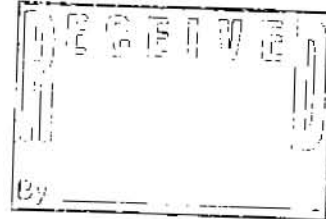


Use this form letter to file a complaint with the Family Policy Compliance Office when your child's school doesn't comply with FERPA. Examples of non-compliance with FERPA include refusal to provide access to school records, providing incomplete school records, or refusal to recognize your rights as a parent. Modify the letter to fit your circumstances if necessary, then mail it 'Certified' with 'Return Receipt Requested' to the address shown at the bottom of this page. Send a copy to your attorney and make sure you keep a copy for your records as well.

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

December 29, 2011

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



RE: **School In Violation Of FERPA**

I hereby lodge an **official** complaint against the School of, (b)(6), (b)(7)(C) on behalf of, (b)(6), (b)(7)(C) who attended(s), (b)(6), (b)(7)(C) for what I believe to be:

- Inappropriate maintenance of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

**Challenge to Record or Content**

- Inaccurate
- Misleading
- Incomplete
- Inappropriate

**Record challenged may be identified as:**

**Title:** Faculty, Staff, Students, various departments

**Date:** August 2003 to Present

**Person responsible for Entry or person currently maintaining record:** Various Persons or Depts.

**Date challenged content discovered:** continuously ongoing

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate person(s) grant denied access
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer

Failure of hearing officer to provide written opinion within reasonable time

Inappropriate sharing of confidential information

Other: \_\_\_\_\_

Date of Violation: (Ongoing) 2003-2011

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

**Other Relevant Information:**

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

I believe that my student records have been inappropriately shared with other departments, students and faculty of the college I attended from the, Fall of 2003 to the, Summer of 2007. The violation of FERPA and constant harassment by my institution of higher learning created an environment of discrimination for me while I attended. The schools way of dealing with their behavior was to avoid me while at the same time share and use my private information to manipulate my personal life: work, finances and health. This treatment put an incredible strain on me. I have no relations professionally or personally with anyone from my college as a result of this treatment. It is an ongoing issue every time that I apply for work somewhere and need to use them as a reference.

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

The reason why I did not file this complaint sooner is because I did not know about this resource until recently. It was also very difficult for me to prove because of the nature of the violation.

I would like the institution as a result of my complaint to:

Compensate me monetarily for emotional distress and all losses and damage that I have acquired over the years from their harassment towards me and violation of FERPA.

Yours Truly,

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

[Redacted Signature]

Best Time to Call You: Day - before noon

Your E-mail Address: (b)(6); (b)(7)(C)

[Redacted Email Address]

Primary Phone Number:

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

[Redacted Phone Number]

July 17, 2012

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

Family Policy Compliance Office (FPCO)  
US Department of Education  
400 Maryland Avenue, SW  
Washington DC, 20202-8520



Dear FPCO officer,

Enclosed please find the information that I am forwarding via the Ohio Department of Education for Exceptional Children for the purpose of jurisdiction for herein mentioned issues at (b)(6); (b)(7)(C) School to be resolved:

1. (b)(6); (b)(7) Spec. Ed. Teacher in the IEP department at (b)(6); (b)(7)(C) School for two years in a row now had not corrected the address of residency for my son (b)(6); (b)(7). It was incorrect on the IEP for my son for the 10<sup>th</sup> and 11<sup>th</sup> grade year at (b)(6); (b)(7)(C) School and was also being sent to the wrong address. I informed (b)(6); (b)(7) of my son's correct address and to correct it in the first 10<sup>th</sup> grade scheduled IEP meeting. He didn't. Last year I initially spoke to (b)(6); (b)(7) in November 2011, (I suppose she is (b)(6); (b)(7) supervisor), attendance secretary (b)(6); (b)(7) unit principal, (b)(6); (b)(7) head principal, (b)(6); (b)(7)(C) and superintendant of schools, (b)(6); (b)(7) (b)(6); (b)(7) about the above matter as I explained to (b)(6); (b)(7) this should not be happening as this also creates problems for my son and I as it pertains to eligibility and sanctions and such including for example, his eligibility for college, etc is hampered. My son was often marked absent for school or class when he was actually present. The end result is accumulative attendance is wrong at the end of the year in that I also receive information that my son is not attending school.

In December 2010, I spoke with and asked (b)(6); (b)(7)(C) Spec. Ed. Department Director as to why my son's address is incorrect in the first place and why my son's school records are going to the wrong address. She told me that the address for my son was correct from her office computer and for me to go back and talk to (b)(6); (b)(7). I told her she should talk to because the problem rests with his ongoing different deliberate or inadvertent mistakes as there were several IEP's that I also took to (b)(6); (b)(7)(C) office for her to see and resolve this issue. To no avail. The enclosed is the end result. Last year, when I spoke with Akron Public Schools Superintendent (b)(6); (b)(7) he also assured me that the address is correct in the CENTRAL computer from his office. So I am not sure what (b)(6); (b)(7) motives are in his regard. I was also told by an ODE representative, Spec. Ed. Dept. director, (b)(6); (b)(7)(C) and Superintendent of schools, (b)(6); (b)(7) that to correct an address for a student is a no-brainer.

2. At (b) (5), (b) (6), (b) (7) (C) in the first 10<sup>th</sup> grade year IEP meeting told me that the IEP for my son would not change much. Any changes we agreed to were minute in nature (b) (6), (b) (7) made those corrections, but (b) (6), (b) (7) also continued to make different additional mistakes and additions after that. Also, he and I had discussed and added to the IEP information as to what my son aspires to do upon graduating high school. He would submit something after what we discussed and I signed.

I would like for both 10<sup>th</sup> and 11<sup>th</sup> grade IEP's that (b) (6), (b) (7) and discussed and agreed as FINAL to be submitted to my son's academic file, as opposed to what (b) (6), (b) (7) submitted to record after the fact without my knowledge or consent. (b) (6), (b) (7) has submitted different IEPs (of what he later after the fact changed or added to the IEPs) other than what he and I agreed two years in a row (10<sup>th</sup> and 11<sup>th</sup> grades at (b) (5)). I am not sure what (b) (6), (b) (7)'s motives are for doing this either. I would like for the IEPs to be submitted in accord with what he and I agreed. I recently received three different copies of the 11<sup>th</sup> grade IEP from the Akron Board Of Education. There was only one IEP for that year that (b) (6), (b) (7) and I agreed should be submitted to file. For the additional copies would be (b) (6), (b) (7) (C)'s reasons that have nothing to do with my son and his academic file. Secondly, I would like a copy of both 10<sup>th</sup> and 11<sup>th</sup> grade IEP on file for my son in addition to his school transcripts of which at this time I was told by Mr. (b) (6), (b) (7) secretary, (b) (6), (b) (7) that my son's transcripts were lost, did not transfer, or that (b) (5) does not have them.

3. Completion of the IEP was held up by (b) (6), (b) (7) Per (b) (6), (b) (7), it is also noteworthy that the IEPs are in an out of numerical order (some type of front and back upside down) order is how they were pretty much given to me by him. I had attended the IEP meetings for both (10<sup>th</sup> and 11<sup>th</sup>) grade years, (b) (6), (b) (7) wants to mark on some of his (many) IEPs that I did not somehow attend. I discussed with him about it and supposedly corrected, but then later submitted something totally different than what he and I had previously discussed and agreed.
4. in this matter, (b) (6), (b) (7) (C), as they both think this (incorrect and wrong information sent to the wrong address by them for a student) is okay, the law says they cannot. I never received a proper notice or a copy of (b) (6), (b) (7) ETR evaluation for that matter. The complete copies enclosed I received were from either the (b) (6), (b) (7) records department or partially from (b) (6), (b) (7) in last 11<sup>th</sup> grade IEP meeting.. Also, as far as the parent invitation page, I never received one or a final copy of (b) (6), (b) (7) ETR eval. I had previously spoke to (b) (6), (b) (7) on dates specific and wrote him a letter as to why I did not want his ETR evaluation submitted to my son's academic record as his involvement is actually underhanded and my son and I do not know who he is.

As a parent, my experience with attending IEP meetings people conduct themselves and the meeting in a professional manner in that two meetings scheduled tops with everyone is supposed to be present at the initial meeting that should be present, they, then, sign their own signature as opposed to with (b) (6), (b) (7) individual signatures and dates are typed in. I have never seen that happen before and is very unprofessional to say the least, especially when everyone is present at the meeting



Including too, that the IEPs were sent to the wrong address and are different when submitted to school record.

Attached to enclosed (IEPs) are copies of the post- a-notes and memos attached to assist the office that has jurisdiction to navigate through the many different IEPs. My concern is with only final IEPs (b)(6); (b)(7)(C) and I agreed. There are marked as final IEPs with the IEPs enclosed and I would like (b)(6); (b)(7)(C) omitted from my son's academic APS record. I hope your office can assist me in these matters herein mentioned. If not, please return or forward this information to the office that does have jurisdiction. If you have any questions, I can be reached at (b)(6); (b)(7)(C)

Enclosed you will also find additional letters I previously sent to (b)(6); (b)(7)(C) and my current letters I sent to the superintendent of schools, (b)(6); (b)(7)(C)

Thank you for your time in this matter.

Sincerely,

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

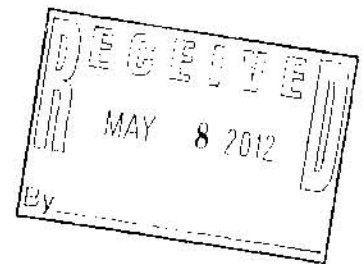
Enclosures:

October 17, 2011 Letter from  
December 15, 2011 Letter from  
January 11, 2012 Letter from  
January 13, 2012 Letter from  
January 26, 2012 Letter from  
February 5, 2012 Letter from  
February 9, 2012 Letter from  
June 5, 2012 Letter from

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

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

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



I am writing you today to inform you of multiple experiences of privacy violations by a federally funded school. In this letter I will give you some background on my personal history to show my motivation for academic excellence and then go into the details of the possible FERPA violation. My story is this. I am a

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

the decision to move away from my hometown to start over. I moved to Hawai'i in 2004 and enrolled in school at a community college 2006. After two years I transferred to the University of (b)(6); (b)(7)(C) where I completed two additional years. It was here where I experienced my first educational privacy violation. A professor at the university made specific mention of my criminal record to me and to the community at large. I have no verification that this occurred only verbal communication between me and the lady at the university that mentioned it. Her name is (b)(6); (b)(7)(C) Of course having arrest warrants out for your arrest while maintaining dean's list honors puts the student in a very precarious situation. Having stopped (b)(6); (b)(7) for the greater part of two years I made the decision to withdraw from school and return home to deal with my legal issues. (b)(6); (b)(7)(C)

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

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

Once this ordeal was over and a part of the past, I returned to school. At the University of (b)(6); (b)(7)(C) I transferred in with 104 semester credits from the University of (b)(6); (b)(7) I completed 38 semester credits from this institution therefore giving me a total of 142 semester credit hours for the 6 years of full-time college studies.

My claim of privacy invasion is based on the incidents that occurred at the University of (b)(6); (b)(7) (USA). Here I was met with much animosity over my particular method of studies. I keep to myself and study for the length of time required to make the desired grade I needed to get into medical school. My grades, which I welcome you to inspect for the purpose of this letter, reflect this. The chemistry department at USA seemed to be more concerned with filling research positions with students than actually promoting academic excellence. In essence the department is utilizing the students as an asset to further their own goals rather than allow students to compete on a national level. Some background on the department is this; a fully funded research department that doesn't maintain a formal graduate program. The graduate program they do maintain is run in their department however is covered in the university bulletin under an entirely different college "environmental toxicology". Historically chemical research professors maintain a lab where their graduate students work and perform the experiments designated by the professor. This doesn't happen at USA because there is no graduate program to fill in the positions. This leave the many Ph.D's working in the department in an unethical position over hiring undergraduates to fill these research positions. Not only does this open the possibility of grade favoritism (the Ph.D's are also professors) but competition over recruiting students to fill research positions diminishes the student's potential. This has the effect of lowering the caliber of matriculating students from the department and as chemists in general.

The claim I am making is over a professor in the chemistry department, (b)(6); (b)(7)(C) Professor (b)(6); (b)(7)(C) constantly admired how well I was doing in class. So much that one day he made the mention that "You always do well". The context of this statement was that of resentment over my inability to integrate with the way they "recommend you study". I continued another semester to take his class even though I didn't need the class for my major. To be honest I felt a little coerced into taking this class to begin with. At the start of spring 2012 I was a biochemistry major with the intention of going into medical school. After completing the required thermodynamics class offered by professor (b)(6); (b)(7)(C) for some reason I changed my major to the chemistry track. The next class I had with (b)(6); (b)(7)(C) was quantum mechanics. According to (b)(6); (b)(7)(C) I was doing "very well" once again in his class and he felt the need to make specific mention of this fact while in a university offered lab course in the presence of all the other students. Taking this for face value one wouldn't think anything of it, but the context of the situation tells a different story. This is where I feel he crossed the line and violated my privacy. The details of the situation are as follows; I walked into lab one day and we were told to wait (by (b)(6); (b)(7)(C)) on all the other students before we start the lab. The professor began to scold the class over the quality of their previous lab reports. After scolding the class the professor said that the only acceptable report in the class was mine (b)(6); (b)(7)(C). I think this goes back to the verbal mention of me doing "very well" in his class. In making an additional statement like this he is showing his dissatisfaction over someone doing well in his prized quantum mechanics class. This course CHEM 352 is the industry standard and to have someone loosely run through the class making the grades I was making is really heresy to these professors. I understand why he did this however, I don't think it is legal and his actions are potentially a violation of the FERPA act. Since this incident occurred I cannot return to the university. My psychological state over the educational process has been damaged and my motivation to attempt any further educational endeavors has been ruined by this incident. I encourage you to investigate this department over my grievances.

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

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

Dear Attorney

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

I was looking online for privacy attorneys and your name came up for alabama lawyers. I have a legal situation that I am hoping you can answer for me. I was recently a student at the university of (b)(6); (b)(7)(C) after having just transferred here from the university of (b)(6); (b)(7)(C) over what I believe to be similar circumstances. My situation is this, I moved out to hawaii while in legal trouble in 2004. I was on formal state probation with the courts and left without their consent. While in Hawaii I maintained a absolutely clean criminal record and enrolled in college. In college I maintained a 3.7 GPA , deans list honors and was allowed to teach an undergraduate level chemistry lab all while on the run from state probation. Eventually the professors began being nosey and assumedly did a background records check on me. Whether or not this was done as a condition of my employment or as an excuse for my employment is unclear. I tend to think that because my grades were higher than those with influence over the academic advisors, this played a role in me having to leave that particular university. So I left, came back home and turned myself over to the courts. I served 30 days and performed 10 hours of community service at a local church.

