



State of Rhode Island and Providence Plantations  
**DEPARTMENT OF EDUCATION**  
Shepard Building  
255 Westminister Street  
Providence, Rhode Island 02903-3400

Deborah A. Gist  
Commissioner

October 7, 2011

Susan F. Lusi, Ph.D.  
Superintendent of Schools  
Providence Public School District  
797 Westminister Street  
Providence, RI 02903

Dear Dr. Lusi:

The Attorney General recently issued an advisory opinion addressing the applicability of the Access to Public Records Act (APRA) to aggregate performance data of students of an identified public-school teacher. The opinion, which is enclosed, states that such data, when used to evaluate an identifiable teacher, is not subject to mandatory disclosure under the APRA.

The opinion is important to the Department of Education in two respects. First, it supports the Department's view of the teachers' expectation of privacy under the law with regard to the content of their evaluations. Second, it will inform the Department's work in developing and implementing a statewide instructional system that can be used by LEAs to improve student academic achievement.

I realize it took some time to get to this point, but I am pleased to report the results of the Attorney General's APRA review. Again, thank you for your concerns in this area.

Very truly yours,

David V. Abbott  
Deputy Commissioner/General Counsel

Enclosure

Cc: Dr. Lynn S. Krizic, Superintendent  
Elliot Krieger, Communications