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August 15, 2019

**Via Email – Mary Jane Lapointe - [maryj@lapointelawfirm.com](mailto:maryj@lapointelawfirm.com)  
Percy Clark - [percy.clark@indianavirtual.com](mailto:percy.clark@indianavirtual.com)  
Thomas Krudy - [tkrudytrustee@gmail.com](mailto:tkrudytrustee@gmail.com)**

**and U.S. Mail:**

Indiana Virtual Pathways Academy  
500 East 96<sup>th</sup> Street, Ste. 400  
Indianapolis, Indiana 46240

Indiana Virtual School  
510 East 96<sup>th</sup> Street, Ste. 180  
Indianapolis, Indiana 46240

Re: Request for data, information, and documents under Paragraph 7(j) of the  
June 19, 2019 Resolution Agreement

Dear Dr. Clark,

It is our understanding the Indiana Virtual School (“IVS”) and Indiana Virtual Pathways Academy (“IVPA”) have either ceased processing student transcript and student records requests or only have minimal staffing to slowly process requests. This situation is unacceptable and potentially a violation of applicable law related to student records. Students have a right to access their educational records and to timely obtain a transcript upon request. This is a critical task in the operation of any school and is particularly critical for a school in the midst of closure – students need these records and transcripts in order to properly transfer to other schools and educational programs. We continue to receive many complaints from parents and students on a daily basis that they are getting no response from IVS or IVPA both to general inquiries and to transcript and educational records requests.

Daleville Community Schools (“DCS”) is hereby directing and demanding that IVS and IVPA continue to process student transcript and student records requests and that all requests be completed fully, accurately, and in a timely manner. This activity should not cease until the request of every student and parent has been properly processed and all students have been successfully

transferred and/or all student records have been delivered to the school of legal settlement for each IVS and IVPA student.

Pursuant to Indiana Code § 20-24-9-4.5, DCS is required as authorizer to oversee and work with IVS and IVPA “to ensure a smooth and orderly closure and transition for students and parents, as guided by the closure protocol.”

Because it appears that IVS and IVPA are not properly or timely handling student records or student requests for transcripts and other educational records, DCS now requests and demands the immediate delivery of the following data and documents:

1. A copy of each and every physical student educational record for each IVS and/or IVPA student.
2. A hard copy of each and every electronic student educational record for each IVS and/or IVPA student.
3. A hard copy of the transcript for each IVS and/or IVPA student.
4. A hard copy of the progress report and/or Edmentum transcript for each IVS and/or IVPA student as of the last day the student was enrolled in IVS and/or IVPA. For students currently enrolled in IVS and/or IVPA, this will be as of the day the report and/or transcript is printed to satisfy this request.
5. A list of all students currently enrolled in IVS and/or IVPA to include: student name, STN, parent name(s), email address(es), physical address(es), phone number(s), and school of legal settlement.
6. A list of all transcript and/or educational records requests received from IVS and/or IVPA since June 19, 2019 to include: student name, STN, parent name(s), email address(es), physical address(es), phone number(s), date request was made, identify what was requested, date request was fulfilled (if applicable), and what record(s) were provided to fulfill the request. Indicate if the records provided were incomplete due to courses “In Progress.” Outstanding and/or unfulfilled (in whole or in part) requests should be clearly marked as such.
7. A copy of any and all transfer requests or notifications from students and/or parents, received June 19, 2019 to September 30, 2019, informing IVS and/or IVPA of which school the parent and/or student plans to enroll the student in (i.e. transfer). This shall include written notifications and requests as well as notations, memos, or other documentation of any oral notifications and requests. Please note that this is an ongoing request and, going forward, DCS expects to receive a copy of this requested data and documentation through final closure of IVS and IVPA.

This request is made pursuant to Paragraph 7(j) of the June 19, 2019 Resolution Agreement. Pursuant to that provision, you have until **August 22, 2019** to comply with this request. Documents should be delivered to David Stashevsky at DCS, either at Daleville Community Schools or at another location mutually agreed upon with Mr. Stashevsky. Failure to comply will result in DCS pursuing all available legal remedies, including but not limited to court intervention.

Dr. Clark  
Indiana Virtual School and Indiana Virtual Pathways Academy  
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It should be abundantly clear that DCS fully expects IVS and IVPA to properly care for and transition all of its students – at a minimum, this means properly and timely handling and processing of all student and parent requests for transcripts, educational records and information, and transfer of student records to the school in which a student enrolls or the student’s school of legal settlement, whichever is applicable.

Please contact me with any questions. Thank you for your prompt attention to this matter.

Sincerely,

LEWIS & KAPPES, P.C.

*/s/ Sara R. Blevins*

Sara R. Blevins

Cc: Paul Garrison, Superintendent of Daleville Community Schools  
David Stashevsky, Assistant Superintendent of Daleville Community Schools  
John Williams