After all this I transferred my credits obtained in Hawaii to university of (b)(6); (b)(7)(C) and seemingly encountered a similar problem. Here at the university of (b)(6); (b)(7)(C) I encountered a particular professor who through a lab course disclosed private information regarding my class grades to the class without my consent. When I requested him to not take this approach, he stated I had the wrong impression of what he was trying to do. At any rate my concern is that my privacy may have been violated. I have since left the school in protest over his actions. I hold a 3.97 GPA from this school and held a 3.7 from the last university I attended so there should be no argument over my dedication to my studies. I am just sick and tired of this treatment and feel this may be better addressed in court. I have email records of the formal requests made and responses from the professor.

Could you inform me whether I have a case against the university? I'm not really trying to get any money out of this ordeal, its just that I have 142 credit hours of course work (7 years of full-time studies and \$100,000 of grants/loans that I have to pay back) and no chance of ever paying this down without my degree. I've been applying for jobs for the last two months

and really feel as if the whole society is designed to keep prior criminals in an endless cycle.

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

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

Sent Thursday, April 26, 2012 9:51 am

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

Subject: Re: Potential FERPA violation

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

I have forwarded your email to (b)(6); (b)(7)(C) Dean of the College of Arts and Sciences.

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

Assistant to the Senior Vice President Academic Affairs and University Registrar

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

Confidentiality Notice: This electronic email may contain information this is privileged, confidential, and/or otherwise protected from disclosure to anyone other than its intended recipient(s). Any dissemination or use of this electronic mail or its contents by persons other than the intended recipient(s) is strictly prohibited. If you have received this communication in error, please notify the sender immediately by reply email so that we may correct our records.

>>> <(b)(6); (b)(7)(C)> 4/26/2012 1:23 PM >>>  
Hello,

I am writing you today to inform you of a FERPA violation by one of your professors in the chemistry department. I was and have been an exemplary student for the past 6 years and upon transferring to USA I was met with departmental overt hostility over what I understand to be childish jealousy. This however isn't my reason for writing you today. My intention in writing you is to inform you of my intent to file a FERPA claim against the department of chemistry citing gross violations of the act. For example; in the first class I attended at the university upon transfer I was told of another students intention to leave the university from a professor and how another professor planned to dole out an "A" just to keep the student in the



department. Upon my mention of this to another student I can only assume this message reached the professor who mentioned it in the first place. Ultimately I had to take a class from the professor and in doing so I feel he violated my privacy out of knowledge of my mentioning his illegal intention to a class member.

My privacy was violated in a laboratory class when the professor made a statement in the lab to the students over how well I was doing in the class. The context in which this statement was made involved the professor verbally scolding the lab students over how poor their lab reports in comparison to mine. By making statements like this I feel that the professor and the school are limiting the abilities of students in academia. Essentially what he did was paint a big target on my back for the students to express their misguided emotions over their inability to maintain an equivalent class grade. This is a real problem and I have since withdrew from the university to figure out how to resolve the issue. I emailed the professor and the chair over the situation and didn't seem to get the desired response. So my next step is to communicate my intention to this office.

The professor whom I am referring to is [REDACTED] of the chemistry department at the university of [REDACTED]

[REDACTED]

January 5, 2012

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



RE: **School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b) HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:  
Inaccurate \_\_\_\_\_ Misleading \_\_\_\_\_ Incomplete \_\_\_\_\_  Inappropriate access

**Record challenged may be identified as:**

Title: Final Course Evaluation, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) Course Facilitator, Instructor. Date request made several occasions, both in writing (email) and verbally. December 2011.

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate denial of access to student records
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: blatant violation student rights according to FERPA

Date of Violation: December 14-21, 2011

**Other Relevant Information:**

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

Access was denied to records in the form of a clinical evaluation and a "alleged" list of accusations upon which a failure was issued. This information is not traditionally considered "Maintained student records", but at this institution, the evaluations are held for a period of time. Additionally, the instructor listed here withheld the information until an attorney requested the information for the purposes of a grade appeal committee hearing.

Yours Truly,

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

January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b)(6) HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

Inaccurate     Misleading     Incomplete     Inappropriate access

**Record challenged may be identified as:**

Title: Final Course Evaluation, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) Traditional Undergraduate Program Interim Chairperson. Date request made several occasions, both in writing (email) and verbally, December 2011.

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate denial of access to student records
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
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Date of Violation: December 14-21, 2011

**Other Relevant Information:**

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

Access was denied to records in the form of a clinical evaluation and a "alleged" list of accusations upon which a failure was issued. This information is not traditionally considered "Maintained student records", but at this institution, the evaluations are held for a period of time. Additionally, the instructor listed here withheld the information until an attorney requested the information for the purposes of a grade appeal committee hearing.

Verifying Teacher:

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

January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b)(6); (b)(7)(C) HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

Inaccurate       Misleading       Incomplete       Inappropriate access

**Record challenged may be identified as:**

Title: Final Course Evaluation, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) Attorney for (b)(6); (b)(7)(C) HSC. Date request made several occasions, both in writing (email) and verbally: December 2011.

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate denial of access to student records
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: blatant violation student rights according to FERPA

Date of Violation: December 14-21, 2011

**Other Relevant Information:**

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

Access was denied to records in the form of a clinical evaluation and a "alleged" list of accusations upon which a failure was issued. This information is not traditionally considered "Maintained student records", but at this institution, the evaluations are held for a period of time. Additionally, the instructor listed here withheld the information until an attorney requested the information for the purposes of a grade appeal committee hearing.

Message Text:

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

January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b)(6); (b)(7)(C) HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

- Inaccurate
- Misleading
- Incomplete
- Inappropriate access

**Record challenged may be identified as:**

Title: Final Course Evaluation, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) Clinical Instructor. Date request made several occasions, both in writing (email) and verbally: December 2011.

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate denial of access to student records
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: blatant violation student rights according to FERPA

Date of Violation: December 14-21, 2011

**Other Relevant Information:**

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

Access was denied to records in the form of a clinical evaluation and a "alleged" list of accusations upon which a failure was issued. This information is not traditionally considered "Maintained student records", but at this institution, the evaluations are held for a period of time. Additionally, the instructor listed here withheld the information until an attorney requested the information for the purposes of a grade appeal committee hearing.

Yours Truly

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

January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b)(6); (b)(7)(C) HISC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

Inaccurate       Misleading       Incomplete       Inappropriate access

**Record challenged may be identified as:**

Title: immunization and health records, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) RN, Instructor. Date challenged content discovered: December 2011.

**Alleged Violations of Act or Regulations**

- Failure to provide notification of all rights (totally or in needed language)
  - Failure to publish local access and hearing procedures
  - Inappropriate person(s) grant denied access
  - Failure to provide interpretation assistance as requested
  - Failure to provide requested hearing
  - Failure to provide uninvolved hearing officer
  - Failure of hearing officer to provide written opinion within reasonable time
  - Inappropriate sharing of confidential information
  - Other: blatant violation student rights according to FERPA
- Date of Violation: Early Fall 2011 Semester (exact date unknown)

**Other Relevant Information:**

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

Health and immunization records were released to a clinical site without student consent and was transmitted via an unsecured method (fax). This also constitutes a HIPAA violation regarding Protected Health Information. Students were never notified that this information had been illegally released, and no steps were taken to ensure that private information had not been used inappropriately by individuals or otherwise. This was also covered up by other staff within the facility, with no notification made to students.

YAMES TRULY

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



January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b)(6); ( HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:  
 Inaccurate     Misleading     Incomplete     Inappropriate access

**Record challenged may be identified as:**

Title: immunization and health records, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C), Director of Student Affairs. Date challenged content discovered: December 2011.

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

- Failure to provide notification of all rights (totally or in needed language)
  - Failure to publish local access and hearing procedures
  - Inappropriate person(s) grant denied access
  - Failure to provide interpretation assistance as requested
  - Failure to provide requested hearing
  - Failure to provide uninvolved hearing officer
  - Failure of hearing officer to provide written opinion within reasonable time
  - Inappropriate sharing of confidential information
  - Other: blatant violation student rights according to FERPA
- Date of Violation: Early Fall 2011 Semester (exact date unknown)

**Other Relevant Information:**

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

Health and immunization records were released to a clinical site without student consent and was transmitted via an unsecured method (fax). This also constitutes a HIPAA violation regarding Protected Health Information. Students were never notified that this information had been illegally released, and no steps were taken to ensure that private information had not been used inappropriately by individuals or otherwise. This was also covered up by other staff within the facility, with no notification made to students.

Yours Truly

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

January 5, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against (b)(6); (b)(7)(C) Health Sciences Center and the (b) HSC School of Nursing for what I believe to be:

- Inappropriate maintenance and protection of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked.  
 Inaccurate       Misleading       Incomplete       Inappropriate access

**Record challenged may be identified as:**

Title: Final Course Evaluation, Date: fall 2011. Person responsible for violation of privacy related to this record: (b)(6); (b)(7)(C) Director of Student Affairs. Date request made several occasions, both in writing (email) and verbally: December 2011.

- Alleged Violations of Act or Regulations**
- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate denial of access to student records
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: blatant violation student rights according to FERPA

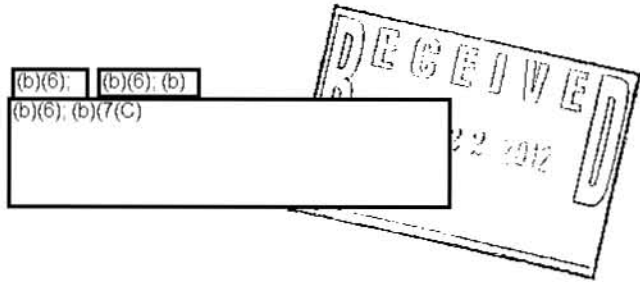
Date of Violation: December 14-21, 2011

**Other Relevant Information:**

*(Use this section to add any additional explanatory comments)*  
Access was denied to records in the form of a clinical evaluation and a "alleged" list of accusations upon which a failure was issued. This information is not traditionally considered "Maintained student records", but at this institution, the evaluations are held for a period of time. Additionally, the instructor listed here withheld the information until an attorney requested the information for the purposes of a grade appeal committee hearing.

Yours Truly,

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



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

Colorado Department of Higher Education  
1560 Broadway  
Suite 1600  
Denver, CO 80202

May 15, 2012

To whom it may concern,

My name is (b)(6); (b)(6); (b) f/k/a (b)(6); (b)(6); (b)(7) and I attend (b)(6); Peak (b)(6); (b)(7)(C) College (b)(6); (b)(6); (b)(7)(C) in Colorado Springs, Colorado. My ex-husband, (b)(6); (b)(6); (b)(7) was able to obtain my school records, including transcripts and payment information, without my knowledge or consent. I believe that the means employed to obtain the records were improper, illegal, and in violation of my rights under federal and state laws, including the Family Educational Rights and Privacy Act (FERPA). I hereby request an investigation of the matter to ensure that all policies and procedures were followed, and to ensure the same will be followed in the future.

My divorce was granted in District Court, El Paso County, Colorado, Case Number 10DR3493. My understanding is that Mr. (b)(6); (b)(6); (b)(7) took a subpoena form to the District Court Clerk's Office where it was signed and stamped and then sent the subpoena to (b)(6); (b)(6); (b)(7) without providing me notice. (b)(6); (b)(6); (b)(7) C, in turn, sent the privileged and private information to the courthouse address set forth in the subpoena. Mr. (b)(6); (b)(6); (b)(7) went to that address the same day it was received. Mr. (b)(6); (b)(6); (b)(7) name was on the package and the package was turned over to him.

Attached please find the subpoena and the materials provided by (b)(6); (b)(6); (b)(7) C. Again, this was all without my consent or knowledge, and thus I believe my rights were violated by Mr. (b)(6); (b)(6); (b)(7) (b)(6); (b)(6); (b)(7) C, and/or the District Court, El Paso County. Mr. (b)(6); (b)(6); (b)(7) entered many of the records into evidence in a subsequent hearing regarding our divorce, over my objection, stating that they had been subpoenaed. After the hearing, I then went to (b)(6); (b)(6); (b)(7) C, at which time they gave me copies of what they released to Mr. (b)(6); (b)(6); (b)(7) C. However, I did not get everything that Mr. (b)(6); (b)(6); (b)(7) had. I did receive a copy of the subpoena through (b)(6); (b)(6); (b)(7) C, and a copy of a notification letter for me that I had not seen before. Later I called the address specified in the subpoena, and was told by (b)(6); (b)(6); (b)(7) C that they did not accept subpoenas, but that the records were released to Mr. (b)(6); (b)(6); (b)(7) C when he came in that same day. (b)(6); (b)(6); (b)(7) also told me that she told Mr. (b)(6); (b)(6); (b)(7) he needed to provide copies to me and the child support enforcement attorney, which he did not.

I have suffered significant damage as a result of the above. If I can provide further information to aid your investigation, please do not hesitate to contact me at the above address or (b)(6); (b)(6); (b)(7)(C)

(b)(6); (b)(6); (b)(7)(C) I look forward to your response.

Thank you  
(b)(6); (b)(6); (b)(7)(C)



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

**Enrollment Services**

April 12, 2012

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

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

I am writing to inform you that (b)(6); (b)(7)(C) College has received a subpoena requiring the college to turn over all records maintained regarding your enrollment at (b)(6); (b)(7)(C) College. As such, I am writing to inform you of the following records that will be released to El Paso County District Court, Attn: Division NCS, 270 S. Tejon, P.O. Box 2980, Colorado Springs, CO 80901. Specifically, the following documents are being requested:

- All records of enrollment, attendance, and tuition fees and payments by and for (b)(6); (b)(7)(C) need to be mailed to the above court address Attn: Division NCS, as well as a copy of this subpoena on or before April 23<sup>rd</sup>, 2012.

The college will comply with all lawful requests for production of records and will deliver these documents to El Paso County District Court at the address listed above by April 23, 2012. If you should have any questions or concerns regarding the court ordered production of these records, please contact (b)(6); (b)(7)(C)

Sincerely,

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

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

**Registrar**

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

College

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

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

**Enrollment Services**

April 18, 2012

**El Paso County District Court  
270 S. Tejon, P.O. Box 2980  
Colorado Springs, CO 80901**

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

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

To Whom It May Concern:

This letter is to verify that we have enclosed copies of all records we have on file regarding the student referenced above and enclosed an official transcript, as requested. If you have any questions please do not hesitate to contact me at (b)(6); (b)(7)(C) or (b)(6); (b)(7)(C)@c.edu.

