye to my daughter, and locked out three children in the process who needed to get back in the classroom.

Subject #2: (b)(6); (b)(7)(C) On-Site Director at (b)(6); (b)(7)(C) location (b)(6); (b)(7)(C) name is NOT registered with our Department of Social Services Community Care Licensing Division per San Jose Regional Office. (b)(6); (b)(7) last year' Director is still the name on record according to their files. Plus (b)(6); (b)(7)(C) lied to me when I called to check if my daughter was in attendance Jan. 17th, 2012.

Subject #3 In September 2011 (b)(6); (b)(7)(C) decided e he didn't approve of my coming on school grounds per (b)(6); (b)(7) request that violated our MSA again. Along with my parental rights being taken away, (b)(6); (b)(7)(C) supported alienating me from my daughter. Also, (b)(6); (b)(7)(C) did NOT comply with FOIA request I emailed & hand delivered requesting any and all financial and educational information regarding (b)(6); (b)(7)(C) (see attached).

Proof of Physical Evidence and Documents Attached

TOTAL Pages following this page: **17**

- 1) Concealed Unclassified Document from 'fathers rights' attorney (b)(6); (b)(7)(C) to court clerk regarding expediting 10/5/11 order for (b)(6); (b)(7)(C)
- 2) (b)(6); (b)(7)(C) confirming vendor payment made to father but....
- 3) FOIA Requests (b)(6); (b)(7)(C) did not comply
- 4) Fathers OPEN Domestic Violence case family court ignores while enabling Child Neglect
- 5) 2008 (b)(6); (b)(7)(C) Form's sharing office both reported on 990
- 6) Outstanding Property in (b)(6); (b)(7)(C) name with unknown address
- 7) 2010 Notice of Insufficiency from Attorney General to (b)(6)
- 8) 2006 Western District of Arkansas Bankruptcy Fraud by (b)(6); (b)(7)(C)
- 9) Father 'threatened' in October 2011 to NOT go near (b)(6); Dr. appt. for symptoms 'we' shared

See below recent article in Santa Cruz Sentinel regarding Soquel Union Elementary School District Superintendent, Henry Castaniada 'shoots self in foot'.....

Soquel district shoots self in foot

Soquel Union Elementary School District Superintendent Henry

Castaniada and his board of trustees single-handedly decided to not let any student transfer out of the district. This will increase their funding by \$5,000 per student, times 160. At the same time this Soquel district accepts 190 students from other districts.

This unilateral decision took away nearly \$1 million from the other school districts, causing layoffs. etc.

In past years, the various transfers in and out of a school district pretty much evened out financially. Some came, some left and it helped parents to manage their live and the educational needs of their children. This flexibility allowed for a cooperative learning community.

This irresponsible decision will now force other districts to do the same, and not let any pupil transfer out. In the following year Soquel will face a financial loss when no students will transfer in from other districts, causing layoffs there.

All of that will happen because of a self-serving and short-sighted decision of one. Where is the oversight in the Santa Cruz County Office of Education?

Currently the criminals with prior charges (b)(6); (b)(7)(C) are now legally abusing me in court. I have no criminal record, am a devoted mother & citizen, but Santa Cruz courts allow these criminals to continue to get away with corruption & crime, which will carry over into the next court room. There is no oversight in the Santa Cruz County Courts, but. I'm confident the discovery of a unlawful case filed by father, resulting in Child Neglect and Child Endangerment, someone will see how 'oversight' is seriously NEEDED in the S.C. County Office of Education and in our courts.

Please do not hesitate to call or email me if you have any questions or need any additional information. Thank you in advance for your immediate attention to this very serious situation impacting Santa Cruz County and the well-being of me & (b)(6); (b)(7)(C) & many other children/parents exposed to this misconduct.

