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ROBERT M. KENNEDY, JR.  
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September 5, 2008

Kristine L. Sullivan  
Disability Rights North Carolina  
2626 Glenwood Avenue  
Suite 550  
Raleigh, North Carolina 27608

Re: Investigation of Abuse Complaints

Dear Kristine:

As detailed in our previous conversations and correspondence, we are assisting the school system in reviewing the alleged incidents at Carroll Middle School during the spring semester of the 2007-2008 school year. The Wake County Public School System (WCPSS) has previously addressed certain concerns related to these matters in its response to a complaint lodged with the Department of Public Instruction, alleging procedural violations of the Individuals with Disabilities Education Improvement Act (IDEA) Amendments of 2004. Based on recent information and correspondence, including your letter of August 25, WCPSS is engaged in another active review at this time. We are in communication with human resources and special education services, who are reviewing records and interviewing multiple witnesses.

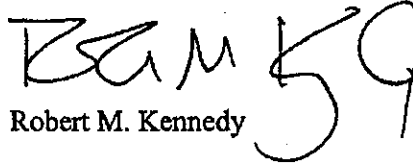
Pursuant to our investigation, we have requested any information that you might have that would further our review, including any information about the allegation that "the practice of employing handcuffs to restrain students may have gone beyond the documented incident." You have not yet provided us any such information.

When our review is completed, we will of course share with you any and all information that we are permitted to share under student information and personnel information laws. As to your specific request for information, we have a respectful disagreement with your interpretation of the applicable law and do not believe that we are permitted to share such information under the relevant portions of the Family Educational Rights & Privacy Act (FERPA) and IDEA. We of course want to cooperate with your investigation, but do not want to put the school system in a position where it is violating the rights of students and others. After having conducted the legal research, we do not believe that we can disclose the information you have requested.

We would again request that you provide any additional information that you may have, so school system can finalize its review. As soon as WCPSS as completed its internal investigation, we will be in touch to discuss our findings.

Sincerely,

THARRINGTON SMITH, L.L.P.

A handwritten signature in black ink, appearing to read "R M Kennedy" with a large, stylized "59" written to the right of the name.

Robert M. Kennedy

cc: Maurice Boswell  
Bob Sturey  
Kendra Hill  
Jonathan Blumberg