

## Complaint of FERPA Violation

As recorded by [REDACTED]  
On April 8, 2022

**If your, or your child's, education record(s) or personally identifiable information contained in such education record(s) was improperly disclosed without your prior, written consent, indicate specifically:**

- (1) What education record(s) and/or personally identifiable information was disclosed and the date of such disclosure (if known).**

I have FOUR children [REDACTED] who have been in the Lee's Summit R-7 School District since kindergarten. Currently, they are in ninth, fifth, fourth, and fourth grades respectively. To the best of my knowledge, through much research and several inquiries, the student record (including personally identifiable information) for each of my children, has been integrated with a web-based platform exclusive to Panorama Education, Inc., a company contracted for certain services by Lee's Summit R-7 School District. (See [Panorama \\_\\_ LSR-7 Student Success + District Climate Surveys\\_11.15.19](#) and [Panorama \\_ Lee's Summit - 2021-22 Renewal Contract](#)). Despite my attempts, I have yet to receive a detailed list as to exactly what data is or is not disclosed to Panorama Education, Inc. The Lee's Summit R-7 School District contract with Panorama Education, Inc. was voted on during the regular monthly Lee's Summit R-7 Board of Education meeting on November 21, 2019, and became effective on December 1, 2019. The Panorama Student Success Platform has been in use since.

- (2) Whether the information disclosed was recorded in the student's education records.**

I have no knowledge of whether the disclosure of my kids' data was recorded in their student record.

- (3) The name and title, or job function, of the school official who made the disclosure.**

The point of contact between Lee's Summit R-7 School District and Panorama Education, Inc., as listed on the contracted service order(s), is Dr. Rexanne Hill, Executive Director Student Support.

- (4) The individual to whom the disclosure was made and relationship, if any, to the educational agency or institution, and to the student.**

Students' educational records (not just for my children, but all students participating in student surveys administered by Panorama Education, Inc.) were disclosed to Ben Mark, Outreach Director at Panorama Education, Inc. as per the contract with Lee's Summit R-7 School District.

During a Finance Committee meeting on November 20, 2019, the Superintendent's Leadership Team proposed to the Lee's Summit R-7 Board of Directors a purchase of the Panorama Student Success Platform "to measure and monitor student achievement data in real-time rather than asking for information from other departments within the LSR-7 organization". An excerpt from the Background Information from that same Finance Committee meeting (See [LSR7 Finance Committee Meeting 20Nov2019](#)) notes:

“Panorama Student Success includes surveys to access the voices of students and families to further our understanding, increase parent/community engagement to support district-wide initiatives and school improvement efforts, and increase opportunities for community and family learning as shared in the Equity Plan. School climate is an important lever for improving school safety, the quality of teaching and learning, and the strength of relationships in our school district. Collecting feedback from families, students, and teachers and staff through a school climate survey is essential to building strong, welcoming relationships that are for the integral school and district success. LSR-7 is increasingly focused on creating school communities that ensure equity and foster inclusion. Specific and measurable goals around equity and inclusion are at the core of district strategic planning and priorities. All the surveys offered from Panorama are backed in research and will provide the district data analytics. The data will give LSR-7 insights into trends over time, gaps that exist, strengths, and areas for growth.”

**(5) The circumstances under which the disclosure was made.**

Multiple times a year, beginning in spring of 2020, and carrying through the current school year, third through twelfth grade students in the Lee’s Summit R-7 School District (including mine when their grade level permitted) were administered surveys developed by Panorama Education, Inc. These surveys contained questions with scaled answer options regarding Social Emotional Learning, Student Climate and Equity and Inclusion. Administration of these surveys was typically done through Chromebooks assigned to each student for the duration of the school year (although the survey could be accessed from other devices). When my oldest child was in middle school, administration pushed the survey through homeroom classes through a link in Schoology (an online education site used regularly in the classroom setting). This year when my child was given the survey in high school, the survey link was found at the bottom of the Lee’s Summit North High School website’s homepage. Once the student gains access to and clicks the link, they are taken to a login page on the Panorama website. Using their student ID number to login, students are then taken to a home screen for the surveys where their full legal name is displayed as well as their school’s name. (See [LSR7 Panorama Survey Home Screen](#), [LSR7 Panorama Survey Home Pre Login Screen](#), and [LSR7 Panorama Survey Home Post Login Screen](#) images).

