
Voicemail Seeking Clarification

Joseph Libby <libbyj@sw1.k12.wy.us>

Fri, Apr 3 at 9:29 AM

To: Dawn Marquardt <[REDACTED]@gmail.com>

Good morning Dawn,

I am writing in response to the voicemail you left on my office phone last evening. I'm happy to clarify the timeline of events that occurred with the District based on your questions.

The District submitted its first public records request to the Wyoming Department of Education (WDE) on February 9. WDE provided an initial production of records on March 2 and a supplemental production on March 6.

With respect to the content of those records, the district did not notify WDE regarding the presence of student personally identifiable information. As the local education agency, the District is authorized under FERPA to access student information in order to carry out its educational responsibilities. Because the records were provided to the District about its own students, we did not view that disclosure, in itself, as a FERPA violation.

In addition to including personally-identifiable student information, the March 6 disclosures from WDE also included attorney-client privileged information. On March 11, legal counsel for the District contacted the Assistant Attorney General working with WDE to notify her that the materials provided by WDE included attorney-client privileged information. Consistent with applicable ethical obligations, the District agreed not to use or further review those privileged materials. That issue is distinct from the presence of student information in the records.

The District did not have any indication at the time the records were received that similar materials may have been provided to individuals outside of the District. The first time that possibility was raised was during public comment at our March 9th board meeting.

I hope that helps clarify the timeline. Please let me know if you need anything further.

Respectfully,

Dr. Joseph A. Libby

Superintendent of Schools

Sweetwater County School District No. 1

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Sweetwater County School District #1

Website: [Sweetwater County School District #1](http://www.sweetwater.k12.wy.us)

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