

Beko, Michele

From: Jeff Graham <jgraham@lorainschools.org>
Sent: Thursday, April 24, 2025 9:16 AM
To: Aaron Knapp
Cc: FERPA.Complaints@ed.gov; David O'Brien; Brad Dicken; Robert J Gargas; City Council Mail Group; Jack Bradley; Tony Cillo; Patrick Riley; Rey Carrion; Jackie Conrad; Joseph LaVeck; Ted Kalo; Sheriff Jack Hall
Subject: Re: Stuff

I sent you the opinion from the United States Department of Education office that rules on Family Educational Rights and Privacy Act (FERPA) and they said there was no violation. Please let me know what you're waiting for from me or the district that has not been provided to you.

Thanks Aaron,

Jeff

On Apr 24, 2025, at 9:03 AM, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

Still waiting.

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Mar 24, 2025, at 12:08, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

It's been 3 weeks since I last heard from you. 3 more weeks of FERPA protected information still online. These are juveniles who were not charged with a crime. Let's be better than this.

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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Noelle Williams I'm forwarding this to you since it seems 19 News gets result's.

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ADMINISTRATIVE-
INVESTIGATION
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Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Feb 16, 2025, at 14:24, Aaron Knapp
<a4xbeaverman@yahoo.com> wrote:

I appreciate the last part. Asking the state and getting an answer will satisfy me 100%. I think in my haste I responded without digesting that part. I wish you had lead with that, my fault.

**Aaron Christopher Knapp, LSW,
CDCA(p),BSSW**

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On Feb 16, 2025, at 12:10, Aaron Knapp
<a4xbeaverman@yahoo.com>
wrote:

Correct. I'm asking you to get a real legal opinion. Documented to protect the school district.

I'm telling you there are new laws that govern this. Dan Petticord thought he was infallible and he was wrong. Cost the county money.

The County Court Lawyers were wrong about me not being an officer if the court.

The city lawyers wrong about a document being public records. I don't want promises I want paperwork.

I'm saying you are my public servant, you represent my kids and our schools, I'm asking you to look into it more and then provide me the laws you feel coverage school from liability.

The feel is different because you said and agreed it was FERPA and then backed out. I don't trust Phillips or whomever lawyers in Lorain y oh retain. The State has free council for ethics you can consult. But the bottom line is school documents are online.

I want an answer. In our first meeting I got the feeling you would stand up for student rights. Now I dont feel that way.

And yes I did report it to the federal portal as I believe both LCS and Black River our allowing their documents to be shared online when ORC clearly says that's not allowed.

The tone is different because your answer is different. In the meeting you totally agreed it was FERPA documents, now you don't?

Here is the law:

Section 3319.321 | Confidentiality.
Ohio Revised Code /Title 33
Education-Libraries /Chapter 3319
Schools - Superintendent;
Teachers; Employees

(A) No person shall release, or permit access to, the directory information concerning any students attending a public school to any person or group for use in a profit-making plan or activity. Notwithstanding

division (B)(4) of section 149.43 of the Revised Code, a person may require disclosure of the requestor's identity or the intended use of the directory information concerning any students attending a public school to ascertain whether the directory information is for use in a profit-making plan or activity.

(B) No person shall release, or permit access to, personally identifiable information other than directory information concerning any student attending a public school, for purposes other than those identified in division (C), (E), (G), or (H) of this section, without the written consent of the parent, guardian, or custodian of each such student who is less than eighteen years of age, or without the written consent of each such student who is eighteen years of age or older.

(1) For purposes of this section, "directory information" includes a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, date of graduation, and awards received.

(2)(a) Except as provided in division (B)(2)(b) of this section, no school district board of education shall impose any restriction on the presentation of directory information that it has designated as subject to release in accordance with the "Family

Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended, to representatives of the armed forces, business, industry, charitable institutions, other employers, and institutions of higher education unless such restriction is uniformly imposed on each of these types of representatives, except that if a student eighteen years of age or older or a student's parent, guardian, or custodian has informed the board that any or all such information should not be released without such person's prior written consent, the board shall not release that information without such person's prior written consent.