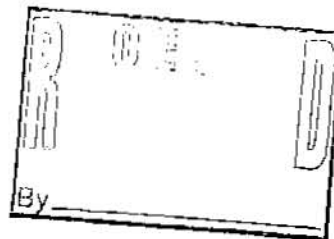
Sincerely,

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

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

November 23, 2011

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



RE: School in violation of FERPA

To Whom It May Concern:

Please accept this letter as a formal complaint lodged against the Town of Ellington, Connecticut Board of Education and its Superintendent of Schools Mr. Stephen Cullinan for failure to comply with the Family Educational Rights and Privacy Act (FERPA).

The following is an account of what has taken place on July 10, 2011. I wrote to the Superintendent of Schools for the Town of Ellington, Connecticut requesting the record for my daughter. This was to include all records in their possession pertaining to my daughter, (b)(6); (b)(7)(C) Please see attached letter dated July 10, 2011. Shortly after they received the letter they contacted my ex wife (b)(6); (b)(7)(C) to notify her of my intentions to obtain the records. On August 9, 2011 my ex wife filed for a court order to prohibit my access to the records. To date, the mother has not followed through with the court and the motion is still not heard.

The right to inspect and review the requested students records has past the 45 days for the Superintendent to produce. It is now beyond 90 days. I feel that they intend to not produce these records. As stated in attached letter, I am the non custodial father of my daughter and I now request an investigation into this matter. In the interim, I am following through with the Attorney General for the State of Connecticut for the non compliance of the Connecticut General Statute Sec. 46b-56(g). The parent not granted custody of a minor child shall not be denied the right to access the academic, medical, hospital, or other health records of such minor child, unless otherwise ordered by the court for good cause shown.

Sincerely,

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

Enclosures

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

Superintendant of Schools
Town of Ellington
Main Street
Ellington, CT06029

Dear Superintendant,

I am the biological father of (b)(6); (b)(7)(C)
I am requesting to inspect and review the education records for my daughter under the Family Educational Rights and Privacy Act (FERPA). This is to include any and all records but not limited to academic grades, attendance, standardized tests, medical, psychiatric. There is no court order preventing my access to these files. My parental rights have not been revoked and no order of protection exists between my daughter and myself.

If nessisary the parental grandparent can pick these records up. I also request that a copy of each future marking period be mailed to me.

As stated under FERPA, if records are not received in the time period stated, a complaint will be filed with the U.S. Department of Education along with a civil suit for a violation of my rights guarenteed by this Act.

I appreciate your understanding of this difficult matter.

Sincerely,

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

Attatchment: (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

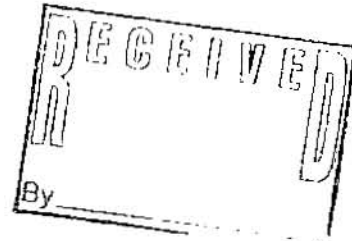
A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

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

02/01/2012

Secretary of Education Arne Duncan.
U.S. Department of Education.
400 Maryland Avenue Southwest.
Washington, DC 20202-0008



c.c Pinellas County School Board
c.c Superintendant Region 5 Schools
c.c. Pinellas County Transportation Department
c.c. (b)(6); (b)(7)(C) School

Dear Secretary Duncan,

I am writing your office because of a series of issues that I have been dealing with since the beginning of November. It started with a poorly handled issue on a bus and has since been me dealing with a school administration that has only been part of the problem rather than helping to find a solution.

First I feel it is important to mention that my son has had an individualized educational plan since he turned 3 and began preschool. His main difficulty is his speech. The ability for him to communicate and be understood is an obstacle for my son causing a vast amount of stress and anxiety for him. He also has social/emotional delays due to his lack of communication skills and some mild to moderate developmental delays. He has been receiving assistance since approximately age 2 (in-home therapies) and then in the schools as of age 3. He began attending (b)(6); (b)(7)(C) in February of 2011; however the problems did not begin until approximately October of this school year. Up until this point (b)(6); (b)(7)(C) (my son) appeared to have no issues on the bus or in school that were out of the ordinary. It is still unknown as to why these behaviors began but I do have suspicions due to conversations and observations of my own.

