



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

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

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



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

October 31, 2013

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

**Re: Family Education Rights and  
Privacy Act (FERPA)**

**Student:** (b)(6); (b)(7)(C)  
**School District:** (b)(6); (b)(7)(C)  
**Address:** (b)(6); (b)(7)(C)  
**Phone #:** (b)(6); (b)(7)(C)  
**Dates of Violation:** May 2013; October 2013

**To Whom It May Concern:**

On or about late May of 2013, I was informed by the (b)(6); (b)(7)(C) Elementary School Principal (b)(6); (b)(7)(C) that there was an incident which occurred at the elementary school building regarding the above-named child, my son (b)(6); (b)(7)(C). On this date, as every day, the children at the (b)(6); (b)(7)(C) School, upon departing the bus, gather in the elementary school gymnasium and await the dismissal bell to proceed to their classrooms. The grades that assemble in the gymnasium are kindergarten through sixth. At the time, the student, (b)(6); (b)(7)(C) was in sixth grade and was sitting with his friends awaiting dismissal.

Two days prior to this event, there was a bomb threat at the junior/senior school as well as at another local school district. (b)(6); (b)(7)(C) has an older brother who attends the high school. It should be noted that (b)(6); (b)(7)(C) has a Grade Point Average of approximately (b)(6); (b)(7)(C) is a Distinguished Honor student who received the Presidential Gold Award, and has been involved in wrestling and cross country for several years. He has never had a disciplinary infraction while in school.

On this date, a child went to the monitoring teacher, (b)(6); (b)(7)(C) and stated that he believed (b)(6); (b)(7)(C) made a statement in conversation that he overheard about the possibility of a bomb being in his book bag. At this time, (b)(6); (b)(7)(C) called (b)(6); (b)(7)(C) to the front of the entire student body of 850 children and ostracized and questioned him as to whether or not he indeed had a bomb in his bag. (b)(6); (b)(7)(C) immediately told the teacher that he had no idea what she was talking about. (b)(6); (b)(7)(C) response to (b)(6); (b)(7)(C) was that he could explain it to the Police Department and that "planes get landed for such threats."

Family Policy Compliance Office

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My son was held at bay in front of the entire student body as he cried for approximately seven minutes until each and every student was dismissed and paraded in front of him while exiting the gymnasium.

The matter was then investigated by the Principal, (b)(6); (b)(7)(C) whereby the student with whom (b)(6); (b)(7)(C) was speaking was called to the office and stated that (b)(6); (b)(7)(C) had not made a threat nor had he stated that he had a bomb in his bag. Both children were simply talking about the bomb threats they read in the newspaper and heard about from their siblings. The child who had made the complaint, upon further investigation, also agreed that (b)(6); (b)(7)(C) could have been talking about past events.

(b)(6); (b)(7)(C) was cleared by the District of any wrongdoing. A meeting took place with myself, my son, (b)(6); (b)(7)(C) and the Principal whereby (b)(6); (b)(7)(C) admitted as to what she had done in falsely imprisoning my son in front of the entire student body. She could offer no explanation as to why she terrorized him in this fashion. I am unclear at this time as to what, if any, disciplinary action was taken with regard to (b)(6); (b)(7)(C)

On or about September of 2013, (b)(6); (b)(7)(C) as well as three other teachers, went to an Acting Board Member, (b)(6); (b)(7)(C) and complained to him about the actions of the Principal and utilized my son as an example of what (b)(6); (b)(7)(C) felt was a lack of administrative support for her. (b)(6); (b)(7)(C) mentioned my son's name and the scenario but never stated he was falsely accused whereby she continued to victimize and defame my son's character and reputation. The Board Member, (b)(6); (b)(7)(C) then took that information, on or about October 16, 2013, before the entire (b)(6); (b)(7)(C) School Board whereby (b)(6); (b)(7)(C) victimized my child a second time, defaming him, and violating his privacy rights. (b)(6); (b)(7)(C) upon receiving a phone call from me, admitted to using my son's name as well as my own and telling the School Board that my son allegedly threatened children with guns and/or bombs. This statement was false, defamatory, and completely outrageous.

On or about October 23, 2013, I had a meeting with the District to express my anger, dismay, and concern regarding the Board Member, (b)(6); (b)(7)(C) and the teacher, (b)(6); (b)(7)(C) who is clearly continuing to talk about this matter with anyone who will listen. As of this date, there has been no action taken by the District regarding the Board Member, (b)(6); (b)(7)(C) or the teacher, (b)(6); (b)(7)(C)

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

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

Family Policy Compliance Office  
Page 3  
October 31, 2013

At this time, I am requesting the Family Compliancy Office review this official complaint against the (b)(6); (b)(7)(C) School District, its Board Member, (b)(6); (b)(7) as well as the teacher, (b)(6); (b)(7) whereby I feel that (b)(6); (b)(7)(C) are in clear violation of FERPA and are a detriment to the students whom they swear to protect and educate.