Sincerely,

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

**Administrative Assistant II**  
(b)(6); (b)(7)(C) College

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



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

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

Registrar/Records Coordinator  
Enrollment Services/Records

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

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

COLLEGE

### Affidavit of Documents

I, (b)(6); (b)(7)(C) ("Affiant") do hereby certify, affirm and declare that I am the Custodian of Educational Records for (b)(6); (b)(7)(C) College. After conducting a diligent search of our student records in the matter of (b)(6); (b)(7)(C) (Case No. 10 DR 3493), I am hereby presenting to Division NCS of El Paso Court all requested documents pursuant to the subpoena issued to (b)(6); (b)(7)(C) on April 11, 2012. I further affirm that, to the best of my knowledge, there are no other documents relating to this matter in the possession of (b)(6); (b)(7)(C) College.

WITNESS my signature this \_\_\_\_\_ day of April, 2012.

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

Subscribed and sworn to before me in the County of El Paso, State of Colorado, this 12 day of April, 2012

[SEAL]

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

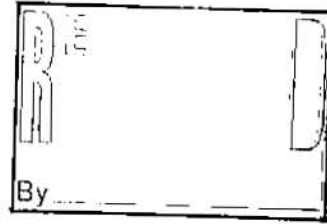
My Commission expires:

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

(b)(6); (b)(7)(C)  
Notary Public  
State of Colorado

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

September 29, 2011  
Family Rights Compliance Office  
U. S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-8520



Dear Sir or Madam:

I believe the (b)(6); (b)(7)(C) School, Weston, Massachusetts, continues to violate the Federal Educational Rights and Privacy Act (FERPA) by releasing personal identifying information about me in violation of the Act. The school released and circulated widely the attached list of students required to attend a "Saturday School" disciplinary session on October 1, 2011 that identified me by name. It did so as a matter of policy and practice without written permission either from me or my parents. Given the nature and purpose of this document, the information included does not qualify as "directory information."

The attached list was published on September 26, 2011 and includes my grade, name (highlighted) and those of others on the list, the "time to serve" and a code for the nature of the violation.

I would like the school to be ordered to stop this practice and be required to institute another way of notifying students that protects each student's personal privacy.

Thank you for your consideration.

Sincerely,

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

Saturday School Attendance is Mandatory. If you have a conflict and need to reschedule this Saturday School,

Please see Ms. (b) (6) TODAY (9-26-11). Non-Attendance at Saturday School =SUSPENSION

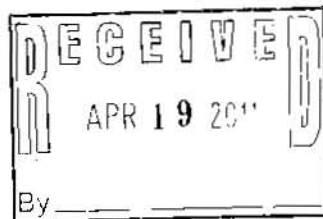
Saturday School list for October 1, 2011 (3)

GRADE	STUDENT	TIME TO SERVE
11	(b)(6); (b)(7)(C)	8-12
10		8-12
11		8-12
10		8-10 (T)
10		8-9 (T)
12		8-11 (T)
11		8-12
10		8-12
12		8-12
12		8-12 (T)
10		8-9 (T)
12		8-9 (T)
10		8-11 (T)
10		8-12
10		8-9 (T)
12		8-12
10		8-12
12		8-9 (T)
12		8-10 (T)
11		8-12
11		8-9 (T)
10		8-10 (T)
12		8-12 (T)
11		8-10

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

April 5, 2011

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



Re: Complaint with Laramie County School District #1 and

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

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

To Whom it May Concern:

Our daughter attended (b)(6); (b)(7)(C) School in Cheyenne, Wyoming from December 1, 2010 to February 11, 2011. She is currently in the TLC program for issues with her behavior. On February 8, 2011 our daughter notified us that she was going to be on television that night. Her teacher, (b)(6); (b)(7)(C) wrote a note on her daily evaluation sheet that read "(b)(6); (b)(7)(C) may be on TV tonight". We were unable to watch the news that night due to problems with my car. We did review the broadcast the next day and were horrified by the broadcast. (b)(6); (b)(7)(C) was given the Golden Apple Award and Channel 5 News was interviewing (b)(6); (b)(7)(C) her staff and the child who nominated her. Our daughter was shown while (b)(6); (b)(7)(C) was describing what type of class she teaches. She went on to say that she deals with children with problems who can't be in mainstream and several times said kids who "have anger issues". At the same time she said that, the camera is on my daughter's face. Throughout the program, my daughter is shown. At one point, she turns and looks directly at the camera. The rest of the time it shows her from the back. My husband and I were appalled that our daughter was shown while the teacher is talking about the kids in her class with certain disabilities. Many teachers who know our daughter expressed their concern in the days since that broadcast saying they couldn't believe (b)(6); (b)(7)(C) was on TV and how wrong it was to show her face while talking about the kids. We believe that our daughter's privacy was violated. My husband works with the public and since that day has had 2 people who recognized our daughter on TV and were also outraged. The news aired that broadcast three (3) times. At 5:30 p.m. and 10:00 on February 8, 2011 and also at 6:00 on February 9, 2011, as well as posted it on their website.

On February 9, 2011, I emailed the News Director and copied the Superintendent of Schools, Dr. Stork pleading with them to take it off their website stating it violates her right to privacy on her medical condition. On February 10, 2011, I received a response from the news which said they had signed releases from all students before they did the newscast.' A copy of my email and their response is attached as **Exhibit A**.

I contacted the superintendent, Dr. Stork on February 9, 2011 and expressed my concerns. At the time I spoke with Dr. Stork he said that he did not see the broadcast and would do some research and get back to me. Later that day, Dr. Stork called me back and apologized saying that he had me confused with another issue on a Golden Apple Award. He said that he would look into this and speak with his communications person to see who authorized the news to come into the school.

On February 10, 2011, I received a call from [REDACTED] Director of Special Education (no relation) after my several attempts to get a hold of her. She stated that she had not seen the broadcast but that she would do some research and get back to me.

On February 15, 2011 I sent an email to Dr. Stork and Ms. [REDACTED] stating that I had not heard anything from them since the previous Thursday after they said they would get back to me. Ms. [REDACTED] responded to my email stating that she had spoken to the communications director who contacted News Channel and also requested that they remove it from their website. She also stated that she was aware that my daughter's privacy was violated. A copy of that email is attached as **Exhibit B**. Dr. Stork left a voice mail for me stating that he also talked to the Communications Director and they were looking into their process for being on video. They have used the same standard release and it has not been an issue. They only thing they can do is make the parents aware of kids in the different programs that might be an issue. He stated that they have no control over what the news media portrays. The release that all parents sign is very general and talks about taking photographs of students for purposes of schoolwork. It does give allow anyone to discuss my daughter's medical condition. A copy of the release is attached as **Exhibit C**.

I believe that the School District has let us down by violating my daughter's right to privacy. It is nobody business to know that our daughter is in a separate class unless we tell them. The School District has a duty to protect my child for this not to happen. Also the Principal, [REDACTED] as well as the teacher, Ms. [REDACTED] has a duty to protect the children. They should have known better. It would have been fine


to interview the teacher and talk about what she does but then not to show any footage of the kids in the class so that they can be identified. Another T.I.C teacher was concerned by what happened and has written a statement. A copy of which is attached as **Exhibit D**.

On February 17, 2011, I revoked the release until further notice. We want to make sure that this does not happen to our daughter again or any other child in this school district. We do not want our child "labeled" by any of her peers as the being in a "special class". Our daughter has no obvious disabilities only what the school has labeled her as having an "emotional disability" based on her behavior. The school district has not taken responsibility for this only stating that they have no control over what the media portrays. We want them to acknowledge that they let our child down and ensure us that it will not happen again with our daughter or any other child in the future.

As of this date, I have not heard anything else from the school district. Thank you for reviewing our complaint and we look forward to hearing from you in the near future.

Sincerely,

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

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



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

Logged in as: (b)(6); (b)(7)(C)

Home | E-mail | Personal Web Pages | Member Services | Help

Get E-Mail | Message List | Compose | Folders | Address Book | Mailboxes | Options | Help | Logout

Folder: **Personal**

**Read Message**

Reply | Reply To All | Forward | Delete | Save Address | Printable View | Previous | Next | Report Spam

**Sender:** (b)(6); (b)(7)(C)@kgwn.tv>

E-mail Source

**Subject:** re: Newscast February 8, 2011 - Apple Award - (b)(6); (b)(7)(C)

**Date:** Thu, 10 Feb 2011 12:59:43 -0700

**To:** (b)(6); (b)(7)(C).net>, (b)(6); (b)(7)(C)@kgwn.tv>

**Cc:** (b)(6); (b)(7)(C)@kgwn.tv>, (b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)@12.wy.us>

Hello Everyone,

I just wanted to clarify that I did not speak with (b)(6); (b)(7)(C) yesterday. I think that was our news director, (b)(6); (b)(7)(C). I also did get permission from the school to video both of the kids present in Ms. (b)(6); (b)(7)(C) class at the time I was there. So I thought it was okay. And Ms. (b)(6); (b)(7)(C) is a TLC teacher so there was no way to avoid the fact that we were talking about that subject. Your daughter was a delight to work with and I thought we portrayed her well. I apologize for the confusion and any harm or damage I might have done. Please know it was done unintentionally.

Thank you,

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

**Exhibit  
A**

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

**Sent:** Wednesday, February 09, 2011 8:29 PM

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

**Subject:** Newscast February 8, 2011 - Apple Award - Mrs (b)(6); (b)(7)(C)

At 3:01 p.m. today I called and spoke with (b)(6); (b)(7)(C) to ask News Channel 5

to remove the video of my child taken either Monday or Tuesday in relation to (b)(6); (b)(7(C)) Golden Apple Award. (b)(6); (b)(7(C)) was very curt and dismissive of my concerns. She told me I signed a release to have my child videotaped during school and refused to address my concerns.

Although I did sign a release for my child and her work to be photographed, videotaped and interviewed regarding her school work, I did not sign a release that allowed my child to be "out-ed" as a child with a disability. My child is protected under the IDEA and the School did not have permission to allow her image to be broadcast across the state of Wyoming as a child with disabilities and is not in a regular classroom, as (b)(6); (b)(7(C)) indicated.

Many of the teachers in LCSD #1 in the Special Education Program were appauled that she was on the news broadcast that discussed the TLC program and indicated that the children in that program were not in regular classrooms because of disabilities such as Anger Issues."

Many of our friends were shocked to see that the School and News Channel 5 would disregard my child's right to privacy and reveal to the State that she is a child with a disability ultimately labeling her more forcefully as a problem."

Again, as I asked earlier today, please remove the video from your website.

Sincerely,

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

cc: (b)(6); (b)(7(C)) General Manager KGWN-Channel 5 News  
Dr. (b)(6); (b)(7(C)) Principal (b)(6); (b)(7(C))  
(b)(6); (b)(7(C))

Dr. Mark Stock, Superintendent of Schools, Laramie Co. School District #1

Reply | Reply To All | Forward | Delete | Save Address | Printable View | Previous | Next

Move message to: Draft | Go

[Get E-Mail](#) | [Message List](#) | [Compose](#) | [Folders](#) | [Address Book](#) | [Mailboxes](#) | [Options](#)  
[Help](#) | [Logout](#) | [Bresnan OnLine Home](#)





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

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

**From:** (b)(6); (b)(7)(C) [redacted]@epic.org  
**Sent:** Thursday, September 27, 2012 9:54 PM  
**To:** (b)(6); (b)(7)(C)  
**Subject:** [redacted]

(b)(6);  
I think you need to speak directly to (b)(6); (b)(7)(C) about this. I am not sure how or why this information was shared. I don't even know the school where (b)(6); (b)(7)(C) is. Has anyone tried to reach out to her? Does she even have a means for communicating with friends from (b)(6); (b)(7)(C)? I am sorry. I realize that this is upsetting. I think it is important for you to find out what (b)(6); (b)(7)(C) shared. You can reach her at school at ext. (b)(6); (b)(7)(C).

(b)(6);

Sent from my iPad

On Sep 27, 2012, at 9:47 PM, (b)(6); (b)(7)(C) wrote:

> (b)(6); (b)(7)(C) told her son that Michaela was in Utah. Her son told other people and now they know where she is.

- >
- > This is very upsetting.
- >
- > I think we need to talk.
- >
- >

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

3-26-13

To whom it may concern,

I am writing to make a formal complaint on (b)(6); (b)(6); (b)(6); school in Holland, MI (West Ottawa District Schools) regarding FERPA compliance.

On March 11, 2013 I called (b)(6); (b)(6); (b)(6); School in search of my 7th grade son's student record following his suspension on March 7th. I called the school to inquire as to how to obtain this. I was transferred by the secretary to a Jodi (b)(6); (b) I got her voicemail. I left a message explaining that I was in need of my son's entire 6th and 7th grade student file and asked how I would go about getting them and I was willing to fill out ANY release form to obtain it. A couple of hours later I recieved a voicemail from (b)(6); (b)(7) (b)(6); ( ) (My son's assistant principle) asking me "what exactly are you looking for?". I decided to just go to the school personally and speak with them. I first asked for Ms. (b)(6); (b) She was out of the office. I asked for Ms. (b)(6); ( ) and was directed to her desk. I asked her for my son's complete student record from 6th and 7th grade. She asked me what I needed it for and I informed her I didn't want to disclose my reason for wanting it. She then grabbed his record and made copies of everything and gave them to me.

My problem with the above encounter?

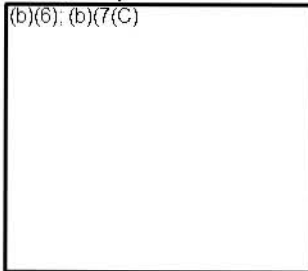
- Not once was my I.D. asked for
- I had never met Ms. (b)(6); ( ) before this date, So how did she know I was who I said I was?
- I not once signed any type of release of information.
- I felt that ANYONE could walk in and gain my child's student record!!!

After I spoke with some friends and family they informed that this situation is in violation of the FERPA law. In looking up West Ottawa School District's notice on how to obtain his records (attached) it states that I should have asked for the record in writing which I didn't do and was not asked to do. I was able to walk into the school, sign NOTHING and show NO IDENTIFICATION and obtain everything!!!

I ask that you speak with the school on making this more important in the future.