The incidents that led up to the removal of my son from (b)(6); (b)(7)(C) began with a fairly small incident on the bus. (b)(6); (b)(7)(C) took the otter bus to and from school and there was a bus assistant, named (b)(6); (b)(7)(C) that was to see that he and a few other children were buckled and taken care of on the trip to and from school. This year the otter bus for some reason was unable keep a consistent bus driver. Naturally this made things a little more difficult for (b)(6); (b)(7)(C). He was constantly bombarded with changes to his routine. He had to drive to and from school with complete strangers almost every other day. The bus would be early one day and late the next. For (b)(6); (b)(7)(C) this was a major issue as his planning team as well as educators who read his IEP determined, consistency in routine was needed or he becomes anxious and frustrated. (b)(6); (b)(7)(C) was having difficulty with (b)(6); (b)(7)(C) on the bus and informed me that my son was a "tyrant."

On the 8th of November, 2011 I wrote a small note to (b)(6); (b)(7)(C) (teacher) to inform her that the way (b)(6); (b)(7)(C) treats and refers to my son is highly unprofessional as well as extremely inappropriate. Her demeanor and tone of voice needed to be addressed and modified

since it had become a daily routine for her to yell about (b)(6); (b)(7)(C) behavior. I felt the need to write (b)(6); (b)(7)(C) teacher this particular day because the way she pushed my son towards the stairs of the bus and told him to "get off the bus" in such a vicious tone caused me to be extremely concerned. (b)(6); (b)(7) was able to tell me that (b)(6); (b)(6) does not like him and is mean to him but he is unable to describe how she is mean to him. I received a note on the 9th from Ms. (b)(6); that she would speak to Ms. (b)(6); for me. Unfortunately when I got the note I was writing yet another one concerning an even more disturbing event.

On the 9th of November Ms. (b)(6); was not much better on the bus in her treatment of (b)(6); (b)(7)(C). As a matter of fact the students that ride that bus with (b)(6); (b)(7) mentioned that Ms. (b)(6); was threatening my son and even had her hand up as if she was about to hit him. I found this out after Ms. (b)(6); complained yet again that (b)(6); (b)(7) was misbehaving and that it isn't that he never behaves he just hasn't been lately. I mentioned to Ms. (b)(6); that the behaviors are most likely caused by the inconsistencies in riding home on the bus. I encouraged her to make him feel more comfortable instead of trying to bully him into behaving. It was evident that she was escalating (b)(6); (b)(7)(C) behavior rather than trying to calm the situations down. She ignored me and turned to one of the other parents there and in front of my son and me, mentioned very loudly what complete angels her children were. At that point I didn't feel the need to speak to her again since I planned on calling the office as soon as I returned home from the bus stop. But when I set my son down to put his shoes on most of the children on the bus surrounded my son and each was asking him the same question "are you ok." My sister who was also witness to the event asked as to why (b)(6); (b)(7) would not be alright. This is when all the children began to tell me what happened on the bus, and that Ms. (b)(6); had been threatening (b)(6); (b)(7). I also found out that she is usually mean to (b)(6); (b)(7) and that she even tries to hold him down in his seat sometimes, which is when (b)(6); (b)(7) hits her. They all seemed to think that Ms. (b)(6); started the situations on the bus. There was one boy who very softly mentioned that there are video cameras on the bus and that I really should look at them. I did call the principal's office as soon as I walked through my front door, and I again wrote a detailed note to my son's teacher. Obviously the talk she said she would have with Ms. (b)(6); did little in the way to deter her from bullying (b)(6); (b)(7) in fact it looks more like she retaliated against him.