Thank you for your assistance. Please proceed accordingly.

Very truly yours,

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

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

# PHILLIPS NIZER LLP

666 Fifth Avenue  
New York, NY 10103-0084  
212.977.9700  
Fax 212.262.5152

600 Old Country Road  
Garden City, NY 11530-2011  
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Court Plaza North  
25 Main Street  
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(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)@phillipsnizer.com

November 25, 2013

## **FEDERAL EXPRESS**

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

### **Re: FERPA Complaint – Martin County School District, Florida**

To Whom It May Concern:

I am writing on behalf of my brother, (b)(6); (b)(7)(C) the father of two children attending schools in the Martin County School District (the "School District") located in the State of Florida, with an office address at 500 E. Ocean Blvd. Stuart, FL 34994. I am writing to file a complaint on (b)(6); (b)(7)(C) behalf in connection with what he alleges is a violation by the School District of his rights under the Family Educational Rights and Privacy Act ("FERPA"). Specifically, the School District has refused his requests to receive, inspect and/or review email communications between his ex-wife and school personnel, including teachers and administrators, relating to matters of his children's education, such as teacher comments and observations, notwithstanding that he shares full and equal co-parenting rights with his ex-wife.

(b)(6); (b)(7)(C) requests are detailed within the correspondence and emails attached as Exhibits A, B, C, D and E to this letter. (b)(6); (b)(7)(C)

District advised (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)

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

(b)(6); (b)(7)(C) According to the School District, the decision to refuse (b)(6); (b)(7)(C) access to these records is prompted by concerns that disclosing them would "create[] litigation issues", presumably with (b)(6); (b)(7)(C) ex-wife. (Exhibit E) As such, the School District has chosen to refuse a parent -- in this case (b)(6); (b)(7)(C) -- access to communications with, *inter alia*, teachers and counselors relating directly to the education of the parent's child because the other parent may object.

FERPA insures (b)(6); (b)(7)(C) right, as a custodial parent, to inspect and review "Educational Records". Such "Educational Records" surely include the emails at issue in his request to the School District, as the statute makes clear that records covered thereunder can exist in that medium; I do not believe that there can be any disputing that an email with a teachers or administrator commenting on a student falls within the definition of "Educational Records".<sup>1</sup> Further, the statute confirms that there can be no expectation of privacy between parents in communications about a child that constitute "Educational Records".

While I appreciate the prompt response by the School District, I believe that the analysis on which it relies in denying (b)(6); (b)(7)(C) request is seriously flawed. FERPA guarantees (b)(6); (b)(7) the right to the records he seeks in the attached requests, and the School District's concern over (what would be a frivolous) litigation by one parent who would seek to prevent another parent from access to communications about his/her child has no place in the analysis of the obligations of the School District under FERPA. In short, it should not be incumbent upon any custodial to seek permission from anyone to secure Educational Records of his/her child.

For the foregoing reasons, I respectfully request that Family Policy Compliance Office investigate this complaint and find the School District's policy reflected in the enclosed to be violation of FERPA, and direct compliance with (b)(6); (b)(7)(C) request for the records referred to therein. Given the professionalism and courtesies afforded by the School District to date, as reflected in the attached, I assume that its Board members will appreciate guidance from your office.

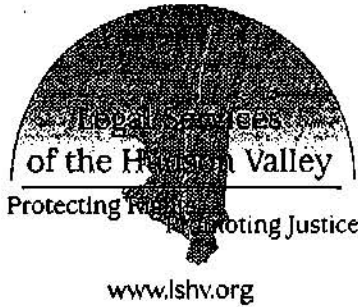
Thank you in advance for your attention to this matter. If you have any questions, please do not hesitate to contact me, or (b)(6); (b)(7)(C) at his home at (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)

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

cc: Martin County School District (Office of the Superintendent)

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

<sup>1</sup> Under FERPA, education records include records, files, documents, and other materials maintained by an educational agency or institution which contain information directly related to a student. In Florida, state board rule 6A-1.0955 defines educational records to include "teacher comments".