Thanks,

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



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

11/16/12

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



**RE: School In Violation Of FERPA**

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

- Inappropriate maintenance of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

**[ ] Challenge to Record or Content**

- Inaccurate
- Misleading
- Incomplete
- Inappropriate

Record challenged may be identified as:

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Person responsible for Entry or person currently maintaining record: \_\_\_\_\_

Date challenged content discovered: \_\_\_\_\_

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

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate person(s) grant denied access
- Failure to provide interpretation assistance as requested
- Failure to provide requested hearing
- Failure to provide uninvolved hearing officer
- Failure of hearing officer to provide written opinion within reasonable time
- Inappropriate sharing of confidential information
- Other: \_\_\_\_\_

Date of Violation: 11/8/12

Date Violation Discovered if different from above: 11/9/12

Name of School Official: (b)(6); (b)(7)(C) Principal

Third Party (to whom disclosure was made): (b)(6); (b)(7)(C)

**Other Relevant Information:**

(Use this section to add any additional explanatory comments)

On Friday, November 9, 2012 I was contacted by a (b)(6); (b)(7)(C), following an incident at school in which her son was involved. (b)(6); (b)(7)(C) and her son were fooling around in the hallway. Her son bumped into another student who then started a fight. Her son was charged with bullying. In her conversation with the 8<sup>th</sup> Grade Administrator/School Principal, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) she was told that my son (b)(6); (b)(7)(C) pushed her son into this other boy intentionally. Mr. (b)(6); (b)(7)(C) is a bully and an instigator." (b)(6); (b)(7)(C) said her son was a "puppet" and "(b)(6); (b)(7)(C) was pulling his strings." He said that there was a whole ring of boys bullying (this other child) and that Brad was at the center of it.

In a meeting (b)(6); (b)(7)(C) had with (b)(6); (b)(7)(C) and Assistant Superintendent of the West Chester Area School District, (b)(6); (b)(7)(C) denied making any such statements. (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) son went to kindergarten together and didn't see each other again until 6<sup>th</sup> grade. I have not seen or spoken to (b)(6); (b)(7)(C) in seven years. (b)(6); (b)(7)(C) has nothing to gain from making such statements about my son to the administrators. She is outraged and so am I.

(b)(6); (b)(7)(C) has had disciplinary problems in the past. (b)(6); (b)(7)(C) has labeled him as a bully and these allegations have been documented. This disclosure of personal information to a third party without my consent is a clear violation of (b)(6); (b)(7)(C) FERPA rights and hugely embarrassing to (b)(6); (b)(7)(C) and our family. (b)(6); (b)(7)(C) has been historically unprofessional and judgmental in regards to (b)(6); (b)(7)(C) and disciplinary action needs to be brought against him.

Yours Truly,

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



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



To Whom It May Concern:

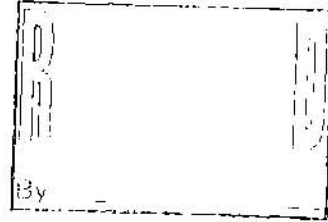
I am writing because I believe my student's FERPA rights were violated by a principal within the Rockford Public School District, (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) acquired information improperly from an administrator of the school my student attends, (b)(6); (b)(7)(C) School. (b)(6); (b)(7)(C) inquired into my student's disciplinary records and was given information regarding his offenses and disciplinary sanctions given. This occurred approximately on or around November 13, 2012. I want this matter looked into and look forward to hearing back from your agency.

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

ferpa

12/05/2012

Family Policy Compliance Office  
U.S. Department of Education  
Room 407A Switzer Building  
400 Maryland Ave., S.W.  
Washington, DC 20202-6186



RE: (Statement of violation, i.e., school refuses to amend the information)  
[redacted] School  
Haynesville, LA.

Dear Sir or Madam:

My son, [redacted] is a student at [redacted] School. On November 13, 2012, and

November 27, 2012, and November 28, 2012 I requested the school system to amend the information

on [redacted] [redacted] IEP. On November 15, 2012, December 3, 2012 I received a reply from Mrs.

[redacted] [redacted] Supervisor of Special Education, informing me [redacted] [redacted] Individual

Education Plan(IEP) was not going to be amended, but never instructed me, as a parent, of hearing

rights.

I believe that this is a violation of my parental rights under the Family Educational Rights and

Privacy Act, 20 U.S.C. 1232(g).

I want to request an investigation of my complaint and that I be informed of your findings within

a reasonable amount of time.

Should you need to contact me I can be reached at [redacted] during normal

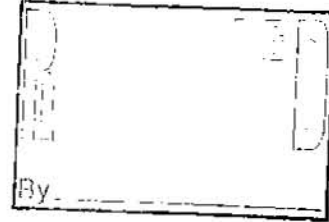
business hours. Thank you for your assistance with this matter.

Sincerely,

[redacted]

Feb. 10, 2012

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



Via Certified mail

To Whom It May Concern:

Greetings. I am filing this FERPA complaint on behalf of my minor son, (b)(6); (b)(7)(C) who resides with me and my husband at (b)(6); (b)(7)(C) is a (b)(6); (b)(7)(C) grader attending (b)(6); (b)(7)(C) School in North East Independent School District, San Antonio, Texas.

I filed a hearing request letter in May 2011, a copy of which is attached. In that hearing request letter, I requested all documents that contained personally identifiable information about my child, a special education student.

The school district responsible for providing him services and maintaining his records is as follows:

North East Independent School District  
Special Education Department  
8961 Tesoro Dr.  
San Antonio, Texas 78217

Our complaint centers around the district's failure to comply with the student's request for access to education records, for which the student desires to file FERPA complaint.

As you know, FERPA is a federal law that is administered by the Family Policy Compliance Office (Office) in the U.S. Department of Education (Department), 20 U.S.C. § 1232g; 34 CFR Part 99. FERPA applies to all educational agencies and institutions (e.g., schools) that receive funding under any program administered by the Department.

As you also know, under FERPA, a school must provide an eligible student with an opportunity to inspect and review his or her education records within 45 days following its receipt of a request.

Although I requested the records, I was not given access to them. In addition, I made several other records requests separately from the due process hearing request, a copy of which I have attached here. (Pet. Exh. 27, p. 1389, 1433, 1434.)

Records that I know exist but were never produced:

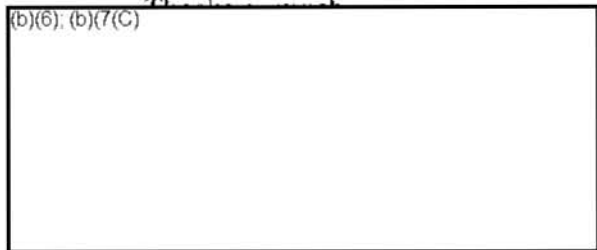
1. The district failed to provide speech logs clearly showing that the district withheld relevant records from me in regard to my son's speech services. (Please see attached speech log that was withheld and series of emails establishing this.)
2. The district has failed to give me access to my son's benchmark tests. Benchmark tests are supposed to be done three times a year in math, science and reading, English and social studies. (Tr. Vol. 1, p. 80, li. 9-17.) However, only ONE was produced to me, despite my multiple requests. The one and only one provided is attached. (Pet. Exh. 7, p. 471.)
3. The district has used the Review 360 program for two years (Tr. Vol. 1, p. 256, li. 22-25.) for any student with a behavior plan. (Tr. Vol. 1, p. 91, li. 13-14.) However, the only Review 360 documents provided by the district were dated starting 08-01-22. (Tr. Vol. 1, p. 89, li. 22-25.) Despite my already pending hearing request that contained a records request, I first started getting Review 360 reports in November 2011. (Tr. Vol. 2, p. 500, li. 22-25.)
4. At hearing, the district mentioned the existence of "Compass" documents that pertained to my son, but those were never produced, either. (Tr. Vol. 2, p. 742, li. 10-16.) Although the staffer said she could go to the principal and get Compass records and bring them back to the hearing, (Tr. Vol. 2, p. 743, li. 19-21.) she never did. Nothing with "Compass" present levels was produced.
5. Signature pages allegedly in existence and "personally reviewed" by the campus special ed coordinator to show receipt of grade reports and progress reports were never produced. (Tr. Vol. 2, p. 686, li. 12-23)
6. Data allegedly collected and held by case manager from 2009 testified to at hearing was never produced or in exhibits. (Tr. Vol. 2, p. 682, li. 1-4.)
7. Finally, the district admitted it purged "all academic records for all our students from kindergarten through fourth grade." (Pet. Exh. 27, p. 1433 and 1435.)

#### Remedies

1. I want the records, all of them, even ones that I don't know about because the district didn't inadvertently reveal it had failed to turn over during the hearing.
2. I want the district ordered to do staff training on this issue.
3. I want your office to monitor implementation.
4. I want anything else that you believe is an appropriate remedy here.

I am attaching the relevant transcript references and exhibits referenced above to this letter, along with the hearing request letter from May 2011. If you desire the entire transcripts, please advise. I would happy to provide them.

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



CC:

North East Independent School District  
Special Education Department  
8961 Tesoro Dr.  
San Antonio, Texas 78217  
Via fax 1-210-407-0185 only





























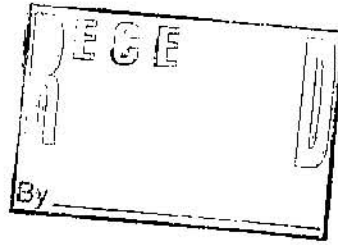






(b)(6); (b)(7)(C)

To: FERPA (Whom It May Concern)



On December 19, 2011 I received a phone call from (b)(6); (b)(6); the principal at (b)(6); (b)(7)(C) School located in (b)(6); (b)(7) Connecticut. The call was regarding a situation, which concerned my daughter (b)(6); (b)(7)(C) a (b)(6); (b)(7)(C) grade student who attends the school. At the time Ms. (b)(6); did not have much information on the problem but informed me that (b)(6); would probably come home hurt and upset. When (b)(6); arrived home she explained to me that her friend (b)(6); (b)(7) reported to the school social worker that two girls (b)(6); (b)(7) and (b)(6); were chatting on-line (b)(6); (b)(7) was using (b)(6); (b)(7) computer) and (b)(6); mentioned "We should kill (b)(6); and no one would care" when (b)(6); (b)(7) replied "no" then (b)(6); said "We should just call her a boy because that is what she looks like. Needless to say, my daughter was very hurt and upset by the comments made the girls and this became a major concern for me.

On December 20, 2011 at approximately 8:30 am I went to the school to talk to Ms. (b)(6); about the situation in which I explained my concern regarding the word "kill" and how in today's time we cannot take that lightly. I also asked for the school bullying policy and the results of the investigation (which of today, I still have not received) and stated that I was going to call and make a police report (which I did on 12-21-2011) about this situation. I told Ms. (b)(6); that I did not want to press charges against the girls (because they are fifth grade girls and as a teacher myself, I understand how children can be) but I wanted to protect my daughter and her rights. She informed me that she would be willing to give me what she can concerning the investigation but due to HEPA laws she could not give me the girls written statements. I informed Ms. (b)(6); that as a teacher myself, I understood the girl's rights and she could inform the parents that I would be making a report. Through the conversation, I also stated that I was going to call (b)(6); (b)(7) mother to thank her for bringing this situation forward to the school.

On December 21, 2011 I dropped my children off at school and to see if Ms. (b)(6); completed her investigation. She asked me "If I had made a police report yet" and

"I informed her I was on my way to do so". She asked if I thought it would be ok if we let youth services handle it and at the time I agreed but was still leery about making a police report. At approximately 10:00am I received a phone call from (b)(6); (b)(7)(C) mother (the girl who made the comment about killing my daughter) explaining how sorry she was and how happy she was that I decided not to call the police. I informed her that I had not decided if I was going to make a police report and asked her how she received my telephone number. She informed me that she received my number from the school. I was quite surprise when she said this because I did not give permission to any school officials to give my phone number out to anyone especially to the parents of the child that made harsh comments concerning my child. I feel by giving my telephone number out that the school violated my FERPA rights. Not only did they violate my rights but the protection rights of my daughter by giving her personal information to the parent of the girl who made a harsh comment about wanting to kill her. Enclosed are emails between (b)(6); (b)(7)(C) (the principal), Mr. Jeff Kitching (the superintendent of Plainville Schools) and myself where (b)(6); (b)(7)(C) apologized about giving out my telephone number. I would like to make a formal complaint against (b)(6); (b)(7)(C) School f (b)(6); (b)(7)(C) Connecticut concerning the violation of our FERPA rights. Please feel free to contact me at (b)(6); (b)(7)(C)

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

Sincerely,

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



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

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

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

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

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

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



### 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) University

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

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

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

(b)(6); (b)(7)(C) Certificate, Continuing and Community  
Education Director

(Continued on next page.)



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

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

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

See attached.

Multiple horizontal lines for writing.

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

See attached.

Multiple horizontal lines for writing.

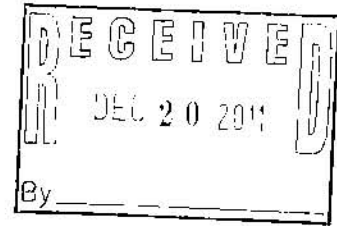
9. Complainant's signature:

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

Date

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

November 16, 2011



**Via U.S. Mail**

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

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

To Whom it May Concern:

I am writing regarding (b)(6); University's violation of the Family Educational Rights and Privacy Act ("FERPA"). I am currently enrolled as a doctoral student at (b)(6); University. I am over the age of eighteen and have standing to file this complaint with your office.

On or about August 25, 2011, my educational records, including my personal address and e-mail address, were improperly disclosed to a third party for the sole purposes of eliciting accusations of harrasment against me. (b)(6); (b)(7)(C) Certificate, Continuing and Community Education Director at (b)(6); University (b)(6); (b)(7)(C) sent my personal information and a copy of the (b)(6); (b)(7)(C) a manual that I am currently working on as a part of my doctoral thesis, to (b)(6); (b)(7)(C) without my authorization or consent. (b)(6); (b)(7)(C) is a third-party who resides in San Diego, California, and is not a faculty or staff member at (b)(6); As a result of Ms. (b)(6); (b)(7)(C) actions, Mr. (b)(6); (b)(7)(C) sent me harassing e-mails and letters regarding my (b)(6); (b)(7)(C) manual. I did not learn that Ms. (b)(6); had sent my personal information and educational work product to Mr. (b)(6); (b)(7)(C) until Mr. (b)(6); (b)(7)(C) contacted me on August 25, 2011. Attached as Exhibit A is a copy of the letter I received from Mr. (b)(6); (b)(7)(C)

On August 30, 2011, I received the attached letter (Exhibit B) from (b)(6); signed by Ms. (b)(6); (b)(7)(C) as an attempt to undo the damage caused by (b)(6); (b)(7)(C) blatant violation of FERPA. The apology does not undo the distress that (b)(6); has caused me. There is no guarantee that a third-party residing in California did not make copies of my manual or of my personal information, and will not contact me again.