(b) The names and addresses of students in grades ten through twelve shall be released to a recruiting officer for any branch of the United States armed forces who requests such information, except that such data shall not be released if the student or student's parent, guardian, or custodian submits to the board a written request not to release such data. Any data received by a recruiting officer shall be used solely for the purpose of providing information to students regarding military service and shall not be released to any person other than individuals within the recruiting services of the armed forces.

(3) Except for directory information and except as provided in division (E), (G), or (H) of this section, information covered by this section that is released shall only be

transferred to a third or subsequent party on the condition that such party will not permit any other party to have access to such information without written consent of the parent, guardian, or custodian, or of the student who is eighteen years of age or older.

(4) Except as otherwise provided in this section, any parent of a student may give the written parental consent required under this section. Where parents are separated or divorced, the written parental consent required under this section may be obtained from either parent, subject to any agreement between such parents or court order governing the rights of such parents. In the case of a student whose legal guardian is in an institution, a person independent of the institution who has no other conflicting interests in the case shall be appointed by the board of education of the school district in which the institution is located to give the written parental consent required under this section.

(5)(a) A parent of a student who is not the student's residential parent, upon request, shall be permitted access to any records or information concerning the student under the same terms and conditions under which access to the records or information is available to the residential parent of that student, provided that the access of the parent who is not the residential parent is subject to any agreement between the parents, to division (F) of this section, and, to the extent described in division

(B)(5)(b) of this section, is subject to any court order issued pursuant to section 3109.051 of the Revised Code and any other court order governing the rights of the parents.

(b) If the residential parent of a student has presented the keeper of a record or information that is related to the student with a copy of an order issued under division (H)(1) of section 3109.051 of the Revised Code that limits the terms and conditions under which the parent who is not the residential parent of the student is to have access to records and information pertaining to the student or with a copy of any other court order governing the rights of the parents that so limits those terms and conditions, and if the order pertains to the record or information in question, the keeper of the record or information shall provide access to the parent who is not the residential parent only to the extent authorized in the order. If the residential parent has presented the keeper of the record or information with such an order, the keeper of the record shall permit the parent who is not the residential parent to have access to the record or information only in accordance with the most recent such order that has been presented to the keeper by the residential parent or the parent who is not the residential parent.

(C) Nothing in this section shall limit the administrative use of public school records by a person acting exclusively in the person's capacity as an employee of a board of education or of the state or any of its political subdivisions,

any court, or the federal government, and nothing in this section shall prevent the transfer of a student's record to an educational institution for a legitimate educational purpose.

(D) A board of education may require, subject to division (E) of this section, a person seeking to obtain copies of public school records to pay the cost of reproduction and, in the case of data released under division (B)(2)(b) of this section, to pay for any mailing costs, which payment shall not exceed the actual cost to the school.

(E) A principal or chief administrative officer of a public school, or any employee of a public school who is authorized to handle school records, shall provide access to a student's records to a law enforcement officer who indicates that the officer is conducting an investigation and that the student is or may be a missing child, as defined in section 2901.30 of the Revised Code. Free copies of information in the student's record shall be provided, upon request, to the law enforcement officer, if prior approval is given by the student's parent, guardian, or legal custodian. Information obtained by the officer shall be used solely in the investigation of the case. The information may be used by law enforcement agency personnel in any manner that is appropriate in solving the case, including, but not limited to, providing the information to other law enforcement officers

and agencies and to the bureau of criminal identification and investigation for purposes of computer integration pursuant to section 2901.30 of the Revised Code.

(F) No person shall release to a parent of a student who is not the student's residential parent or to any other person, or permit a parent of a student who is not the student's residential parent or permit any other person to have access to, any information about the location of any elementary or secondary school to which a student has transferred or information that would enable the parent who is not the student's residential parent or the other person to determine the location of that elementary or secondary school, if the elementary or secondary school to which the student has transferred and that requested the records of the student under section 3313.672 of the Revised Code informs the elementary or secondary school from which the student's records are obtained that the student is under the care of a shelter for victims of domestic violence, as defined in section 3113.33 of the Revised Code.

(G) A principal or chief administrative officer of a public school, or any employee of a public school who is authorized to handle school records, shall comply with any order issued pursuant to division (D)(1) of section 2151.14 of the Revised Code, any request for records that is properly made pursuant to division (D)(3)(a) of section

2151.14 or division (A) of section 2151.141 of the Revised Code, and any determination that is made by a court pursuant to division (D)(3)(b) of section 2151.14 or division (B)(1) of section 2151.141 of the Revised Code.