**WESTCHESTER**  
 90 Maple Avenue  
 White Plains, NY 10601  
 914-949-1305

30 South Broadway  
 Yonkers, NY 10701  
 914-376-3757

100 East First Street  
 Suite 810  
 Mount Vernon, NY 10550  
 914-813-6880

137 North Division Street  
 (in St. Peter's Church)  
 Peekskill, NY 10566  
 914-736-3633

**DUTCHESS**  
 147 Union Street  
 Suite 101  
 Poughkeepsie, NY 12601  
 845-471-0058

**ULSTER**  
 101 Hurley Avenue  
 Suite 3  
 Kingston, NY 12401  
 845-331-9373

**ORANGE/SULLIVAN**  
 One Corwin Court  
 Suite 102  
 Newburgh, NY 12550  
 845-569-9110

**ROCKLAND**  
 7A Perlman Drive  
 Spring Valley, NY 10977  
 845-476-3831



December 9, 2013

**VIA CERTIFIED MAIL AND FACSIMILE (202-260-9001)**

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

**RE: Violation of FERPA complaint: Yonah Adler-DOB 1/29/03**

To Whom It May Concern,

I am the attorney for parent (b)(6); (b)(7)(C) and her son, (b)(6); (b)(7)(C) student residing in the (b)(6); (b)(7)(C) School District in New York state. (b)(6); (b)(7)(C) has conferred standing upon this office and the undersigned attorney to file this letter alleging that the (b)(6); (b)(7)(C) School District has violated (b)(6); (b)(7)(C) rights under Family Educational Rights and Privacy Act ("FERPA").

(b)(6); (b)(7)(C) and her son, (b)(6); (b)(7)(C) reside at (b)(6); (b)(7)(C). (b)(6); (b)(7)(C) The contact telephone number for (b)(6); (b)(7)(C) I, (b)(6); (b)(7)(C) am employed by Legal Services of the Hudson Valley (b)(6); (b)(7)(C). (b)(6); (b)(7)(C)

The facts of this alleged FERPA violation are as follows: (b)(6); (b)(7)(C) year-old student who resides in the (b)(6); (b)(7)(C) School District who attended (b)(6); (b)(7)(C) Elementary School for the 2012-2013 school year. (b)(6); (b)(7)(C) reports that she learned from an acquaintance in June 2013 that (b)(6); (b)(7)(C) individual's education plan was disclosed by (b)(6); (b)(7)(C) public school staff as part of a request by at least one parent for a student class profile. Ms. (b)(6); (b)(7)(C) learned definitively, in a letter dated June 19, 2013, the full nature of the disclosure when (b)(6); (b)(7)(C) School District Director of Special Services (b)(6); (b)(7)(C) responded to (b)(6); (b)(7)(C)'s inquiry about what personal information was disclosed about (b)(6); (b)(7)(C) (Please see the enclosed letter and the following documents that were released.) These records include this client's date of birth and name as well as information as to this client's diagnosis of attention deficit

(b)(6); (b)(7)(C) and the fact that (b)(6); (b)(7)(C) for said disorder, and is (b)(6); (b)(7)(C) for this disorder. (b)(6); (C) is classified under Individuals with Disabilities Education Act ("IDEA") as other health impairment ("OHI").

Kindly investigate the (b)(6); (b)(7)(C) School District for the FERPA allegation as stated above. If you should require any further information regarding this complaint, please contact me.

Sincerely,

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

Staff Attorney  
Legal Services of the Hudson Valley



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

(b)(6); (b)(7)(C)  
Director of Special Services

June 19, 2013

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

I am writing to respond to your request to provide you with a copy of the information specific to your son, Yonah, that was included as part of a parental request for a student class profile. It has come to my attention that my office inadvertently sent out a student class profile that contained personally identifying student information.

I want to personally apologize for this error and assure you that my office takes matters of student confidentiality with the utmost seriousness. We have worked with the district special education attorneys to clarify the amount of information we should be forwarding to parents upon request of special class profiles. In future, that information will provide a one page matrix including the following data elements:

- (1) Cognitive ability (I.Q. score, or range);
- (2) Academic achievement (as measured by educational testing—usually includes reading, writing, & math);
- (3) Management needs (as described on IEP—e.g., “severe”, “moderate”, “none”, etc. Should state if there is BIP, or 1:1 aide).
- (4) Age;
- (5) Classification.

This protocol will ensure that a mistake of this kind does not happen again. My sincere apologies for this error, if you have any further questions, please do not hesitate to contact me.

Sincerely,

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

Enclosure

C: (b)(6); (b)(7)(C) Assistant Superintendent Human Resources  
(b)(6); (b)(7)(C) Assistant Superintendent for Curriculum, Instruction

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

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

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

February 28, 2013

Via E-mail (regina.miles@ed.gov)  
Via E-mail(FERPA.customer@ed.gov) and U.S. Certified Mail

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue  
Washington, D.C. 202-5920

Attention:Regina Miles

RE: Voluntary Dismissal With Prejudice All Complaints File Against the (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) FERPA Complaint Dated 1/22/2013 Label # (b)(6); (b)(7)(C) expected delivery date 1/25/2013.

Dear Ms. Regina Miles,

Please let this serve as my request that the office of Family Policy Compliance Office of the United States Department of Education dismiss with Prejudice any and all my FERPA complaints filed against the (b)(6); (b)(7)(C) as an individual and parent and natural guardian of (b)(6); (b)(7)(C) I have reached a private settlement agreement with (b)(6); (b)(7)(C) (b)(6); (b)(7) and said private settlement resolves the FERPA complaint I have filed against the (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) with the Family Policy Compliance office U.S. Department of Education.