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

cc:

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

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







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

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

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

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

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

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

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

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

January 30, 2012

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-8520



Dear Sir:

Non-consensual release of information to a third party of the *final results* of a disciplinary proceeding including the name of the alleged perpetrator, the violation committed, and any sanction imposed against the alleged perpetrator related to a crime of violence, (assuming an indictment on felony death by vehicle would be considered a crime of violence according to FERPA regulations,) given that the student who is the alleged perpetrator is found to have violated the school's rules or policies, is an appropriate and approved action on the part of the educational institution via the conduct officer. My question addresses the release, by the conduct officer, to a non-complainant third party as to the identity of the student and the date, time, and location of a disciplinary hearing prior to its occurrence. Is this a violation, according to FERPA, on the part of the conduct officer?

Thank you

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

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

Family Policy Compliance Office  
U.S. Department of Education  
600 Independence Avenue, SW  
Washington, D.C. 20202-4605  
12/10/2012

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

The nature of the complaint is as follows:

Challenge to Record or Content that is;

inaccurate  
misleading  
incomplete  
√ inappropriate

Record challenged may be identified as: IEP and Behavioral Plan Records

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

Date challenged content discovered: 12/23/2011

Alleged Violations of Act or Regulations:

failure to provide notification of all rights (totally or in needed language)  
failure to publish local access and hearing procedures  
inappropriate person(s) grant denied access  
failure to provide interpretation assistance as requested  
failure to provide requested hearing  
failure to provide uninvolved hearing officer  
failure of hearing officer to provide written opinion within reasonable time  
√ inappropriate sharing of confidential information

(b)(6); (b)(7)(C) called another student's parent and disclosed confidential information about  
(b)(6); (b)(7)(C) contained in his IEP ,Behavioral Plan, and School Records.

Date of Violation: 12/22/2011

Date Violation Discovered if different from above: 12/23/2011

Sincerely,

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

12/12/2012

Supervisor of Complaints

FERPA Office

U.S. Department of Education Room 40174 Switzer Building

400 Maryland Avenue, S.W.

Washington DC 20202-6186

Re: Denial access to school records

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

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

Dear Sir or Madam:

My son (b)(6); (b)(7)(C) is a student at (b)(6); (b)(7)(C) school. I asked to see the score from a test administered to him by (b)(6); (b)(7)(C). On October 19, 2012 I received a reply from (b)(6); (b)(7)(C) (assistant principle), informing me that I could not see the score from the test administered to my son.

I believe that this is a violation of my parental rights under the Family Educational Rights and Privacy Act, 20 U.S.C. 1232 (g). This letter is my complaint.

Please investigate my complaint and let me know about your findings within a reasonable amount of time. You can contact me at (b)(6); (b)(7)(C) (cellular number) during normal business hours. Thank you for your help with getting access to my child's records.

Sincerely,

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



TO: Archdiocese of New York  
Re: Formal Complaint

I, (b)(6); (b)(7)(C) Mother of (b)(6); (b)(7)(C) student at (b)(6); (b)(7)(C) School, (b)(6); (b)(7)(C) am writing this letter to you as a Formal Complaint against (b)(6); (b)(7)(C) (Spanish), (b) grade Teacher.

Both of my daughters attend (b)(6); (b)(7) and have been on the honor roll every year of attending school. Neither one of my girls has had any suspensions, have always been on their best behavior even winning science and art fairs every year.

(b)(6); (b)(7)(C) has been subjecting Me and My daughter, (b)(6); (b)(7) to Cruel, Inhuman, Mental and Physical, Prejudicial and disrespectful abusive treatment from the start of the school year. When I brought the matters to (b)(6); (b)(7)(C), i was told she would be reprimanded, but in person (b)(6); (b)(7)(C) "always" is confrontational, yelling, speaking loudly and in a "bully type" threatening speech, as everything she says "Happens". Her negative behavior spiraled out of control on a Class trip to Medieval Times where i chaperoned 5 fifth grade students including my daughter from (b)(6); (b)(7)(C) class on May 16, 2012.

The 5,6,7, and eighth grade students went and my daughter went with her class, she sat with her class in medieval times. The show consists of "Jousting" and the girls being "fair ladies". The knight placed a handkerchief on the pole and asked my daughter if she wanted it, she said yes, he asked the girl next to her if she wanted it she stated yes! the knight held out the handkerchief and my daughter grabbed it first. (b)(6); (b)(7) went over to my daughter and told her to give it to (b)(6); (b)(7) (spanish) because the knight was talking to her, then walked up to my daughter and taunted in her ear that she was a bully, and my daughter was extremely hurt by this, I was told this after the show, cause I asked to see the handkerchief and she stated that her teacher forced her give it to another student. I asked why. I Stated I will ask (b)(6); (b)(7) why would she take something from a student to give to another. (She picked on my daughter intentionally knowing (b)(6); (b)(7) is softhearted and kind).

We were about to leave the premises and I stated, excuse me (b)(6); (b)(7) can I ask you a question? She said "GO ahead" with attitude. I asked why would she snatch something from my daughter to give to another student, and then call her a bully and "teachers do?". She yelled at the top of her voice, "I didnt snatch nothing from my daughter". I turned around to look at my kids I was chaperoning and turned back FOUR FINGERS WERE TOUCHING MY FACE. i told her to immediately get out of my face and who do she thinks shes addressing like that, Im 4 her student. She began to get irate keeping her hands in my face, so i put my hand up in the air to remove her hands and i said to her " Do you think this is in front of all these kids, "She stated and quote" I DONT GIVE A S about your educational approach and this is not the educated thing to do, she stated quote:" I GOT MORE EDUCATION THAN YOU!!!" i was looking around at all the kids that i was chaperoning and because I am the black person If i say

everybody will turn their phones on. She continued to rant and said aloud and I quote: "YOU NOT FUCKING GOING ON THE SENIOR TRIP AND NEITHER IS YOUR FUCKING DAUGHTER". and by this time the teachers were surrounding her as if I had done something to her, and i did was remain quiet and i was enraged at the same time, My daughter (b)(6); (b)(7) was screaming and crying in embarrassment that Her teacher was disrespecting her MOM. I put (b)(6); (b)(7) on the bus with me, (b)(6); (b)(7) didnt even come to the Bus to assure if her student was on the bus with me or not. neither did she confer with any of the teachers of (b)(6); (b)(7) whereabouts. I must admit i was frantically upset and spoke to the Superintendent and the Principal while i was on the bus, and i was frantically repeating everything (b)(6); (b)(7) has said tome. Me and (b)(6); (b)(7) were on separate buses roundtrip, and the entire ride back to the school, I was in a "RAGE"...explaining on two cell phones what this teacher had said and done and what she was threatening me with. The kids heard me, and told their parents i was cussing on the bus, this is what Mr. (b)(6); (b)(7) stated to me. Mrs. (b)(6) cursed me out in front of hundreds of kids and put her hands BODY CONTACT on my face. But yet the principal stated i maintained no self control on the bus. All I was doing reporting what was done to me!

My daughter is graduating this year. This is supposed to be the memory of a lifetime for her. I paid 250.00 for senior dues plus 100.00 for the senior trip. But the only thing my daughter participated in was the Ring Ceremony. My daughter didnt go to the prom because she feels threatened by (b)(6); (b)(7)(C) but smiles. She wont go on the senior trip since i was told I could not go on May 17, by Mr. (b)(6); (b)(7) when on May 16 he assured me that I still would be going on the Senior Trip. My daughter is suffering mentally even waking up in the Middle of night screaming out her teachers name, saying NOooo..Mrs. (b)(6); (b)(7)(C). My daughter has been in (b)(6); (b)(7)(C) for Five years her attitude and behavior in this school is spotless, she is over kind and shy. My daughter is no bully, she has exzema and when she entered the school (b)(6); (b)(7) was not accepted by her peers due to exzema on her face and mouth,(it was black) but never the less she triumph and excelled in her grades. She is a black/indian student in a majority spanish school, they would barely talk to her and when it came to subject and science projects, she had to do them on her own or the teacher would pair her with an african student, or with one spanish student, who didnt want to be. I have watched Mrs. (b)(6); (b)(7)(C) threaten and bully students for yeas and would always say to her "Dont you think that will make a student fail, when they feel threatened all the time".. She always stated "it was her class and shes the Asst principal what she says goes". I knew for a long time that (b)(6); (b)(7)(C) didnt favor me or my children, she showed it everytime I was in her presence; due to the fact that my brother is "(b)(6); (b)(7)(C) the celebrity rapper and the ill commènts she made about my family

I would disregard and label her a "hater/groupie". I even invited her granddaughter (b)(6); (b)(7) to my ten year old Luxe party, as a way to say "we can get along" .

As of May 30, 2012 I was informed by Mr. (b)(6); (b)(7) I will be refunded only 100 for the senior trip, and due to way i said things on the bus around the kids, the parents of the kids reported the "black girl". Like i said I only stated what was said to me. I remained

Teachers in the school system who get away with all kinds of disrespectful behavior to students who are black, in the minority community.

I plead with you today to do something, say something... Please help to resolve this matter. Please feel free to contact me at (b)(6); (b)(7(C))

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

**Respectfully Submitted**

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

JESSE L. JACKSON, JR.  
2ND DISTRICT, ILLINOIS

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:  
LABOR-HEALTH AND  
HUMAN SERVICES EDUCATION  
FOREIGN OPERATIONS, EXPORT FINANCING  
AND RELATED PROGRAMS

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-1302**

OM/OCR  
TK

June 11, 2012

Ms. Gabriella Gomez  
Assistant Secretary  
Legislative and Congressional Affairs  
U.S. Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202

VIA TELEFAX

Dear Secretary Gomez:

I write on behalf of my constituent, (b)(6); (b)(7)(C) of (b)(6); (b)(7)(C) telephone number is (b)(6); (b)(7)(C)

In 2009, (b)(6); (b)(7)(C) filed two complaints with the Department of Education, including complaint number 1459 related to the Family Educational Rights and Privacy Act, and a complaint that was assigned docket number 05-09-1295 by the Office of Civil Rights.

In a letter dated January 31, 2012 from the Department of Education's Office of Management, Mr. (b)(6); (b)(7)(C) was informed that complaint number 1459 had been reassigned to Mr. (b)(6); (b)(7)(C) that the complaint would be reviewed, and a written response provided. As of the present date, Mr. (b)(6); (b)(7)(C) has received no response.

With regard to docket number 05-09-1295, Mr. (b)(6); (b)(7)(C) received a letter dated April 10, 2010 from Special Assistant to the Deputy Assistant Secretary, Mr. Stephen T. Cramolini. Mr. Cramolini said that his office would review the complaint's closure to determine whether it conforms with the laws and regulations enforced by the Office for Civil Rights. He further stated that Mr. (b)(6); (b)(7)(C) should receive a final determination within 180 days. As of today, Mr. (b)(6); (b)(7)(C)

2419 RAYBLANK HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-1302  
(202) 225-0773

7121 S. YATES BLVD.  
CHICAGO, IL 60649  
(773) 734-9000

17921 SOUTH HALSTED  
HOMERWOOD, IL 60430  
(708) 798-8000

THIS MAILING WAS PREPARED, PUBLISHED, AND MAILED AT TAXPAYER EXPENSE

Ms. Gabriella Gomez  
June 11, 2012  
Page Two

has not received the additional correspondence as described. Mr. (b)(6) seeks final determinations regarding both of his complaints.

I respectfully request that you provide full consideration to Mr. (b)(6); (b)(7) request consistent with applicable law, and please respond to my Director of Constituent Services, Ms.

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

Thank you in advance for your assistance and cooperation in this matter. I look forward to receiving your reply.

Sincerely,

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

Jesse L. Jackson, Jr.  
Member of Congress

JLJJr.;Ad:ad

Enclosures

December 21, 2012

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

Hello,

I need assistance in getting a copy of school records for my son in a public school. I have made five requests for his records over a period of 8 months and have still not received them.

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

It is part of the Boulder Valley School District.

A copy of the email trail is attached. They provided me with a very incomplete set in May. I was subsequently very clear that I did not receive a complete set and they have refused to provide them.

Sincerely,

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

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

December 14, 2012 7:30:24 PM MST

To:

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

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

I am once again requesting copies of (b)(6); (b)(7)(C) files. Of my initial request, the only item I received was a copy of the threat assessment.

I have the right to see (b)(6); files. This is my 5th request over a period of over 6 months. If you continue to delay in sending them, or if you send an incomplete set, I will take appropriate administrative action. I'm sorry to have to say that, but there doesn't seem any other way to get the copies.

Sincerely,

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

- the files (b)(6); (b)(7)(C) compiled
- (b)(6); discipline file
- any communications with the SRO or other authorities
- any orders to the aide; she was ordered to "not let (b)(6); out of her sight" and that resulted in a female aide accompanying (b)(6); inside the boy's restroom and standing outside his stall
- communications with (b)(6);
- any evaluations of (b)(6); (b)(7)(C)
- other files about (b)(6);

On Nov 30, 2012, at 7:23 PM, (b)(6); (b)(6); wrote:

Hello (b)(6);

As indicated in my June 10 email, what was in the envelope I got the day of the manifestation review included a copy of the IEP and the threat assessment and nothing else. I just rechecked my file, which has the envelope I received that day, and that is what I got.

(b)(6);

On Nov 30, 2012, at 9:53 AM, (b)(6); (b)(7)(C) wrote:

Hello (b)(6);

Here is the response from (b)(6); (b)(7)(C). We would be very happy to supply you with an additional copy of what you were given at the meeting referenced in (b)(6); (b)(7)(C) email. I understand from (b)(6); that the file that you received at that time was a complete compilation of her files and Steve's files. Please let me know if you have a different understanding.

Thanks,

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

----- Forwarded message -----

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

Date: Fri, Nov 30, 2012 at 9:44 AM

Subject: Re: Copies

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

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



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

The last meeting we had with (b)(6); (b)(7) both his lawyer and the district lawyer, Varda, the Manifestation facilitator, (his name escapes me right now) you and (b)(6). I handed a copy to (b)(6) or his lawyer, (I can't remember which one took it from across the table). It was a timeline of notes I had compiled. There should also be a copy in Mile's case manger file I gave to (b)(6); (b)(7) to send to (b)(6); (b)(7) because they took over for the transition part of the move to (b)(6); (b)(7). Any information from when (b)(6); (b)(7) was here that I documented should be in that file. I understood (b)(6); (b)(7) had also given him a copy of the disciplinary records at the Manifestation meeting. Those should be in the office if he needs another copy. Regarding notes to the temporary Para Pros, if there were any notes, they would be in the file. I recall (b)(6); (b)(7) myself, or (b)(6); (b)(7) would explain to each new Para Pro that was assigned to (b)(6); (b)(7) what they needed to do and I never told any of them that one-on-one supervision meant following him into the boys bathroom. I did explain they needed to be able to have him in sight when he was in the hallways, including as he traveled between classes.

