



March 7, 2014

Dear Parent of Child Between Ages 3 through 5:

A civil lawsuit, *D.L. v. District of Columbia*, Civil Action No. 05-1437 (Judge Royce Lambert), is presently pending in federal court in the District of Columbia. This lawsuit has been certified as a class action and was filed on behalf of all children who were between the ages of 3 through 5, during the period from April 2011 through the present, who allegedly were not timely identified as eligible for special education services and provided with those services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400 *et seq.*). The children and parents in this lawsuit are represented by a group of lawyers, who are called “class counsel.” If you would like to learn more about the lawsuit, you can reach the lawyers for the parents and children by contacting Todd A. Gluckman at Terris, Pravlik & Millian, LLP: (202) 682-2100 or [tgluckman@tpmlaw.com](mailto:tgluckman@tpmlaw.com).

Class counsel has asked the District of Columbia for educational records from the Office of the State Superintendent of Education (“OSSE”) and the District of Columbia Public Schools (“DCPS”). These records may include information about your child, including your child’s name and date of birth, as well as your name (parent or guardian) and contact information. Class counsel will use these records for the purposes of presenting its case to the court. The lawyers will explain to the Court what they believe is wrong with the current system and how they believe the system can be improved so that it can better meet the needs of the children and their families. These records are considered confidential records that are protected by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g [“FERPA”], because they include information about individual children. The parties intend to ask the court to enter a protective order, subject to the requirements of FERPA which includes this notice to you. A court order and FERPA precludes class counsel from further disclosure of any personal information regarding you or your child that is contained in the records. This means that personal information about you or your child may not be shared with anyone other than experts retained by class counsel, unless you give written permission for the disclosure.

**You have the right to prevent class counsel from receiving your child’s records.**

If you do not want class counsel to receive your child’s records, please contact Ms. Desirée Brown, Special Projects Manager, Community and Parent Relations, at [Desiree.brown@dc.gov](mailto:Desiree.brown@dc.gov) or 202-741-0271 within 10 calendar days of the date of this letter. If we do not hear from you on or before March 18, 2014, your child’s information will be provided to class counsel with the protections described above.

Sincerely,

Amy Maisterra  
Assistant Superintendent for Special Education  
Office of the State Superintendent of Education  
Government of the District of Columbia