I further request that the Family Police Compliance Office cease any and all investigations related to the FERPA complaint filed on 1/22/2013 On behalf of (b)(6); (b)(7)(C) against the (b)(6); (b)(7)(C) (b)(6); (b)(7) and (b)(6); (b)(7)(C) individually and as parent and natural guardian of (b)(6); (b)(7)(C) (b)(6); (b)(7) and mark files and investigations as closed.

Please provide the (b)(6); (b)(7)(C) and me with written acknowledgment that you have marked complaints as dismissed with prejudice and you have marked all complaints and resolution letters as closed. E-mail Acknowledgment for (b)(6); (b)(7) to (b)(6); (b)(7) at (b)(6); (b)(7)(C) .com and (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)

Thank You,

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

cc: (b)(6); (b)(7)(C) (via e-mail)

December 27th, 2012

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

JAN - 8 2013

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

**Subject:** Professor refused to review/show the submitted-exams. Econ2 Section (b)(6); (b)(7)(C) spring 2010

Dear Director of the Family Policy Compliance Office:

I have learned that the (b)(6); (b)(7)(C) CD (b)(6); (b)(7)(C) College District) approves and be responsible for its (b)(6); (b)(7)(C) policies and actions. Therefore, I write to and ask your office please work with the (b)(6); (b)(7)(C) CD to help solving my uncorrected-grade of my Econ2 class.

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

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

Economics Dept. Chairman, (b)(6); (b)(7)(C) who showed me boxes of his students' exams and scantrons he had still kept over the years. He also said that he told his professors to keep students' exams for at least a year.

From January 9th, 2012 through Sept. 26th, 2012, I filed complaint with the (b)(6); (b)(7)(C) CD (b)(6); (b)(7)(C) College District) but no result. Every level at the district office could not answer my questions relatively to retrieving my submitted-exams to review. I have felt that (b)(6); (b)(7)(C) CD neglected my complaint and does not care of student's reviewing the submitted-exams to learn from mistakes or to prove the scores.

From the first week of the summer 2010 section through January 26th, 2012, and in Sept. 2012, at (b)(6); (b)(7)(C) I went through "Chain of Command" by filing compliance with each level of departments. The result was school could not have Professor (b)(6); (b)(7)(C) to review all submitted-exams with me especially the final exam. Professor (b)(6); (b)(7)(C) refused to show my submitted-exams.

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

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

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

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

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

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

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

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

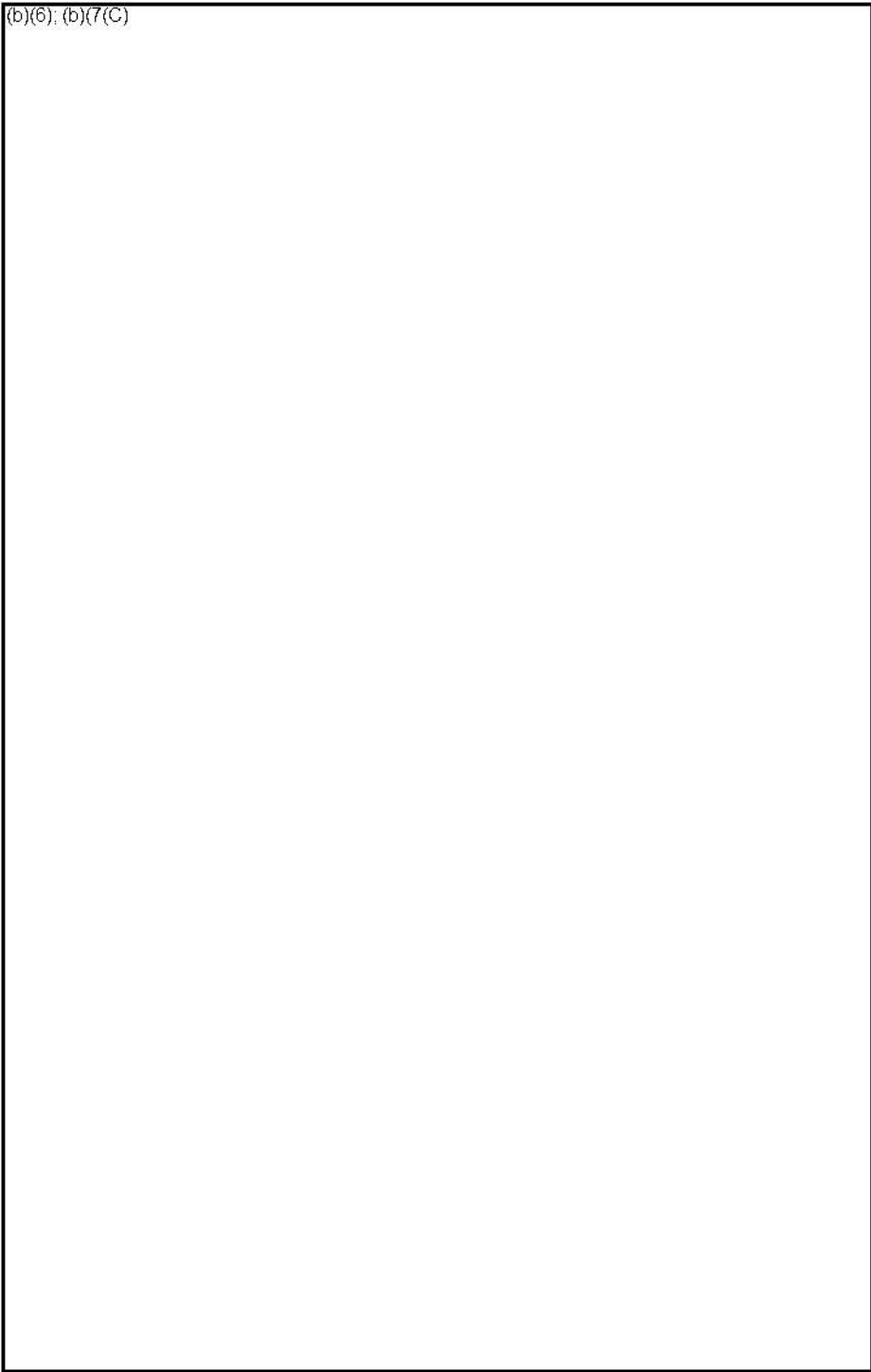
As your office is familiar with Educational Rights and Privacy Act (FERPA), and enforces Family Policy Compliance, please help me to deal with LACCD.

