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Sent: Monday, July 1, 2019 2:16 PM

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Subject: RE: FERPA VIOLATION

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Every effort has been made to identify and provide documents related to your multiple Freedom of Information Act (FOIA) and Family Educational Rights and Privacy Act (FERPA) requests. Documents that do not have a direct identifier may or may not be readily available for staff members to pull utilizing an electronic email search.

The FERPA states that the term personally identifiable information (PII) includes, but is not limited to (a) the student's name; (b) the name of the student's parent or other family members; (c) the address of the student of the student's family; (d) a personal identifier, such as the student's social security number, student number, or biometric record; or other indirect identifiers (e.g., the student's date of birth, place of birth, and mother's maiden name); (f) other information that, alone or in combination, is linked to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty" [emphasis added]; (g) information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to who the educational record relates.

Therefore, communications without direct identifiers, including communications that when read cannot be reasonably linked to a specific student, would not be considered part of the student scholastic record, and would not be provided under FERPA.

Best regards,
Dawn

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