November 10th, 2011 was the first time I had ever met the principal and vice principal of my children's school. I cannot say it was a pleasant experience but it was not all that unpleasant either. What I did learn early on thanks to this meeting is that Ms. (b)(6); (b)(7) the school principal knew of Ms. (b)(6); (b)(7) behaviors and instructed me that Ms. (b)(6); is well known for "running a tight ship." Additionally, I was instructed that Ms. (b)(6); (b)(7) felt that the children were lying and that we did not need to see the video tape. I noticed by their behavior as well as their lack of taking notes (even though they had paper in front of them and a pen in hand) that the two of them simply wanted to sweep everything under the rug and I was not alright with this. After all what this women had done to my son would be bordering on the line of abuse. But I sat through the meeting listening to Ms. (b)(6); excuse that "you know how children are, if one states something they all jump on the bandwagon." When she was done speaking I simply mentioned No, I would like the video produced and I want to see it. She again changed the subject back to my son and came up with a plan to put him in a car seat instead of a harness to see if this would help him. I was not against trying to have (b)(6); (b)(7) in a car seat simply because then he could see out the window which would solve his issue of sitting on his knees on the bus. He did come home in the

car seat that day and fell asleep on the bus due to a long day on his field trip to the children's museum. But I did give the go ahead to my mother to get information for the Superintendents office so that I can make it known to them that I want to see this tape. She called the Superintendents office for Region 5 and was told that because she is not a legal guardian that she could not give a complaint. My mother, (b)(6); (b)(7)(C) grandmother was told that the superintendent would not listen her anyway so it was pointless for her (the secretary Belinda) to take the complaint. My mother who is such a big part of my children's lives, someone who goes to school events, helps with homework, helps care for my children, someone so involved and loving with my children does not have the right to voice her concerns. I was in class so I could not call, but my mother was told unless I called, the Superintendent would do nothing.

November 11th 2011, I called the Superintendent's office and informed them of the situation and that I simply wanted to make sure that the principal's office requested a copy of the tape for viewing since I do feel it important to do so and that I want to see it myself. I mentioned that it seemed as if the principals simply wanted to forget this whole thing ever happened and go about their day. I want to make sure that there is follow through and that Ms. (b)(6); (b)(7)(C) behaviors towards my son are addressed and that she receives proper punishment. If she bullied my son she is most likely bullying other children with special needs.

Conveniently also on the 11th of November, Ms. (b)(6); (b)(7)(C) was absent and the principals created an issue on the bus. I say created simply because there is no other way to describe it. (b)(6); (b)(7)(C) did not want to get on the bus so they tried to make him. I specifically said in our meeting to not make him get on the bus, if he doesn't want to take the bus call me, and I will pick him up. Apparently they did not care to listen to my transportation request. Ms. (b)(6); (b)(7)(C) and Ms. (b)(6); (b)(7)(C) tried to make him get on the bus; they even tried using my daughter (b)(6); (b)(7)(C) to try and get him in his seat and buckled. He simply did not want to go home on the bus. So Ms. (b)(6); (b)(7)(C) (assistant principal) dragged my son into the building (literally, she held him by the arms and dragged him) and put him in her office as evidenced by my daughter, (b)(6); (b)(7)(C) statement as she was very upset. Now here again (b)(6); (b)(7)(C) is somewhere he has never been surrounded by people he doesn't know and they wouldn't even let his sister sit in the office with him. He was not told where he was going, why, or what they were going to do with him, or even that I was going to be called to pick him up. From what I have heard from my daughter is that (b)(6); (b)(7)(C) threw a temper tantrum of mass proportions and that from the moment they walked through the office door all Ms. (b)(6); (b)(7)(C) did was yell at (b)(6); (b)(7)(C) When I got to the school my son was running around Ms. (b)(6); (b)(7)(C) office completely nude and unsupervised. MS. (b)(6); (b)(7)(C) and Ms. (b)(6); (b)(7)(C) were extremely wound up and Ms. (b)(6); (b)(7)(C) kept saying over and over again that (b)(6); (b)(7)(C) behavior is well out of the scope of the norm. To which my reply was that he is in the ISE classes at this school so that he can get help with many of his disabilities. His behaviors displayed are all documented behaviors except for him supposedly peeing all over Ms. (b)(6); (b)(7)(C) office. That is something he has never done before so either she is lying or she pushed him farther than anyone else ever has. The only reason I do say supposedly is because I am the one that changed his clothes and put the others in a bag. His underwear and crotch of his pants and slightly down the left side on his pants and left sock were the only things that had urine on them from what I could see. I do not see how he could have had such wonderful aim that he could have only gotten those few things if he stripped first throwing his clothes all over the office and then decided to pee all over the place. It simply does not fit the evidence and I also mentioned that to the Superintendents office when I called