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

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

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

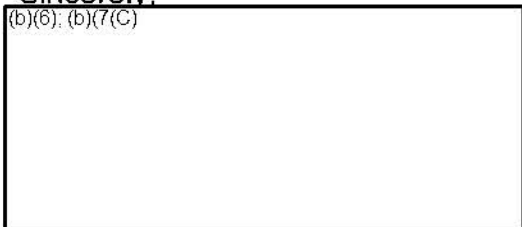
(b)(6); (b)(7)(C)



I look forward to hearing from you soon.

Thank you in advance for your special attention.

Sincerely,



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

February 01, 2013

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

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

Subject: Professor refused to review/show the submitted-exams. Econ2 Section (b)(6); (b)(7)(C) spring 2010

Dear Director of the Family Policy Compliance Office:

I would like to follow up the letter I sent to you on December 27th, 2012. Please help me and protect students' rights to access to the submitted-exams in order to prove the scores and to learn from the weakness on the test.

I have learned that the (b)(6); (b)(7) (b)(6); (b)(7)(C) College District) approves and be responsible for its (b)(6); (b)(7)(C) policies and actions. Therefore, I write to and ask your office please work with the (b)(6); CD to help solving my uncorrected-grade of my Econ2 class.

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

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

Economics Dept. Chairman, (b)(6); (b)(7)(C) who showed me boxes of his students' exams and scantrons he had still kept over the years. He also said that he told his professors to keep students' exams for at least a year.

From January 9th, 2012 through Sept. 26th, 2012, I filed complaint with the (b)(6); CD (b)(6); (b)(7)(C) District) but got no result. Every level at the district office could not answer my questions relatively to retrieving my submitted-exams to review. I have felt that (b)(6); CD neglected and discriminated against my complaint and did not care of student's reviewing the submitted-exams to learn from mistakes or to prove the scores.

From the first week of the summer 2010 section through January 26th, 2012, and in Sept. 2012, at (b)(6); (b)(7)(C), I went through so called, "Chain of Command" by filing compliance with each level of departments. The result was school could not have Professor (b)(6); (b)(7)(C) to review all submitted-exams with me especially the final exam. Professor (b)(6); (b)(7)(C) refused to show or return my submitted-exams.

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

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

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

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

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

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

Must students be granted the right to access to the exam they have done and submitted, also to learn from their weakness on the test?

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

As your office enforces Family Educational Rights and Privacy Act (FERPA), please help me to deal with (b)(6); (b)(7)(C) CD and (b)(6); (b)(7)(C)

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

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

Will you and your office help me?

I look forward to hearing from you soon.

Thank you in advance for your special attention.

Sincerely yours,

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



February 05, 2013

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

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

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I have learned that the (b)(6); (b)(7)(C) CD ( (b)(6); (b)(7)(C) ollege District) approves and be responsible for its community colleges' policies and actions. Therefore, I write to and ask your office please work with the (b)(6); (b)(7)(C) CD to help solving my uncorrected-grade of my Econ2 class.