Thanks,

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

On Fri, Nov 30, 2012 at 8:15 AM, (b)(6); (b)(6); (b)(7); (b)(6); (b)(7)(C) wrote:  
Hello (b)(6); (b)(7)

I will communicate with (b)(6); (b)(6); (b)(7) today on this matter and make sure that she sends you any records that she may have that you have not yet been sent. I am not aware that she has any additional records that you don't also have, but I will review that with her. I will also review the disciplinary records and any other records that we may have in the office. (b)(6); (b)(6); (b)(7) is not longer at Manhattan, so I am unsure as to what he has or has not sent to you.

Thank you and I hope that you and your family are doing well.

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

On Thu, Nov 29, 2012 at 6:23 PM, (b)(6); (b)(7)(C) > wrote:  
Hello (b)(6); (b)(7)

I never received any of these copies or indeed any reply from either (b)(6); (b)(7) or (b)(6); (b)(7). My initial request for (b)(6); (b)(7) records was over 180 days ago. I still want copies of these records. I also never received a copy of the minutes from the manifestation hearing.

Sincerely,

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

On Jun 11, 2012, at 9:22 AM, (b)(6); (b)(6); (b)(7) wrote:

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

I understood from both (b)(6); (b)(7) and (b)(6); (b)(7) that you had been provided with this information. (b)(6); (b)(7) and (b)(6); (b)(7) can you please confirm that you sent/gave the information to (b)(6); (b)(7). If you haven't, please send it to him ASAP.

Thank you,

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

On Sun, Jun 10, 2012 at 6:52 PM, (b)(6); (b)(7)(C) > wrote:  
Hello (b)(6); (b)(7)



I again request copies of (b)(6); (b)(7)(C) files from his time at Manhattan. You did not comply with my request on April 30. I received a copy of his IEP and eventually the threat assessment (after more than 5 days) but nothing else. I did not receive copies of either the records compiled by (b)(6); (b)(7)(C) or the discipline file. Please send, but not limited to,

- the files (b)(6); (b)(7)(C) compiled
- (b)(6); (b)(7)(C) discipline file
- any communications with the SRO or other authorities
- any orders to the aide; she was ordered to "not let (b)(6); (b)(7)(C) out of her sight" and that resulted in a female aide accompanying (b)(6); (b)(7)(C) inside the boy's restroom and standing outside his stall
- communications with (b)(6); (b)(7)(C)
- any evaluations of (b)(6); (b)(7)(C)
- other files about (b)(6); (b)(7)(C)

Also, I want it in (b)(6); (b)(7)(C) permanent record that the threat assessment of (b)(6); (b)(7)(C) contained numerous and serious falsehoods and innuendo. The majority of answers on the threat assessment were either incorrect or misleading.

Sincerely,

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

Begin forwarded message:

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

I am happy to ask (b)(6); (b)(7)(C) to make you a copy of the threat assessment, no problem. We can also supply you with a copy of the other files. Thursday at 11am works fine for us for the manifestation. I also received confirmation from our BVSD attorney that she can attend at that time as well. See you then, and I will ask Steve to provide you will the documents that you have requested at that time. Does that work for you?

Thanks,

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

On Mon, Apr 30, 2012 at 6:41 PM, (b)(6); (b)(7)(C) <(b)(6); (b)(7)(C)> wrote:  
Hello (b)(6); (b)(7)(C)

I would like a copy of the threat assessment on (b)(6); (b)(7)(C). I requested a copy on April 24 but I have not yet received it.

I would also like copies of the records that Sarah Hultgren has compiled about (b)(6); (b)(7)(C) and a copy of his discipline file.

Thank you

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

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

December 18, 2012

Family Policy Compliance Office  
United States Dept. of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

Re: Written Complaint of Privacy Violation

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

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

Dear Sir or Madam:

Please accept my written complaint of my civil rights and privacy being violated by a tenured History Professor, (b)(6); (b)(7)(C) at the University of (b)(6); (b)(7)(C). Today, I met with the Interim Dean, Mr. (b)(6); (b)(7)(C) and another student who verified the occurrence of the disclosure and discussion of my grades and my academic work and me personally in a defamatory manner. Moreover, my mother, (b)(6); (b)(7)(C) spoke with the Interim Dean who did acknowledge that a file and his notes would be maintained on this matter. Yet, he stated that his "hands were tied, due to the professor being a tenured professor."

I respectfully request your investigation into this matter.

Regards,

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

Post Office Box 226  
Olanta, SC 29114  
December 19, 2012

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

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

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

Dear Sir:

Thank you for allowing, me, as well as another fellow student in my class, to meet with you yesterday and discuss our concerns about the grading, and discrimination experienced throughout this course. Taking one afternoon of our Christmas holiday, loaded with all our documentation, demonstrates our continued concern and initiative that further investigation is needed. As discussed, our class ended with only five students in it. This fact will support and confirm that other students found some problem or difficulty too. How can U (b)(6) afford to maintain courses with a continued pattern of few students as well as students that do not learn and excel?

Moreover, I have allowed my mother to become involved after the violation of my privacy on Friday, December 14, 2012. You were sent a message and called me shortly afterward. My fellow colleague confirmed this event in our meeting, and I am still concerned that even though this professor has tenure, you stated that your hands were tied, as per University of (b)(6); (b)(7)(C) policy.

Yet, with the holidays approaching, please accept this letter that I would like to appeal the final grade received in this course, and notify you in writing that I request an immediate investigation into the violation of the FERPA law and discrimination. Please forward me any forms that must be completed to begin the appeal and investigation. The disclosure and discussion of me, and my grades should never have occurred with this student. I consider it a defamation of my character. Your intended action of talking to the professor over the holidays or at the beginning of the next term is not a successful resolution to this matter.

In advance, thank you for your urgent investigation into these matters.

Respectfully submitted,

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

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

Office of Equal Opportunity Programs, U (b)(6)

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

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

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

December 19, 2012

**Via Certified Mail, Return Receipt Requested and Regular U.S. Mail**

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

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

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

I am writing as attorney for the (b)(6); (b)(7)(C) School for Success. It has come to our attention, that one of your leaders, employees, or consultants, contractors or vendors, or a third party, is supplying you with confidential student information of the (b)(6); (b)(7)(C) School for Success (b)(6); (b)(7)(C). You are contacting parents and students of (b)(6); (b)(7)(C) with knowledge of confidential student information. You are quoting data and information unknown to the public and protected by privacy laws. Such actions violate both state and federal laws. We have also received complaints from our parents and students about your blatant use of this information for targeted recruitment of special education students. Such violations are more than unbecoming, unethical, and illegal.

Please cease immediately using whatever source you are using to obtain such private information and have your attorney contact me with such assurances as soon as possible.

Very truly yours,

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

cc: Ohio Department of Education (Attn: P.R. Casey)  
Office of Community Schools (Attn: (b)(6); (b)(7)(C))  
New Philadelphia School District (Attn: (b)(6); (b)(7)(C))  
Family Educational Rights and Privacy Act Compliance Division

# Family Educational Rights And Privacy Act (FERPA) Complaint Letter

☰ Related pa

- FERPA
- Getting School Records
- Correcting School Records
- Individual State Statutes

Use this form letter to file a complaint with the Family Policy Compliance Office when your child's school doesn't comply with FERPA. Examples of non-compliance with FERPA include refusal to provide access to school records, providing incomplete school records, or refusal to recognize your rights as a parent. Modify the letter to fit your circumstances if necessary, then mail it 'Certified' with 'Return Receipt Requested' to the address shown at the bottom of this page. Send a copy to your attorney and make sure you keep a copy for your records as well.

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

December 21, 2012

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

**RE: School In Violation Of FERPA**

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

- Inappropriate maintenance of records/content  
 A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

**Challenge to Record or Content**

- Inaccurate  
 Misleading  
 Incomplete  
 Inappropriate

**Record challenged may be identified as:**

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

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

- \_\_\_\_ Failure to provide notification of all rights (totally or in needed language)  
\_\_\_\_ Failure to publish local access and hearing procedures  
 Inappropriate person(s) grant denied access  
\_\_\_\_ Failure to provide interpretation assistance as requested  
\_\_\_\_ Failure to provide requested hearing  
\_\_\_\_ Failure to provide uninvolved hearing officer  
\_\_\_\_ Failure of hearing officer to provide written opinion within reasonable time  
\_\_\_\_ Inappropriate sharing of confidential information  
\_\_\_\_ Other: \_\_\_\_\_

Date of Violation: 9/18/2012 to Current \_\_\_\_\_

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

**Other Relevant Information:**

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

I have requested tracking documentation/work samples several times this school year for my son, (b)(6); (b)(7)(C) student at (b)(6); (b)(7)(C) School.

- 09/18/2012 1:29 p.m. - Email to (b)(6); (b)(7)(C) (original tracking teacher)
- 09/24/2012 12:40 p.m. - In person meeting with (b)(6); (b)(7)(C) (original tracking teacher/Math teacher), (b)(6); (b)(7)(C) (District READ180 Coordinator) and (b)(6); (b)(7)(C) (Special Education Coordinator/tracking teacher) When I requested work samples to prove progress I was told "tracking data has never left the campus" - (b)(6); (b)(7)(C) Even though the IEP documentation in place stated my request to received data every two weeks, I was told by Ms. (b)(6); they "don't send out data that often as teachers collect data twice a week and turn that in to her at the end of the six weeks."
- 10/17/2012 @ 8:48 p.m. - Email to (b)(6); (b)(7)(C) (Special Education Coordinator/tracking teacher) - request for data, IEP Progress reports and supporting data.
- 10/22/2012 @ 9:33 a.m. - Email to (b)(6); (b)(7)(C) (Special Education Coordinator/tracking teacher), cc'd: (b)(6); (b)(7)(C) (Principal) and (b)(6); (b)(7)(C) (Diagnostician) - regarding previous email request dated 10/17/2012 for supporting data.
- 10/31/2012 2:28 p.m. - Email to (b)(6); (b)(7)(C) (speech teacher) request for

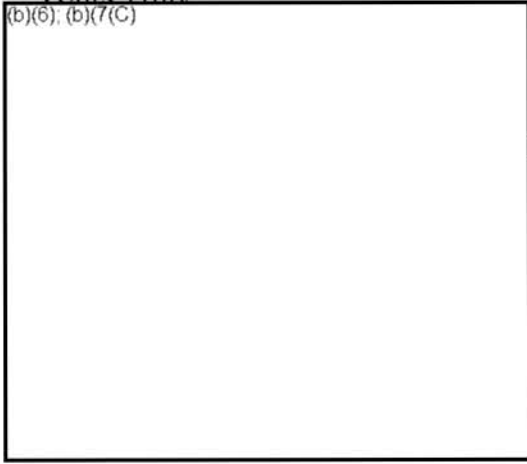
first six weeks IEP Progress reports.

- 11/01/2012 - Call to (b)(6); (b)(7)(C) (CFISD Legal Dept.) I explained that I have tried to get documentation from the first 6 weeks but have been told by Ms. (b)(6); (b) that she is having trouble with the new program. I explained that I am just looking for copies of data not numbers. (After this I was provided with copies from my son's cumulative folder which did not provide work samples.)
- 11/07/2012 1:34 p.m. - Email to (b)(6); (b)(7)(C) (former tracking teacher/math teacher) included request for graded work to be sent home. "I have only received two since the beginning of school and as we discussed in today's IEP meeting, I requested all graded papers be sent home."
- 11/20/2012 1:03 p.m. - Email to (b)(6); (b)(7)(C) (Special Education Coordinator/tracking teacher) - "Unfortunately, I did not find copies of the data you used to generate the reports and printouts. Since (b)(6); (b)(7) work is being kept at school, getting copies of the data (b)(6); (b)(7) work samples that back up his report card grades, his IEP progress reports and READ180 reports is vital."
- 11/29/2012 3:38 p.m. - Email to (b)(6); (b)(7)(C) (speech teacher) requesting data - "I have not received any data as stated on the IEP Progress report under Other: data collection. Please send copies of the data used to calculate the new percentages."
- 12/03/2012 12:40p.m. Informal meeting outside the school clinic, (b)(6); (b)(7) (b)(6); (b) (Special Education Coordinator/tracking teacher) stated that she got my email and is not ignoring me regarding data collection of how we got to where we are and she'd send home printouts. (work samples were not provided).
- 12/05/2012 1:05 p.m. - Email to (b)(6); (b)(7)(C) (speech teacher) repeat of previous email dated 11/29/2012 3:38 p.m.
- 11/30/2012 7:56 a.m. - Email to (b)(6); (b)(7)(C) READ180 substitute/LA teacher) request for SRI Testing and score.
- My request for READ180 data, data collection and all graded work can also be found on the 11/07/12 IEP meeting minutes under the heading Additional Deliberations, paragraph two which states:
- "...The parent requested READ 180 data and (b)(6); (b)(7)(C) will provide this information to her. The parent has also requested data collection. Mrs. (b)(6); (b)(7)(C) has requested that all graded papers come home with (b)(6); (b) so that she can review his work and his grades."

As of today, I am still waiting to receive the data used to calculate the progress on the IEP progress reports and report card as well as work samples.

Yours Truly

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



\_\_\_\_\_

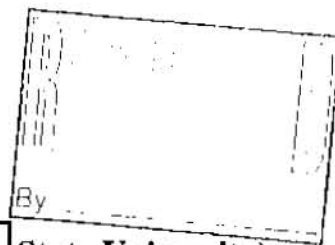
Print it out, fill it out, then mail it (**certified, of course with Return Receipt Requested**)  
to the following address:

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



**FERPA Complaint**  
**Against** [REDACTED] **State University**

**By** [REDACTED] **(currently a student at** [REDACTED] **State University)**



This complaint sets out five violations of the Family Educational Rights and Privacy Act (“FERPA”) that relate to a disciplinary proceeding instituted by instructor [REDACTED] (“Heard”) against [REDACTED] is currently enrolled at [REDACTED] State University and was enrolled at the time of the violations described below. FERPA generally prohibits a school from disclosing “personally identifiable information” from a student’s “education records” to a third party unless that student has provided prior written consent. 34 CFR § 99.30. While there are exceptions to this general prohibition, none of the exceptions are applicable to this case. The repeated violations of FERPA by the university evidence a callous indifference to the privacy rights of its students. Other than the initial unauthorized disclosure, all the FERPA violations set forth below occurred subsequent to [REDACTED] reminding the university of its FERPA obligations.