them to speak of this issue as well. The reason I felt the need to call was because Ms. (b)(6) only idea for solving (b)(6); (b)(7)(C) behavior was to "move him to a school better able to deal with his kind of disabilities." The way she said disabilities was as if it was some dirty little thing or a disease that others will catch if I left him in that school. My mother who was present for this situation suggested that the problem was being addressed as (b)(6); (b)(7)(C) issues but it would be preferable to speak to the solutions. Ms. (b)(6) stated she wanted him out of "her" school. My mother kept asking Ms. (b)(6) what she suggested do; we put (b)(6); (b)(7) in this school due to the "excellent" ESE program so that he can get help with his disabilities and delays. Ms. (b)(6) had the nerve to ignore my mother literally ignore every question my mother asked or statement that my mother made. When my mother tried to more or less calm the situation by encouraging us to stay in the solution and not the problem, she was rudely shut down by Ms. (b)(6) with an "I am talking to Ms. (b)(6); (b)(7) Needless to say that my mother and I were both treated as badly as my son was by these two principals. At this our second meeting they also found out that I had called the superintendants office before we left and they were both extremely perturbed by the fact. Naturally we both had come to the same conclusion that neither principal had anything important or intelligent to add to the conversation so I mentioned how rude they were being and we left. In the parking lot while I changed my son's clothes not only did I notice the urine placement at this time but I also found out why he didn't want to get on the bus. I simply asked (b)(6); (b)(7) why he didn't want to get on the bus and he told me, Ms. (b)(6); (b)(7) (teacher assistant in his class) had taken his compass and his silly putty, he had taken for show and tell that day, and he had forgotten to get it and wanted to get it to bring it home. So basically this whole situation could have been avoided by treating (b)(6); (b)(7) with a little bit of common courtesy. Had someone taken the time to ask (b)(6); (b)(7) he would have told them why he didn't want to get on the bus. Also if the assistant principal had taken (b)(6); (b)(7)(C) hand and introduced herself and simply said something along the lines of "I see you don't want to ride the bus today, how about we go and call mommy to come pick you up." Then both issues would never have happened. Instead the administrators gross mishandling of (b)(6); (b)(7) caused a huge completely avoidable issue.

The first phone call back from Ms. (b)(6); (b)(7) took place on November 16th, 2011. Her message stated that she received a call from the Superintendent's office in regards to a complaint and that she would like to know what my complaint is. I did not call Ms. (b)(6); (b)(7) back instead I wrote a note in my son's agenda. As a quick overview it asked as to why I would want to contact Ms. (b)(6); (b)(7) over this issue when it deals with her behavior. Also that she had nothing even remotely helpful to add to our previous conversations and meetings and that it had already become evident from her own words and attitude that her idea of dealing with children with special needs is to move them to "a place more able to deal with them." My note also mentioned as to how convenient I found it that just a couple days after they found out I filed my complaint with the Superintendent's office the Pre-Kat office was called in to observe my son to see if he qualified for further services. Then I went on to state that if Ms. (b)(6); (b)(7) cannot understand why I called the Superintendent's office then I obviously made the right decision in doing so.

Since I do still have his agenda in my possession these conversations and notes are all straight from the words on the pages. There are also many notes that I have mentioned that I do not condone (b)(6); (b)(7)(C) behavior and he is disciplined for his behaviors. What I don't understand is why in these situations only my son is the one who was disciplined? Why after 3 months and the fact that I had to remove my son from that school because the environment was so toxic he could

no longer function, I still have not seen any action taken pertaining to the gross misconduct of adult educators and a bus assistant hired to aid special needs children on the bus. After all in the beginning I mentioned numerous times two things: 1 that these principals needed to be trained in the appropriated ways of dealing with children with disabilities and 2 that they owed my son an apology.