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

Economics Dept. Chairman, (b)(6); (b)(7)(C) who showed me boxes of his students' exams and scantrons he had still kept over the years. He also said that he told his professors to keep students' exams for at least a year.

From January 9th, 2012 through Sept. 26th, 2012, I filed complaint with the (b)(6); (b)(7)(C) CD ( (b)(6); (b)(7)(C) College District) but got no result. Every level at the district office could not answer my questions relatively to retrieving my submitted-exams to review. I have felt that (b)(6); (b)(7)(C) CD neglected and discriminated against my complaint and did not care of student's reviewing the submitted-exams to learn from mistakes or to prove the scores.

From the first week of the summer 2010 section through January 26th, 2012, and in Sept. 2012, at (b)(6); (b)(7)(C) I went through so called, "Chain of Command" by filing compliance with each level of departments. The result was school could not have Professor (b)(6); (b)(7)(C) to review all submitted-exams with me especially the final exam. Professor (b)(6); (b)(7)(C) refused to show or return my submitted-exams.

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

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

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

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

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

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

Must students be granted the right to access to the exam they have done and submitted, also to learn from their weakness on the test?

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

As your office enforces Family Educational Rights and Privacy Act (FERPA), please help me to deal with (b)(6) CD and (b)(6); (b)(7)(C)

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

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

Will you and your office help me?

I look forward to hearing from you soon.

Thank you in advance for your special attention.

Sincerely yours,

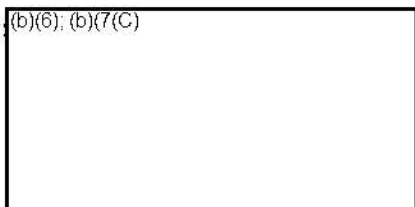
(b)(6); (b)(7)(C)

March 06, 2013

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

MAR 12 2013

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



**Subject:** Professor (b)(6); (b)(7)(C) refused to review, show, or return the submitted-exams.  
Econ2 Section 3132 Spring 2010

Dear Compliance Officers:

I would like to follow up my complaint and hope to receive your response very soon. Please allow me to ask you the following 8 questions.

1. Will you and your team help (b)(6); (b)(7)(C) and (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) College District (b)(6); (b)(7)(C) CD) to retrieve my submitted-exams from Professor (b)(6); (b)(7)(C) (b)(6); (b)(7)(C)?
2. Do I have my rights to review my submitted-exams according to the Family Educational Rights and Privacy Act (FERPA)?
3. In your position, should you be able to support and protect Family Educational Rights and Privacy Act (FERPA)?
4. Does your team of Lawyers believe and work for Feedback for Applied Learning -- meet expectation, anticipatory?
5. From the return of the submitted-exams, Professor can prove the scores, and students can prove how well they did on the exams. Have you believed so since you were students?
6. Is grade at least based on the scores of the submitted-exams?
7. I had never signed up or agreed to anything that would prevent me from accessing to my submitted-exams. Please ask yourself, (b)(6); (b)(7)(C) and Professor (b)(6); (b)(7)(C) for me, "Where are (b)(6); (b)(7)(C) submitted exams?"
8. Please put yourself in my situation and think very hard about how hard I had invested,

January 31, 2013

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

To Whom It May Concern:

I am the Director of Resident Affairs at a medical internship/residency program. We have been unclear as to whether the Family Educational Rights and Privacy Act (FERPA) should be applied to the records of medical residents in our teaching hospitals.

I saw a 1995 letter that your office provided to another medical resident training program stating that medical residents are not "students" as defined by FERPA since they have already received the terminal degree in their profession – the Doctor of Medicine degree. Thus, FERPA did not apply to medical residents.

Has anything changed since this response was provided in 1995? Is it still correct that FERPA does not apply to medical residents?

Sincerely,

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

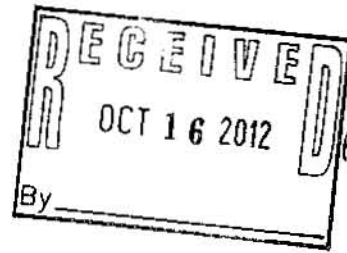
Director of Resident Affairs

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

6-11-13

FOR OFFICIAL USE ONLY (FOUO) - This information is for official use only and is not to be disseminated outside the Department of Education.

Oct 5, 2012



I'm following up on my FERBA complaint that I filled this summer.

The violations were:

Changing speech logs 3 times.

Falsify times she saw my child. I have evidence of this falsity times.

I asked for a statement to be removed from the IEP from supervisor (b)(6); (b)(7)(C). She refused to remove the statement and didn't inform me that I could file a complaint.

Lost speech log for 2010-2011

Change IEP service time for speech.