**(6) How and when (date) you became aware of the disclosure.**

It was not until January of this year that I became suspicious of the way Panorama survey data was being collected and analyzed. After several communications (email and in-person) between district administrators, my understanding and concern was formally confirmed. I was finally informed by Dr. Rexanne Hill via email on April 1, 2022, that, “There is a direct integration from PowerSchool (student information system) to Panorama.” This same email explained that the District “can view the information [I] mentioned in [my] question (gender, race, ethnicity, grade level, etc.). [The District] cannot see specific student names for free and reduced lunch. The only disciplinary actions that are viewed are for attendance infractions.” (See [Email Communications between K Grubbs L Ismert S Sanders R Hill](#)).

Until I began researching the relationship between Lee’s Summit R-7 School District in January of this year, I was not aware that the Panorama student surveys that had been administered for over two years were even divulging any personal information from student records. My realization of this apparent data sharing initiated a deeper investigation into the details of the contract as well as state and federal law regarding protection and privacy of student records.

In my sifting through District records, I found a telling description of this united data in a Lee's Summit R-7 Board Work Session meeting recording on the District's YouTube channel from February 25, 2021. In this video, Dr. Christy Barger, Associate Superintendent Academic Services explained:

“Panorama gives us a very clear breakdown in terms of sense of belonging, cultural awareness, collectively by demographics, so we'll say our white students are communicating this in terms of their sentiments. Our black students are communicating this in terms of their sentiments. What it doesn't give us is that ability to say, um, Christy Barger responded this way on Panorama, and she has this number of D's. And I mean, to some degree it does on our dashboard, but not in a report from an aggregate analysis kind of way.” (See [LSR7 BOE Work Session 25Feb2021 Screenshots of YouTube Recording wTranscript](#)).

**(7) A description of any communication between you and the disclosing individual or entity, as applicable, regarding the disclosure.**

On March 11, 2022, I received an email in response to some questions I had left with Ms. Sanders during our face-to-face meeting on February 24, 2022. During this meeting we discussed the District's Equity Plan and concerns over the unification of Panorama Survey responses with demographics from student records as described by Dr. Barger in the Board meeting in February of 2021. In this email, Ms. Sanders gives a brief explanation of the scope of the Panorama Student Success Platform as well as how it is viewed (See [Email Communications between K Grubbs L Ismert S Sanders R Hill](#)). I followed up with more questions and Dr. Hill was my main source moving forward. In Dr. Hill's March 17 email, I was informed that “the physical location of the data and servers is in the US-East-1 AWS data center, located in Virginia. Panorama directly manages those servers and processes on those platforms and controls how they receive client data.” The fact that student record data is stored on Amazon Web Service servers in Virginia that are managed by a consulting company contracted by the District was concerning, so I studied laws regarding student record privacy and protection of personally identifiable information. This led me to my email inquiry on March 18, 2022, in which I requested the document through which I (or my husband) gave permission for Lee's Summit R-7 School District to disclose my four children's student records (including personally identifiable information) with an outside contractor. Ms. Sanders responded on March 27, referring me to the Student Handbook and Board Policy JHDA, saying, “Portions of this policy are included in the Student Handbooks that parents and students sign off on yearly.”

Board Policy JHDA (see [LSR7 Policy JHDA](#)) details Surveying, Analyzing or Evaluating Students, and it also refers to Board Policy JO (see [LSR7 Policy JO](#)), which discusses Student Records. Policy JO refers to several other policies as well as laws including Policy EHBC – AP2 (see [LSR7 Policy EHBC AP2](#)), Family Educational Rights and Privacy Act, and the Protection of Pupil Rights Amendment. Policy EHBC – AP2 explains Data Governance and Security including data management.

On April 7, 2022, I emailed Linda Ismert, Executive Assistant to the Superintendent and Lee's Summit R-7 Board of Education Secretary, asking for guidance to the Annual Notification of Rights that is required to be sent to parents every year. Ms. Ismert responded same day, referring me to Board Procedure JO-AP1 (see [LSR7 Policy JO AP1](#)). In policy JO – AP1, section (F)(5), it is stated that, “The district may disclose education record information without consent in accordance with law, including when the disclosure is: to organizations conducting studies for or on behalf of the district or other educational agencies or institutions to develop, validate or administer predictive tests, administer student aid programs, or improve instruction if the legal

requirements for disclosure are met.” When I referred to documents between Lee’s Summit R-7 School District and Panorama Education, Inc., I found no evidence of their contract satisfying any of these requirements that permit disclosure without consent. (See [Panorama \\_\\_ LSR-7 Student Success + District Climate Surveys\\_11.15.19](#), [Panorama \\_ Lee's Summit - 2021-22 Renewal Contract, Sole\\_Source\\_--\\_LSR7-xtanner\\_panoramaed.com \(1\)](#), and [Panorama\\_\\_\\_\\_LSR7\\_Data\\_Addendum](#)). This led to my submission of this complaint.