There have been numerous phone calls back and forth from the school and myself and even though I have called to find out what is going on quite a few times the superintendant only called me back twice. Dr. Hires (superintendant of region 5) has pretty much made it the norm to simply have the principal call me every time I called her. I guess she felt that there was no need even after 3 months for her to intervene or to make sure that things were being handled. Obviously if I am calling her then still nothing has been handled.

On Thursday the 26th of January 2012, I called the Superintendent's office to see again what progress has occurred. No one from that office called me back yet again it was (b)(6); (b)(7)(C) that called me on Friday January 27th to tell me that the tape for the incident that occurred on November 11th was watched by her personally and she stated "nothing occurred so no discipline would take place. Now there are a couple things wrong here: 1 I had mentioned numerous times that I personally wanted to view this tape (especially since they gave my son a referral for his behavior that may have not been deserved.) and 2 the event happened on the 9th of November not the 11th of November so if she looked at a tape dated the 11th my son was not even on the bus. As a matter of fact he was having a tantrum in (b)(6); (b)(7) s office on that date.

On Monday the 30th of January, I went into the office at (b)(6); (b)(7)(C) School to view the tape. The woman at the desk went into (b)(6); (b)(7)(C) office to inform her of this fact. I waited for 35 minutes for Ms. (b)(6); (b) and Ms. (b)(6); to tell me they spoke to their region's office and they have decided that I cannot view the tape. I at this time mentioned that under FERPA they are required to allow me to see that tape. After all it is part of my son's school records and they had no issue using his behavior to write up a referral. I also informed them of the consequences that can come from noncompliance with the law. Also that if they were going to keep me from viewing the tape that I was going to contact the Secretary of Education and she told me to go right ahead. So that is what I am doing. I will also mention that at this point I was tired of dealing with this woman and getting nowhere so I actually yelled at her according to my mother. I was not aware my voice was raised at the time, but my mother brought it to my attention when I left the office. Honestly after 3 months of nothing but brick walls and frustration in dealing with this issue I think it a completely forgivable slip on my part.

I also called the Superintendent's office again to mention that the school had told me they were not going to let me view the tape. I also mentioned that I found this odd; after all if nothing incriminating is on the tape why can't I view it? This is when Dr. Hires mentioned that they consider it a privacy issue because they are to protect the identities of the other children on the bus. Now keep in mind that I walked my children to and from the bus every day of school since their very first bus ride. I already have seen and interacted with these children on a daily basis since the beginning of this school year, and even last year for some of the children. A lot of these children live and play in my apartment complex, many are friends of my children and they all play outside together. I see these same children in school when I go to pick up my children

for doctors appointments, eat lunch with my children, or to visit for class parties. Most of these children know me by first name, but all know me as "[redacted] mom." I really don't see how this argument could stand. I know that the school is required to withhold or black out other children's personal information on written documents when requesting school records but that is completely different. By seeing a tape I do not learn a child's name, address, phone number etc. me seeing this information in written documents could. So again the privacy argument does not hold up, I learn nothing new of these children by simply viewing a video.

I would like to reiterate that whatever [redacted] said in dealing with [redacted] was insufficient. [redacted] have instead of being partners in helping to resolve a very serious situation have decided to be a big part of the problems I have had to deal with. These situations keep getting swept under the rug, no one seems to want to help and in the process my son was the one to suffer. Moving [redacted] to a new school was the best decision I made. He again feels safe and secure as evident in the facts that he eats and sleeps at school again and he is making friends, and learning his new routine. There has been very little carryover of his behavior from [redacted] to his new school. [redacted] is all most back to his old self, the cute, sweet, caring, little boy that my family knows him to be. The tantrums are gone and the trouble he finds is normal trouble for a four year old little boy. This day and night difference shows that it was the school and not the child. Also that instead of being isolated by his teachers and peers he is encouraged to take part and make friends. At [redacted] children were encouraged not to play with [redacted] because "children are not encouraged to play with mean boys." [redacted] in a conversation on November 4th 2011). Also last year she tried the same thing when she sat [redacted] at a desk by himself between the trash can and the bathroom on the opposite side of where all the other children sat around tables where they could interact with each other. It is evident that this schools idea of teaching children with special needs is isolate those that are different and then push them out of the school.