The term “education records” is broadly defined as “those records that are: (1) Directly related to a student; and (2) Maintained by an educational agency or institution or by a party acting for the agency or institution.” A “record” is defined as “any information recorded in any way, including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.” 34 CFR § 99.3. The court in *United States v. Miami University*, 294 F.3d 797 (6th Cir. 2002), explicitly held that a student disciplinary record is an education record and therefore subject to FERPA’s general prohibition on disclosure without the written consent of the student. The term “Personally Identifiable Information” is defined in 34 CFR § 99.30 and the term includes a “student’s name.”

**I. Overview of FERPA Violations**

1. Heard disclosed personally identifiable information from [REDACTED] education records to other students without [REDACTED] written consent pursuant to an April 22, 2012 group email (see detailed description below) that inferred that these students cheated. The names and email addresses of the students who received this email were disclosed to all students in this group. Heard subsequently made the cheating allegation explicit when he disclosed to the class that a group of students cheated on a take home assignment and he was assigning the grade of zero to these students. As a result of his actions, all students who received the group email knew the identity and email addresses of the students in this group that Heard was accusing of cheating and who received a grade of zero. To protect the privacy of the affected students, we are not disclosing the names of these students in this complaint. The education records

disclosed related to Heard's cheating allegation against (b)(6); ( and the fact that he was giving (b)(6); ( a grade of zero (described below).

2. In a report dated April 25, 2012 in which Heard instituted disciplinary proceedings against another student, Heard failed to redact (b)(6); name and therefore disclosed to this student (b)(6); (b) identity and the fact that Heard was instituting disciplinary proceedings against (b)(6); on Heard's cheating allegation (see detailed discussion below). This student could also easily infer that (b)(6); received a grade of zero on this assignment if he did not make this inference from the group email dated April 22, 2012. This student picked up this report on approximately April 27, 2012. We do not know how many other students, if any, received their disciplinary report in which Heard failed to redact (b)(6); (b) name.
3. When (b)(6); ( picked up Heard's disciplinary report on April 27, 2012, (b)(6); could easily observe the identity of other students against whom the university were instituting disciplinary proceedings. These reports were laid on a table that could be viewed by any person who walked by the table. We do not know the university official responsible for these disclosures nor the identify of the third parties who received this information. While we do not know how often the room containing the table was unattended, we do know that students involved in the disciplinary process walked by the table to retrieve their report and these students could see the names of other students on folders that contained these confidential reports.
4. While (b)(6); (b) agreed to a joint disciplinary hearing with another student, he did not give his written consent to such a joint hearing. The hearing occurred on June 13, 2012. Mr. (b)(6); (b)(7)(C) the hearing officer, was the university official responsible for ensuring that this written consent was obtained.
5. (b)(6); (b) father attended the joint disciplinary hearing as an observer. The university failed to obtain the written consent of (b)(6); ( and the other student for (b)(6); (b) father to observe the proceeding. The hearing occurred on June 13, 2012. Mr. (b)(6); (b)(7)(C) the hearing officer, was the university official responsible for ensuring that this written consent was obtained.

## II. Facts

On April 22, 2012 at 9:21 PM, Heard, an instructor at (b)(6); (b)(7)(C) State University, sent the following email to a group of students in his class entitled "(b)(6); (b)(7)(C) Systems" ((b)(6) 406) with respect to a take home coding assignment.

I would like to talk to each of you, individually, about similarities that I've found in your code. Please provide some times when you could be available over this next week (by phone or in person) and the best way to contact you.

This email was sent to (b)(6); ( and several other students whose names and email addresses were clearly identifiable in the email. Subsequent to sending this email, (b)(6); announced in class that he caught several students cheating on a take home assignment and that as a result these students were receiving a grade of zero. Mr. (b)(6); proceeded to institute disciplinary proceedings on April 25, 2012 against these students. Because the names and email addresses were included in the April 22, 2012 group email, these students knew the names and email address of other students who (b)(6); charged with a disciplinary violation. When confronted by (b)(6); ( regarding FERPA, (b)(6); admitted to (b)(6); ( that he sent the group email for convenience but it probably violated FERPA.

On April 26, 2012, Stephen W. (b)(6); ( (b)(6); (b)(7) Father”), father of (b)(6); ( and an attorney, sent a letter to (b)(6); ( that referenced the April 22, 2012 group email, elaborated on FERPA, requested that (b)(6); ( “immediately cease and desist from disclosing to third parties” his allegations regarding (b)(6); (b)(7) alleged cheating and requested the university’s form to file a FERPA complaint. The very next day (April 27, 2012), (b)(6); ( sent an email to (b)(6); ( requesting that he pick up the report that he filed to initiate disciplinary proceedings. When another student (identified in the April 22, 2012 group email) picked up (b)(6); (b)(7) report initiating disciplinary proceedings against him, he saw that (b)(6); (b)(7) name was not redacted in his report. As a result, the university clearly disclosed to this student the fact that (b)(6); ( had instituted disciplinary proceedings against (b)(6); ( and this student could easily infer that (b)(6); ( had received a grade of zero on the assignment.

When (b)(6); ( went to retrieve (b)(6); (b)(7) report against him on April 27, 2012, he could clearly see the reports filed against other students lying on a table. Even after the university was made aware of potential FERPA violations, the university failed to exercise caution to preclude future FERPA violations. In total disregard of the privacy of the affected students, the university left the disciplinary reports lying on a table for other students to peruse and to learn the identity of the students charged by (b)(6); (

On April 27, 2012, (b)(6); (b)(7) Father sent an email to (b)(6); ( (copied to other university officials) that set forth the following:

Mr. (b)(6); (

Yesterday, I sent you an email with a letter attached that stated the following: On behalf of my son and client, (b)(6); (b)(6); (b)(6); ( I request that you immediately cease and desist from disclosing to third parties your assertions that my son cheated on the above described project. Since the Family Educational Rights and Privacy Act (“FERPA”) is a federal law, I do not need to demand that you cease and desist from violating federal law. Unbelievably, you proceeded to violate the law again after receiving my email. This morning you sent my son and other students an email informing them to pick up the charges that you have alleged. Since you failed to redact my son's name in the other students' packets, you have shown a callous disregard of the law and the rights of your students. While I

should not have to tell you this, I demand that you immediately redact my son's name before other students pick up their packet. Each additional disclosure is a violation of FERPA.

In response to (b)(6); (b) Father's letter dated April 26, 2012 (a Thursday) and email dated April 27, 2012 (a Friday), (b)(6); (b)(7)(C) (Assistant General Counsel of the Office of General Counsel for (b)(6); (b)(6); (b)(6) State University) sent a letter dated April 30, 2012 (a Monday) to (b)(6); (b) Father setting forth the following:

Our office has reviewed your allegations, and relevant emails, and found that no FERPA violation occurred. At no point did Mr. (b)(6); (b) provide your son's grade to other students. Moreover, no other identifiable student information was provided in Mr. (b)(6); (b) subsequent emails, and each student received separate individualized emails concerning his/her matter.

The quick response by (b)(6); (b) belies the fact that the university conducted a thorough review of the relevant facts and the university's FERPA compliance procedures. In fact, the facts set forth in his letter were incorrect. It is not clear whether (b)(6); (b) admitted that (b)(6); (b) disclosed identifiable student information in the initial group email when he stated that "*no other* identifiable student information was provided in Mr. (b)(6); (b) *subsequent emails* [emphasis added]." The fact is that the group email followed by (b)(6); (b) disclosure to the class that he had assigned a grade of zero to a group of students that he believed cheated resulted in a disclosure to the recipients of this group email that he had in fact assigned a grade of zero to (b)(6); (b). Regardless, the mere fact that (b)(6); (b) sent an email to a group of students (including (b)(6); (b)) inferring cheating by these students constituted a disclosure of an education record without the written consent of the recipients of that group email.

In response to (b)(6); (b) letter dated April 30, 2012, (b)(6); (b) Father sent an email on the same day that set forth the following:

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

As a result of your letter dated April 30, 2012, we are concluding that we have exhausted our administrative remedies with the school. We will therefore proceed with filing a complaint with the Department of Education and consider filing an action pursuant to 42 U.S.C. Section 1983.

Your letter asserts that Mr. (b)(6); (b) sent separate individualized emails concerning these matters to each student. Because I have seen the email, I strongly disagree with your conclusion that "each student received separate individualized emails concerning his/her matter." Instead of sending individualized emails, Mr. (b)(6); (b) sent an email to a group of students and the names of the students were clearly identifiable in this group email.

After receiving my letter, Mr. (b)(6) then delivered his allegations to another student with my son's name clearly identifiable in this other student's packet. Of course, it was identifiable because he left my son's full name in the packet that he delivered to another student. The timing of this second violation suggests that this was done intentionally by Mr. (b)(6).

FERPA is not limited to the disclosure of grades. Nevertheless, because Mr. (b)(6) did not send separate individualized emails as you asserted, each recipient can identify the other students from the group email and therefore, can easily identify students who received a zero.

We should not have to file a grievance procedure for Mr. (b)(6) to re-instate my son's grade. Since many schools do maintain a Faculty Code of Conduct that set out in great detail the instructor's duties regarding grading, I do not understand your assertion that "each faculty member and instructor is held to the highest academic professional and ethical standards" when the school did not take the time to put in writing these standards. Unless the instructor has sole discretion in deciding what constitutes "the highest academic professional and ethical standards," Mr. (b)(6) should reinstate my son's grade immediately without further delay. I also expect Mr. (b)(6) to act professionally and with integrity in objectively grading my son's final examination.

Based on the conclusion in your letter that the school investigated this matter and concluded that there existed no FERPA violation, I will therefore proceed to seek a remedy under FERPA and any other applicable federal or state law.

The gist of (b)(6) disciplinary complaint was that these students cheated because they collaborated even though (b)(6) explicitly sanctioned collaboration but not direct copying in his syllabus for the class. At the subsequent June 13, 2012 disciplinary hearing, (b)(6) admitted that he authorized collaboration on the assignment. Nevertheless, the hearing officer held (b)(6) guilty of the violation in his decision dated June 16, 2012 on the grounds that (b)(6) limited collaboration to higher level discussions (in contrast to coding) even though this fine distinction was not set out in the syllabus nor was it fully articulated by (b)(6) at the hearing.

(b)(6) filed an appeal on June 26, 2012 that included the following detailed description of another FERPA violation committed by Mr. (b)(6) (the hearing officer) even though the hearing officer elaborated on the mandates of FERPA at the hearing and presumably knew of (b)(6) prior allegations of the university failure to follow FERPA:

Mr. (b)(6) is reserving his rights regarding the school's multiple violations of FERPA, including violations that occurred during the conduct of the hearing. There is no doubt, as Mr. (b)(6) stated at the hearing, that the Family Educational Rights and Privacy Act ("FERPA") applied to the disciplinary proceeding. Therefore, in order for there to exist a joint proceeding with the

hearing officer announcing the results to all those at the hearing and for an observer to attend and observe the proceedings and the results, Mr. (b)(6) was required to obtain a written consent specifying what may be disclosed to whom. The consent had to be in writing, signed and dated as set forth below in 34 CFR 99.30:

§ 99.30 Under what conditions is prior consent required to disclose information?

(a) The parent or eligible student shall provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from the student's education records, except as provided in § 99.31.

(b) The written consent must:

- (1) Specify the records that may be disclosed;
- (2) State the purpose of the disclosure; and
- (3) Identify the party or class of parties to whom the disclosure may be made.

(c) When a disclosure is made under paragraph (a) of this section:

- (1) If a parent or eligible student so requests, the educational agency or institution shall provide him or her with a copy of the records disclosed; and
- (2) If the parent of a student who is not an eligible student so requests, the agency or institution shall provide the student with a copy of the records disclosed.

(d) "Signed and dated written consent" under this part may include a record and signature in electronic form that --

- (1) Identifies and authenticates a particular person as the source of the electronic consent; and
- (2) Indicates such person's approval of the information contained in the electronic consent.

The FERPA regulations in 34 CFR 99.30 (c)(2)(d) allow electronic signatures if the following conditions are met:

(d) "Signed and dated written consent" under this part may include a record and signature in electronic form that --

- (1) Identifies and authenticates a particular person as the source of the electronic consent; and



(2) Indicates such person's approval of the information contained in the electronic consent.

Since the electronic signatures that satisfied the above conditions were not obtained and since no written consent was obtained from the two involved students with respect to the observer, Mr. (b)(6) violated FERPA.

At the beginning of the proceeding, Mr. (b)(6) discussed the mandates of FERPA as follows:

Paul: [1:40] OK. Here's one. Here's another. Here is a third one, which I will keep. OK. A couple basic principles just to get us all on the same page. The first has to do with your privacy rights as students. Each of you is protected by a set of federal regulations known as FERPA, the Family Educational Rights and Privacy Act. Have you (b)(6) that word before?

[Name of Other Student Redacted]: [2:12] Yes.

Paul: [2:13] OK, good. It says two main things that are relevant to our process here. The first thing it says is that students are allowed to have access to their educational record. We can't prevent you from having access to your case file, to any of the information that is in your educational record. That includes things like your transcripts or grades, but also includes your disciplinary record.

[2:39] As a result, prior to the hearing today, each of you should have received a full copy of your case file. Let me know if that's not the case, because that would be a big problem. I'm pretty sure that each of you has.

[2:54] In addition, you'll notice that today's hearing is being recorded. This becomes part of your disciplinary file, which you can then have access to as soon as it gets uploaded to your case file, which generally takes about a day. OK? Any questions about your access rights under FERPA?

[Name of Other Student Redacted]: [3:11] I guess I'll ask. Does anybody else have access to them?

Paul: [3:15] Yes, there are a couple of exceptions to FERPA which you should be aware of. The most relevant exception to our case today is other educational institutions. If at any point a school that you're transferring to or applying to for graduate school asks about your disciplinary record, we are allowed to provide them with information without your permission.

[Name of Other Student Redacted]: [3:39] Does that apply even if we're found not guilty?





(b)(6); (b)(7)(C) [3:42] No. It does not apply if you're found not responsible because you're not thought of as having a disciplinary record at that point. It's not a part of your official record anyway. OK? In addition, cases where you're serving as a witness or where you're the victim or anything like that is also not considered part of your disciplinary record. Other questions about access? OK.

[4:09] The second aspect of FERPA that is important is the duty of confidentiality for staff members and faculty members here at the University. The University cannot disclose your information to others without your permission. This is where I would have talked about other schools.