Lost IEP record showing ABA. Then change part of the IEP so they didn't have to teach my child all colors. (teacher (b)(6); (b)(7)(C))

The new information I would like to add to my complaint. I had a meeting. Everyone sign papers not to discuss the complaint. The special teacher

(b)(6); (b)(7) I stumbled upon a story that you did involving (b)(6); (b)(7)(C) school. In that same year my son was accused and charge for rape. He was cleared of all charges. however We were not given the video tape for that incident. Never even given to police or attorneys involved. The school has always said that they supported my son. However they have admitted to discriminating against him and punishing him. On (b)(6); (b)(7)(C) he was accused of assaulting a teacher. After hearing a different story from the same person (b)(6); (b)(7)(C) began to question if it even happened at all. Well on that same day, I asked that the video be preserved. I was told ok, however during his expulsion hearing I was told there was no need to view the tape. The reason, there was teachers standing there. The video is only used in dead zones. that lead me to ask for the handbook and protocol. They would not give it. I was told that I had to subpoena it. Well I did. However the pages that I needed were not in the book. BUT, some one mysteriously sent those very pages in the mail. My son is still in the school district, however his records reflect that he is expelled. They say they did not expell him , however he is under corporal punishments, he has no rights as student. He is not even allowed to participate in any functions. I appealed the expulsion! And the now superintendent over rid the ruling. He even put it in writing. But because I continue to ask questions about the prior events they refuse to allow my son back in school. They have even violated his 504 plan. The now principle has even reported to the police that I had broken into the school, he also once again told the officer that the day before my son had to be removed for physical and verbal assault on another teacher, There are no records found with the (b)(6); (b) police. On that same day I received and email from the teacher that he had supposed to have assaulted. It read (b)(6); (b)(7)(C) had a great day today and yesterday.. The Dept of education has file a claim against the school for retaliation. They are now even in the process of filing another claim for the many violations of his 504 plan. And for the many violations of his civil rights. They are even trying to ignor the Dept of ed. I am no longer allowed on the premises, because of my many letters and visits, they began to view me as an advocate. I notice in the story you did, I see the same charactors are involved, except now (b)(6); (b)(7)(C) is the Super.! Even after reaching out to them for help, the only actions that have ever been taken is discipline. After the incident in (b)(6); my son was diagnosed with a mental disorder, the Principle said they never followed through on the first intervention because he did not view my son as having any mental issues, despite the many medical records that I had provided. There was even a letter from on of his principle, (b)(6); (b)(7)(C) explaining the student he was and the student he has become (b)(6); (b)(7)(C) position is my son needs to just man up! My # is (b)(6); (b)(7)(C)









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

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

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

ATTORNEY AT LAW

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

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

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

March 8, 2012

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

Re: Release of Document on Twitter Site  
Self Report

Dear Ms. Campbell,

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

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

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

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

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

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

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

Thank you for your prompt attention to this matter.

Sincerely,

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

In-House Legal Counsel

July 28, 2012

U.S. Dept. of Education  
Office of Education and Improvement  
LBJ Education Building, Room 6W253  
400 Maryland Avenue, SW,  
Washington, DC 20202

Bernard Cieplak:

I am writing you regarding the (b)(6); (b)(7)(C) non-compliance to the Family Educational Rights and Privacy Act (FERPA)(20 USC § 1232G). This past Wed., July 25, (b)(6); (b)(7)(C) arranged for an off-campus venue where I could review my records from 8am to 3:30pm. I asked (b)(6); (b)(7) in advance how many pages there were and they declined to give me a definitive answer. Unsure of how long such would take to review, I arrived before 9:30am and stayed until 3:30pm. Personal obligations prevented me from arriving earlier and I had no reason to believe that reviewing the files would take more than four hours. However, (b)(6); (b)(7)(C) (b)(6) had two large boxes full of emails and a security guard present when I arrived.

I had requested all files, including specific files and emails regarding me. So (b)(6); (b)(7)(C) provided me with all of the emails correspondence between myself and faculty, and some correspondence between faculty and third parties. (b)(6); (b)(7) determined that emails constituted electronic records subject to FERPA. (b)(6); (b)(7)(C) over-produced copies of emails that I had already seen, making the review of such difficult. Approximately 95-99% of the files that (b)(6); (b)(7)(C) produced were emails in where I was included in the correspondence, duplicates of such emails, or forwards of my emails. Even though I spent approximately 6 hours reading through the emails, I only read through about one third of the files. (b)(6); (b)(7) has not responded to my requests for additional time to review the files. No-one could have reviewed the files in the time that I was allotted, even I had arrived at 8am and worked steadily to 3:30pm. If (b)(6); (b)(7) had only provided me with the files that I had wanted (the emails that had not been previously sent to me), I may have been able to review such in one day. (b)(6); (b)(7) may not have a legal obligation to sort through the files at my request, but if (b)(6); (b)(7) provides me with an excessive amount of files, (b)(6); (b)(7) should at least provide me with adequate time to review such.

