

From: Glenna DeRoy <ghderoy@gmail.com>
Subject: Fwd: Residency follow up
Date: Wed, 10 Oct 2007 16:22:19 -0500
To: <ncarlisle@sltrib.com>
Attachments: 0

I'm absolutely fine with you sharing those e-mails with the professor. Feel free to share this with him as well. I'm not sure if I forwarded you the full exchange earlier this morning.

Glenna

----- Forwarded message -----

From: John Hays <jhays@mtsu.edu>
Date: Oct 10, 2007 10:42 AM
Subject: Re: Residency followup
To: Glenna DeRoy <ghderoy@gmail.com>

Glenna: Maybe you should go to law school...i conducted some further research and came to the same conclusion as you...i will contact the athletic department and request that they prepare the records you have requested...thanks for your patience

On Oct 9, 2007, at 7:31 PM, Glenna DeRoy wrote:

> Mr. Hays,
>
> I went ahead and did some research today after replying to your
> e-mail. I, admittedly, am not an expert on Tennessee law. However,
> what was found seems to uphold my previous arguments.
>
> Tennessee has no citizenship test, though it does have residency
> requirements, and I have met that requirement to the satisfaction of
> the voter registration law.
>
> As for the Open Records Act, it expressly states the act "shall be
> broadly construed so as to give the fullest possible public access to
> public records."
>
> Further, the Tennessee Supreme Court in 1994 held that the purpose of
> records act is "to apprise the public about the goings-on of its
> governmental bodies." And the Tennessee attorney general opined in
> 2001: "The plain language of the statute does not prohibit the release
> of public records to non-citizens...."
>

> Also worth mentioning, though I realize it has no bearing on
> Tennessee, was a case in the Third Circuit that held residency
> restrictions to be unconstitutional when it comes to public records
> laws.
>
> And as I have already said, other public universities in state have
> validated my right to these records without question.
>
> As for the FERPA/HIPPA issue, the University of Memphis and others
> across the country have supplied summary data or redacted documents
> concerning drug testing, positive tests and punishments levied against
> students without releasing their names or compromising their privacy.
>
> And, though I do not want to cause you any extra work, many other
> campuses regularly prepare documents similar to the ones I requested.
> If you check with the appropriate university personnel, you may find
> that to be the case at MTSU as well.
>
> Please let me know as soon as possible if you plan to grant my request.
>
> Best,
>
> Glenna DeRoy

>
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"Great spirits have always found violent opposition from mediocre minds."

---Albert Einstein

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