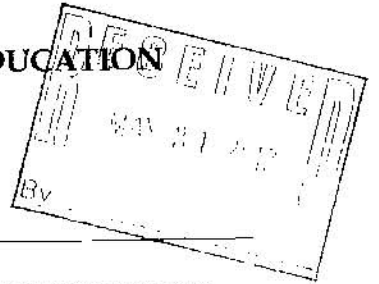
I would like to state in conclusion that these are just brief overviews of a long line of incidences that have occurred since November 8th, 2011. I have mentioned that I wanted to view the video of the incidents and have yet to do so. I have mentioned that I want these members of the school to have consequences for their actions and still nothing has been done. So at this point if disciplinary action is not taken immediately, I will be forced to take legal action. I do not say this lightly because I really have done everything I can to solve these problems without having to involve the judicial system. But unfortunately the school and the superintendent's office has made this impossible. So this is my last resort before retaining a lawyer and taking these issues to court. My son's rights have been severely violated, and odds are there are other children that similar things have happened to as well. As my son cannot speak for himself, I am speaking for him. I am seeking justice for my son and any other child these people felt they could bully.

Sincerely,

[redacted]

[redacted]

BEFORE THE UNITED STATES DEPARTMENT OF EDUCATION
FAMILY POLICY COMPLIANCE OFFICE



AFFIDAVIT OF COMPLAINANT [REDACTED] IN SUPPORT OF
HER FERPA COMPLAINT AGAINST [REDACTED]
COLLEGE

STATE OF OHIO
COUNTY OF FRANKLIN SS.

Complainant [REDACTED] as the Affiant herein, being duly sworn and cautioned, does state that the following are true:

I am a student currently enrolled at [REDACTED] College [REDACTED] located at [REDACTED]. Upon information and belief, [REDACTED] receives federal funds and is thus subject to FERPA. Throughout my full-time enrollment, I have maintained two jobs and raised a son as a single mother. Until this incident, I had no prior disciplinary issues.

In February 2012, I became subject to disciplinary action by [REDACTED], the substance of which is subject to a Title IX Complaint that is being filed concurrently with this complaint.

In an effort to defend myself from disciplinary action, I requested, pursuant to [REDACTED]'s policies, information that [REDACTED] intended to use against me. On February 16, 2012, [REDACTED] provided to me a statement from a fellow student of mine, [REDACTED] as attached hereto at *Exhibit A*. In that statement, [REDACTED] made clear that a [REDACTED]

preceptor had told him that I was subject to disciplinary action and had inappropriate conversations with the other student that disclosed information protected by FERPA.

I ask that the Department investigate my complaint and take further action as it deems fit against (b)(6) C.

FURTHER AFFIANT SAYETH NAUGHT.

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

Sworn before me and subscribed in my presence this 23rd day of May 2012.

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



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

Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

The following paragraph represents my version of what was observed while eating lunch with (b)(6); (b)(7) (b)(6); (b) and my preceptor, (b)(6); (b) during our clinical time at (b)(6); (b)(7)(C) February 7, 2012. It was during our conversation at lunch that (b)(6) mentioned she had her eye on one of the firemen (the fireman was not named) at a station she had been visiting for her field time (the implication being that there was possibly some romantic interest). After she made this comment, my preceptor told (b)(6) that she should not be making comments like that, and as a student it was both unprofessional and inappropriate during our clinical time. After our preceptor made this remark, (b)(6) denied being serious about her statement. Later, after I finished talking to one of the patients at the hospital, my preceptor informed me that he had sent (b)(6) home after consulting with (b)(6); (b)(7) about the matter, since (b)(6) was still uncomfortable with (b)(6) comment and wasn't sure what the appropriate reaction/consequence should be. My preceptor said to me numerous times after she was sent home, that he didn't want to have to make the situation into something that could get someone into trouble, but since he still felt uncomfortable with (b)(6) remark, he wanted to see what his superiors would advise him to do.

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