It was also clear that (b)(6); (b)(7) excluded many files that FERPA does not permit them to exclude. (b)(6); (b)(7) noted that it would exclude the information of other students, as well as instructions to staff/faculty. I have enclosed a letter I wrote to the legal counsel to the Jackson Police Department (JPD) which further describes (b)(6); (b)(7)(C)'s FERPA non-compliance, as well as the general issues regarding this particular FERPA request. (b)(6); (b)(7)(C) also redacted important information on records probably in violation of FERPA, as well as names of professors. It would appear that (b)(6); (b)(7) compiled its records and emails by requesting that all professors who had records on me, provide such to one person who would compile such records. However, at least one professor responded to the request by saying, "here are the emails where I corresponded with (b)(6); (b)(7)(C)". Of course, this professor excluded the emails she sent to third parties which

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

February 26, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School District of Suffolk, Virginia on behalf of (b)(6); (b)(7)(C) (b)(6); (b)(7)(C) 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: Guidance Counselor/Guidance Secretary  
Date: August 30, 2011  
Person responsible for Entry or person currently maintaining record (b)(6); (b)(7)(C)

Date challenged content discovered: February 2-12, 2012

**Alleged Violations of Act or Regulations**

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

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

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

**Other Relevant Information: Forgery, Interfere and Tamper.**

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

Yours Truly, \_\_\_\_\_  
(b)(6); (b)(7)(C)

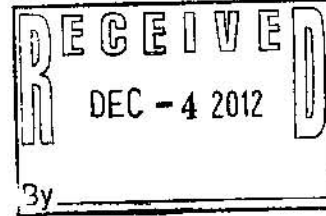
(b)(6); (b)(7)(C)

November 16, 2012

COPY

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

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



To Whom It May Concern:

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

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

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

Please assist me in obtaining these records for review.

Thank you for your time.

Sincerely,

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

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



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

August 10, 2012

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

**RE: School In Violation Of FERPA**

I hereby lodge an official complaint against the School District of Easton CT on behalf of (b)(6); (b)(7)(C) who attended (b)(6); (b)(7)(C) Elementary 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: Final Decision Case #12-0004

Date: 3-15-2012

Person responsible for Entry or person currently maintaining record: CT State Department of Education and (b)(6); (b)(7)(C) School

Date challenged content discovered: (b)(6); (b)(7)(C)

**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: Final Case document 12-0004 states that the dates were chosen by the parties and that is an untrue statement.

Date of Violation: Due Process Filed July 1, 2012  
Date Violation Discovered if different from above: Decision Delivered 3-15-2012

**Other Relevant Information:**

(Use this section to add any additional explanatory comments)

We filed for Due Process on July 1, 2012. The decision was not given until March 15, 2012. The hearing officer wrote in the decision that the dates were chosen by the parties, but that is not true. There were ONLY seven days of testimony for the entire hearing. The hearing officer kept granting extensions despite our objections. The hearing officer himself went on vacation during November. We did file a formal objection with the hearing officer in December when the district filed for yet another extension. He still granted another extension. The district was able to give all of their testimony in one concise week whereas we had to have our three days of testimony spread from September and October. The final case document states "the dates were chosen by the parties" and that is untrue. The delay had significant education impact given that our daughter then had to attempt to reenter the public school in April after the decision was finally given. If the case had followed the forty- five day timeline the law states it should, she would have been able to transition better into the school year. We, the parents, had to pay tuition for all that extra time which amounted to a great deal of money and was a significant hardship. We were told this is just the way the system works. This happens all the time and if we complain it could affect us negatively. In the hearing transcripts one can read that our lawyer said many times that the delays were a hardship on the family.

Yours Truly

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

expensed, and studied for a good grade but received a (b)(6) grade, created by the professor, and without any return of the submitted-exams to prove and to support the decision from the grade grievance because of a dishonest professor, and because (b)(6), (b)(7)(C) failed to retrieve it as promised. Will you accept this kind of an education system to yourself or to your children?

I browsed your FERPA web site <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html> and learn that 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.

Below is the email from the college department chairman:

From: (b)(6), (b)(7)(C)  
Sent: Wed 9/22/2010 2:31 PM  
To: (b)(6), (b)(7)(C)  
Cc: (b)(6), (b)(7)(C)  
Subject: (b)(6), (b)(7)(C)

Dr. (b)(6), (b)(7)

(b)(6), (b)(7) who took your Econ 2, Tuesday night class, Spring 2010 came to my office and told me that he wants to see his final exam and have the distribution of his grade explained to him. He says he already contacted you at least twice but did not get any response. Please contact him and show him his final exam and explain to him how his grades were tabulated.

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

When you are willing to use your knowledge, as you are well educated professors, and put your efforts into solving a college student's situation like mine. You will know you do the right thing.

I look forward to your response.

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