



Cathryn L. Hazouri, Executive Director • Mark Silverstein, Legal Director

November 2, 2006

Melissa Mequi
Office of the Legal Counsel
Boulder Valley Public Schools
6500 Arapahoe, P.O. Box 9011
Boulder, CO 80301

Re: Colorado Open Records Act Request

Dear Melissa:

We have received complaints alleging that the Boulder Valley School District recently initiated a pilot project at Columbine Elementary School whereby they gathered fingerprint information from kindergarten and first grade students. It is my understanding that the system creates a unique identifier for each child's fingerprint, and that identifier is then stored in the system. I would appreciate your elaboration on how the system functions and why such a system was deemed necessary at BVSD given the serious privacy implications it raises.

In light of these allegations, I would also appreciate your response to the following requests made pursuant to the Colorado Open Records Act. As used below the term "records" refers to any stored information, whether in written or electronic form.

1. Please provide all records relating to BVSD's plan for implementing the system throughout the school district including, but not limited to, BVSD's policies, procedures and/or protocols for securing the identifying information from internal and external threats.
2. Please provide all records relating to the current status of the identifying information gathered from students at Columbine Elementary school.
3. Please provide a copy of the most recent parental notice given to parents at Columbine Elementary School as required by 20 U.S.C. § 1232g(e).

Please let me know if you have any questions about these requests. I look forward to hearing from you at your earliest convenience, and no later than three business days as required by Colorado law.

Very truly yours,

Taylor Pendergrass
Staff Attorney