



March 12, 2020

President David A. Armstrong, J.D.
St. Thomas University
16401 NW 37th Avenue
Miami Gardens, Florida 33054

Sent via Electronic Mail (darmstrong@stu.edu)

President Armstrong:

FIRE is disappointed not to have received records responsive to our request made pursuant to the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g), submitted with our letter to St. Thomas University (STU) of January 24. We understand that the relevant student, Natalia Garceau, has not received records.

FERPA requires educational institutions to provide copies of records in certain circumstances. 34 CFR § 99.10(d)(1). Given that Garceau is prohibited from visiting STU's campus under threat of arrest, this is one such circumstance. Under FERPA, such records must be remitted within 45 days—in this instance, by March 2. 34 CFR § 99.10(b). Providing such records is not only STU's obligation under federal law, but also an opportunity for STU to demonstrate that it followed its student disciplinary process and acted in a fair manner in dismissing Garceau.

Respectfully, we write today to inquire as to whether STU intends to comply with its statutory duty by remitting Garceau's records. Please spare STU the embarrassment of a public dispute over its clear obligations to student rights.

Sincerely,



Lindsay Rank
Program Officer, Individual Rights Defense Program