



WISCONSIN COLLEGE REPUBLICANS
ELECT REPUBLICANS ★ SUPPORT THE PARTY AGENDA ★ BUILD FUTURE LEADERS

Monday, October 8, 2007

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

Dear Sir or Madam:

We are University of Wisconsin System students writing to file a complaint against UW-Madison for violations of the Family Educational Rights and Privacy Act of 1974 (FERPA). UW-Madison receives significant federal tax dollars and thus is an institution covered under FERPA. 20 U.S.C.A. § 1232g(a)(3) and 34 CFR 99.1; *see also* <http://registrar.wisc.edu/ferpa/>.

FERPA was passed because students deserve privacy for their personal educational records. *See* 34 CFR 99.2 and <http://www.ed.gov/policy/gen/guid/fpco/ferpa/leg-history.html>. The law is very clear that student data cannot be disclosed without prior consent except under very limited circumstances. 20 U.S.C.A. § 1232g(b)(1) and 34 CFR 99.31. One such exception is when one person within the institution transmits the information to another person within the institution for “legitimate educational interests.” 20 U.S.C.A. § 1232g(b)(1)(a) and 34 CFR 99.31 (a)(2). The UW-Madison FERPA policy describes it as “legitimate educational need to know.” <http://registrar.wisc.edu/ferpa/access.php>.

In this case, Michelle Curtis, Associate Director of Student Financial Services at UW-Madison, used individual student financial aid data to recruit potential participants in a political rally regarding the UW’s position in the Wisconsin state budget, which is currently under negotiation. She sent an email on October 5, 2007, a copy of which is attached, to a list of students, the size of which we do not know, asking them to participate in a political event. The same day, the email was leaked to local journalist Charlie Sykes. Upon inquiry, Ms. Curtis told Mr. Sykes that she was “instructed” to send the email out.

We do not believe recruiting students for a political rally is a “legitimate educational interest” under the law. We ask you to investigate UW-Madison and to determine that it violated the law.

Sincerely yours,

Ryan Wrasse, Chairman
Senior, UW-Stevens Point

Micheal Hahn, First Vice Chairman
Senior, UW-Madison

You may reach Michelle Curtis at
Student Financial Services
University of Wisconsin-Madison
432 N. Murray Street
Madison, WI 53706-1496
Phone: 608-262-3060
Fax: 608-262-9068

You may reach the University's Counsel at
Office of Administrative Legal Services
University of Wisconsin-Madison
361 Bascom Hall
500 Lincoln Drive
Madison, WI 53706-1380
Phone: 608-263-7400
Fax: 608-263-4725

You may reach the Chancellor at
John D. Wiley, Chancellor
University of Wisconsin-Madison
161 Bascom Hall
500 Lincoln Drive
Madison, WI 53706
Phone: 608-262-9946

You may reach Charlie Sykes, who first reported this story, at
WTMJ-AM
P.O. Box 620
Milwaukee, WI 53201
Phone: 414-799-1620
Fax: 414-967-5562



Charlie Sykes

Story Created: Oct 5, 2007 Story Updated: Oct 6, 2007

STUNNING

By Charlie Sykes

This email went out this afternoon. The author, Michelle Curtis told me that she was 'instructed' to send it out. Information on the list being used is protected under federal privacy laws, but the university is using its access to put together this political dog and pony show. Reaction should be interesting.

If this is not the use of state resources -- and federally protected data -- for political purposes, I don't know what would fit the definition.

(Address deleted)

I am the associate director in the UW-Madison financial aid office. I am contacting you **because we have identified you as a student who received a Wisconsin Higher Education Grant (WHEG) last year but did not receive one this year due to the cutoff for the grant coming much earlier than last year.** This early cutoff is due to the current state budget impasse. You currently have sufficient financial need to receive the grant, you meet all other eligibility criteria but the funds are not available for you (and others in similar circumstances) to use for school expenses.

Governor Doyle is tentatively planning a 10:00 a.m. press conference on Tuesday, Oct. 9 on the upper steps of Memorial Union to discuss the Wisconsin Higher Education Grant (WHEG) and the state budget. **The governor is looking for a few UW-Madison students who are WHEG-eligible for the 2007-08 year but who have not been awarded WHEG because they are "wait-listed" due to the budget impasse.** We were wondering if you were interested in participating in the press conference.

You are under no obligation whatsoever to participate in this press conference. Your financial aid package is not dependent upon your willingness to stand with the Governor or speak at the conference. Your participation is completely voluntary and at your discretion.

Passage of the budget does not guarantee that you will receive the grant;

there are many students on the waiting list who find themselves in the same situation and we cannot be sure where your name is on the waiting list relative to other Wisconsin students who are waiting; nor can we be sure of the amount of grant that will be approved.

If you are interested/willing to attend, we need for you to contact John Lucas of University Communications at (608) 262-8287, or jplucas@wisc.edu and let him know of your willingness to attend. If you are not, that is perfectly fine.

Thank you for taking the time to read this email.

Michelle Curtis

Associate Director

Student Financial Services

University of Wisconsin-Madison

Find this article at:

<http://www.620wtmj.com/shows/charliesykes/10269072.html>