(H) Notwithstanding any provision of this section, a principal of a public school, to the extent permitted by the "Family Educational Rights and Privacy Act of 1974," shall make the report required in section 3319.45 of the Revised Code that a pupil committed any violation listed in division (A) of section 3313.662 of the Revised Code on property owned or controlled by, or at an activity held under the auspices of, the board of education, regardless of whether the pupil was sixteen years of age or older. The principal is not required to obtain the consent of the pupil who is the subject of the report or the consent of the pupil's parent, guardian, or custodian before making a report pursuant to section 3319.45 of the Revised Code.

The police can have them. They cannot share them.

Period.

**Aaron Christopher Knapp, LSW,
CDCA(p), BSSW**

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On Feb 16, 2025, at 10:03, Jeff Graham <jgraham@lorainschools.org> wrote:

Aaron, I appreciated meeting you, listening to you share your story, who you are and what's in your heart — all of the things that motivate you to advocate. I also appreciated your priorities as it comes to raising your daughter and supporting many other children who need your support and guidance.

However, in our most recent email exchanges, I got a very different feel from what I had in our original

meeting. I understand your position on whether or not the district or LPD violated FERPA in the police report and again, based on our one conversation, I believe your intentions are honorable.

With that being said, I get the impression that you're asking me to do one of two things:

1. Take your legal advice over that of our attorney — who I'm sure is not infallible but has been doing this for well over 40 years; or
2. Pay our attorney to debate you on social media.

Candidly, I don't believe that's an effective use of district funds especially when you've made it clear that you've already turned this over to the state and plan to file a civil suit.

If I'm mistaken or
misunderstood you,
please let me know.

I will never hide or
bury anything we've
done. We will reach
out to the state on
Tuesday — Monday
is a holiday — and
share all the
information we
have. If we've done
anything wrong,
we'll own it.

Thanks for doing
what you believe to
be right as it relates
to taking care of our
kids.

Jeff

Beko, Michele

From: Aaron Knapp <a4xbeaverman@yahoo.com>
Sent: Thursday, April 24, 2025 1:26 PM
To: Jeff Graham
Cc: FERPA.Complaints@ed.gov; David O'Brien; Brad Dicken; Robert J Gargasz; City Council Mail Group; Jack Bradley; Tony Cillo; Patrick Riley; Rey Carrion; Jackie Conrad; Joseph LaVeck; Ted Kalo; Sheriff Jack Hall
Subject: Re: Stuff

External sender <a4xbeaverman@yahoo.com>

Make sure you trust this sender before taking any actions.

So your statement is you only allowed it this time? LPD is a covered entity. Your school districts information is online. If you sent a request asking the LPD to respectfully remove it I bet they would.

So I'm asking you advocate for our children and your staff and request the city remove the information that is illegally online.

If you won't make that request can you give a statement as to why? And a statement for the article on why Lorain City Schools doesn't believe in advocating for their students and staff?

Aaron Christopher Knapp, LSW, CDCA(p),BSSW

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On Apr 24, 2025, at 13:14, Jeff Graham <jgraham@lorainschools.org> wrote:

The opinion from the United States Department of Education (USDOE) office that rules on matters related to potential violations of Family Educational Rights and Privacy Act (FERPA) stated there was no violation of FERPA on the matter that you brought to my attention.

To answer your question about how parents can trust that I won't do that to their children, please review the email from the USDOE. I can't and won't post that information because it is illegal and inappropriate for the schools to do so. However, the schools didn't post the information you're questioning and the entity that did is allowed to. Again, please refer to the email.

Thanks Aaron,

Jeff

On Apr 24, 2025, at 12:53 PM, Aaron Knapp <a4xbeaverman@yahoo.com> wrote:

Well I responded asking if you were errands going to request the LPD comply with removing the protected information off line. So I'm just looking for some assistance in getting juvenile information offline. I asked you to help, as the superintendent. I'm pretty sure I responded to that email asking specific questions about this matter. I'll go find that email as well.

So I'd like an official statement from the school district, you specifically, that the school is refusing to advocate to remove juvenile information from the internet that the police got from the school. And how other parents can trust you won't do the same to their kids?

Aaron Christopher Knapp, investigative reporter

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