[4:30] Essentially, it's pretty basic. In order for anyone to have access to your case file, you have to provide them with permission by signing a waiver. In this case, each of you has allowed each other to have access and you've allowed your dad to have access to your case file.

[4:49] What it means, though, is that I can't, the professor can't, and no one else in the office can release your information unless there is a waiver involved, or unless the individual who is asking falls under an exception to the FERPA laws.

(b)(6); (b)(7)(C) [5:06] Now does that go for faculty as well?

[5:07] It does.

[5:08] It can't be released to other faculty?

[5:09] No, it cannot.

[5:11] OK.

(b)(6); (b)(7)(C) [5:11] No, not unless...There is another exception to the FERPA rule that states that you can release confidential student records to others with an educational need to know. Now, that could become relevant for certain aspects of your educational record, let's say grades. That's why faculty often have access to your grades.

[5:32] It's probably not going to be something where another faculty has a need to know what your disciplinary record is.

(b)(6); (b)(7)(C) [5:38] Alright.

[5:39] Because whether or not you are found responsible is not relevant to any future case related to academic misconduct, except in our office. Makes sense?

(b)(6); (b)(7)(C) [5:51] Mmhhh.

[5:52] All right. Any questions about that? Professor, you understand your confidentiality obligations?

(b)(6) [5:59] Yes.

As you can see above, Mr. (b)(6); (b)(7)(C) discussed the mandates of FERPA, noted its importance and proceeded to ignore it. Because of the prior allegations of FERPA violations by the University in this matter, we would have thought that the University would have been extra cautious in ensuring FERPA compliance. This failure to adhere to a federal mandate is probative of Mr. (b)(6); (b)(7)(C) competence or bias. We hope that Mr. (b)(6); (b)(7)(C) decision was not biased or retaliatory in nature, but we may take further action to ascertain whether that was the case.

### III. Reason For Filing Near the 180 Day Limit for First Violation

(b)(6); (b)(7)(C) filed his appeal on June 26, 2012. Even though the university informed (b)(6); (b)(7)(C) that it would render a decision within two to three weeks, the university has not rendered a decision as of the date of this complaint. In his appeal, (b)(6); (b)(7)(C) specifically identified a FERPA violation that occurred at the actual disciplinary hearing. While (b)(6); (b)(7)(C) wanted to wait until the university addressed his appeal, the 180 day time limit with respect to the first violation requires immediate filing.

### IV. Evidentiary Documents

To comply with the Department of Education's request that a complaint should not include "voluminous documents and materials," we have not attached the referenced documents and other documents supporting this claim. Nevertheless, upon request, we will gladly provide such documents. However, we are reluctant to include a copy of the April 22, 2012 group email because that email specifically identifies the full names and email addresses of four affected students other than James (b)(6); (b)(7)(C).

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

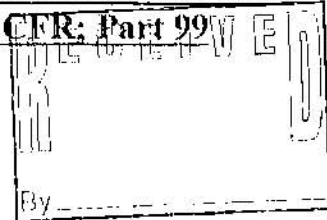
(b)(6); (b)(7)(C); (b)(6); (b)(7)(C); (b)(6); (b)(7)(C)

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

**COMPLAINT PURSUANT TO THE EDUCATIONAL RIGHTS AND  
PRIVACY ACT (FERPA) 20 USC §1232g; 34 CFR, Part 99**

November 1, 2012

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



RE:  (b)(6); (b)(7)(C) University Violation Of FERPA

I,  (b)(6); (b)(7)(C), hereby lodge an official complaint against  (b)(6); (b)(7)(C) University,  (b)(6); (b)(7)(C) Campus. I attended  (b)(6); (b)(7)(C) University, and hereby offer the following complaint against faculty and staff of the  (b)(6); (b)(7)(C) University,  (b)(6); (b)(7)(C) Campus for what I believe to be:

- Inappropriate maintenance of records/content
- A violation of the Family Educational Rights and Privacy Act of 1974.

The nature of the complaint is as checked:

**[ x ] Challenge to Record or Content**

- Inaccurate
- Misleading
- Incomplete
- Inappropriate

Record challenged may be identified as:

Title: Non-consensual disclosure of grades and person identifying information  
 Date: On or about: September 7, 2012 through September 11, 2012  
 Person responsible for entry or person currently maintaining record:  (b)(6); (b)(7)(C)  
 Date challenged content discovered: On or about: September 11, 2012

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

- Failure to provide notification of all rights (totally or in needed language)
- Failure to publish local access and hearing procedures
- Inappropriate person(s) grant denied access

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

Date of Violation: September 11, 2011

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

**Other Relevant Information:**

Mr. (b)(6); (b)(7)(C) was enrolled in Mr. (b)(6); (b)(7)(C) course entitled Exploring Business Operations at the (b)(6); (b)(6) University (b)(6) Campus, in Canton, Ohio in the Fall of 2012. Mr. (b)(6); (b)(7)(C) failed to attend an initial course meeting due to a scheduling conflict. As punishment for his continued absence, the professor attempted to force Mr. (b)(6); (b)(7)(C) into participating in the class by revealing Mr. (b)(6); (b)(7)(C) personal information to the other students in the class. Mr. (b)(6); (b)(7)(C) revealed confidential student information about Mr. (b)(6); (b)(7)(C) including assignment grades complete with Mr. (b)(6); (b)(7)(C) personal identifying information, as well as ultimately revealing Mr. (b)(6); (b)(7)(C) enrollment status and final course grade to several members of the class. These disclosures were without Mr. (b)(6); (b)(7)(C) consent and were done intentionally and with the intent to harm Mr. (b)(6); (b)(7)(C) personally. Said disclosures were in violation of FERPA. Further, the University did not properly maintain records or compliance with its policies by permitting said disclosures. Said violation is brought in a timely manner. Said allegation is brought with standing by the student, victim. Please see the attached exhibits which are emails substantiating the foregoing disclosures. [see attached]

I hereby request a hearing regarding the non-consensual disclosure of identifying information and/or educational records.

Regards

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

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

(b)(6); (b)

**From:** (b)(6); (b)(6); (b)(7)(C)  
**Date:** Tuesday, October 23, 2012 11:30 AM  
**To:** (b)(6); (b)(7) (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)  
**Subject:** (b) (b)(6);

Dear PPRA (Protection of Pupil Rights Amendment),

My name is (b)(6); (b)(6); (b) and I am currently a Student who lives in Frisco, Texas. I attend school in Frisco ISD, at (b)(6); (b)(7)(C) h School, I am a (b)(6); (b)(7)(C). I am also a Student who is Twice Exceptional, a Student who is Gifted and Talented with disabilities. At the present time my School District recognizes both of these things, but not as if I am one person. Let me try to explain what I mean by that. I am identified - classified as a Student who is Gifted and Talented in Frisco ISD, and I am also identified - classified as a Student with disabilities, but FISD wants to treat me as if I am two different Students. Clearly I am not.

I am writing to you not only about the matter that I have discussed above, but also about another matter concerning the fact that my needs as a Student with disabilities is not being properly met at this time. This matter is directly involving the Superintendent of Frisco ISD. Back in June, on the 21st, 2012 a letter was sent to my Mom (b) (b)(6); (b). This letter was personally written to her by the Superintendent of FISD. It was a directive concerning all communication with Frisco ISD Staff. He was asking them, and still is today as I write this letter to you, to not communicate through email to my Mom, and I believe to my Dad as well. This has not only caused great problems for me trying to get my needs met as a Student who is enrolled in Frisco ISD, but it has caused a lot of unnecessary anxiety, and stress for me as well. My Mom, and Dad both have tried to explain to me why the Superintendent wrote this letter, but I just do not understand it. The only thing that I see is that he is prevent me from getting my needs met each, and every single day while I am in school. My Mom plays constant phone tag with the Staff at my (b) h School. She also plays phone tag with the Staff in the Special Education Department, as well as the Staff who work for the Superintendent. Not to mention that both of our voices me are all full due to this fact. By that I mean the voice mail for our home phone number, as well as the voice mail for my Mom's cell phone. As soon as she erases messages, they get full again real quickly, again because of this directive that the Superintendent of FISD has issued regarding me, and communication. I do not believe that this is not fair to me who is the Student, because again all this is doing is preventing me from getting my

needs met in a timely efficient manner. My Mom, and I both tried to address this matter with not only the Superintendent of Fisd, but also with the Fisd Board Members. We did that back on Sept. 10, 2012 at a Fisd board meeting. That did not go over so well, because they sided with the Superintendent, and the directive still stands today. Again that is why I am writing to you. I am hoping that since your office appears to protect pupil's rights, that you can assist me with both of these matters. I will include the letter from the Superintendent of Frisco ISD that was dated June 21, 2012. I will also include a letter from OSEP (the Office of Special Education Placement) and their position on Twice Exceptional Students.

Thank you for taking the time to read my letter. I do hope that you consider everything that I have said to you, and that you're able to help me with both of these matters. If not then I hope that you can tell me who can help me with both of these matters. As a Student who is very intelligent, all I want to do is to go to school, and be free of all this drama. I believe that Frisco ISD's Superintendent is getting involved in a matter that he should not be involved in, and by doing this he is only preventing me from getting my needs met daily. I also believe that it's Frisco ISD position, and yes that would include the Superintendent as well especially since this is his School District, to not give me what it is I deserve as a Twice Exceptional Student who is enrolled in Frisco ISD over at (b)(6); (b)(7)(C) (b) School. Both of my Parents have tried repeatedly to address both of these matters for me, but neither one of them have been successful. I have not even been successful in doing it for myself, as I told when my Mom and I tried to address one of these matters with the Fisd Superintendent, and the Fisd Board Members. I think as a Student I have as much rights as the next student does, and again I am hoping that you, your Office, the Protection of Pupil Rights Amendment, can help me with both of these matters.

Sincerely,

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

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

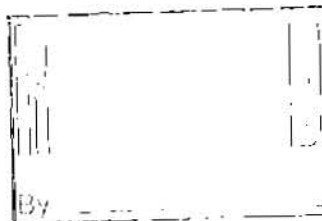






October 30, 2012

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



Re: Violation of Title 34: Education; Part 99—Family Educational Rights and Privacy

Outlined below is a timeline and facts that clearly point to a violation of FERPA regulations by the Douglas County School District RE1, Douglas County, Colorado.

1. On 07-3-2012, on behalf of a local organization named Parent Led Reform, (b)(6) (b)(6) Executive Director, submitted a Colorado Open Records Act (CORA, Colorado Revised Statutes; Title 24, Article 72, Section 201) for a copy of all correspondence from 10-01-2010 through 07-03-2012, between 19 citizens and the Douglas County (b)(6) District (the District). The undersigned is one of those citizens.
2. It became known on 09-05-2012, that the CORA request above had been completed by the District and copies of numerous emails had been forwarded to (b)(6) (b)(6).
3. On 09-06-2012, upon discovery of their CORA request and subsequent delivery of e-mails to (b)(6) (b)(6) the undersigned, a parent of a child attending a (b)(6) in the District and President of (b)(6) Schools (b)(6); (b)(7) submitted a CORA request to the District for a copy of the exact data file provided (b)(6) (b)(6).
4. The District provided the file as required by CORA. Upon review, it was readily apparent that several of the e-mails provided to both parties, (b)(6) (b)(6) and the undersigned, contained clear violations of FERPA.
5. Attachment "A" contains two representative e-mails that are subject to this filing. Both are from mental health professionals, employed by the District, to specific parents. The names of students are also disclosed. The e-mails should have had the names and e-mail addresses of the students and parents redacted.
6. The e-mail dated October 28, 2011, does include a warning message at the bottom "The information contained in this message and any included attachments may be privileged and confidential, intended only for the addressee(s). Unauthorized review, forwarding, printing, copying, distributing, or use of such information is strictly prohibited and may be unlawful. If you have received this message in error or have reason to believe you are not authorized to receive this message, please notify the sender by e-mail as soon as possible. Thank you." In order for you to complete your investigation it is included in its original form and the sender has been contacted and notified that it has been distributed to outside individuals.

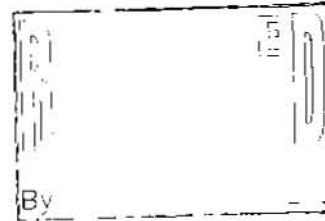
Thank you for your time.

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

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

October 19, 2012

Family Policy Compliance Office  
United States Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920



To Whom It May Concern:

I am writing to file a formal complaint against (b)(6); (b)(6); (b) University (regarding its recent violations of the Family Educational Rights and Privacy Act (b)(6); (b)

On Monday, October 15, 2012 at approximately 2:30 PM, I, (b)(6); (b)(6); (b) filed an appeal to a Parking Services citation under the grounds that I was conducting official American Red Cross volunteer business prior to and following my parking in the (b)(6); (b)(7)(C) My appeal was rejected on the argument that my student sticker, marked for another lot, supersedes any American Red Cross credentials that I may have posted. At that time, I paid the \$25.00 USD fee.

At 4:45 PM that same day, I received an e-mail from (b)(6); (b)(6); (b) Volunteer (b)(6); (b)(7)(C) of the American Red Cross's Greater Kalamazoo Chapter, regarding the incident. Upon phone conference with herself and an unknown associate, I became aware that Parking Services had lodged an informal complaint with the chapter regarding my arguments against the citation. On follow-up with (b)(6); (b)(6) the original recipient of the complaint, I was told that the university had relayed their complaints along with my name (directory information) as well as the citation and my class schedule that day (protected information). This jeopardized my position as an active volunteer with the Red Cross, as the non-profit wishes to continue good relations with the university, despite their understanding of my position.

To obtain more evidence against the university, I called (b)(6); (b)(6); (b) University Parking Services, which is under the supervision of a (b)(6) Public Safety captain but is not operated by police officers and, according to (b)(6); (b)(6); (b) University's own registrar staff, thus falls under the auspices of FERPA, on Thursday, October 18. I spoke with Manager (b)(6); (b)(6); (b) who is not a member of the police force. Under the vague description of myself as an American Red Cross member, I asked her to call my Google Voice number at (b)(6); (b)(7)(C) to follow up with her previously-filed complaint. She did so and agreed to be recorded. During this phone conversation, she again disclosed confidential class information, citation information, and spoke of my previous record with Parking Services in a retaliatory fashion, even acknowledging checking class schedule records. I have this 11:16 conversation that is saved in an official Google Voice record as well as an MP3 file, which I can make readily available to the Department of Education.

I am extremely upset that my rights were violated in this fashion to cause personal harm to my reputation as well as my volunteer position with the American Red Cross. I hope to hear from your officials soon regarding action against the university regarding this atrocious breach of privacy. Please verify receipt of this complaint.

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

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

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

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

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

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