(b)(6)

AUG 06 2009

Dear (b)(6):

This is in response to your March 29, 2009, complaint form to this Office in which you allege that (b)(6) (School) violated your rights under the Family Educational Rights and Privacy Act (FERPA) when it disclosed information from the education records of your son, (b)(6) (Student), to a third party without your prior written consent. This Office administers FERPA which addresses issues that pertain to education records.

FERPA is a Federal law that gives parents the right to have access to their children's education records, the right to seek to have the records amended, and the right to have some control over the disclosure of information from the records. The term "education records" means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution. Under FERPA, a school may not generally disclose personally identifiable information from a minor student's education records to a third party unless the student's parent has provided written consent. Enclosed for your information is a FERPA guidance document.

This Office investigates those timely complaints that contain specific allegations of fact giving reasonable cause to believe that a school has violated FERPA. If you wish this Office to further consider your allegation, we need to receive additional information from you. It appears that you are alleging that (b)(6), principal of the School, and (b)(6), a secretary at the School, disclosed information regarding the Student's attendance to (b)(6) in a February 2, 2009, letter from (b)(6) to (b)(6).

Please verify whether we have accurately stated your allegation or provide us with clarifying information. Also, please verify whether there is a person named (b)(6) who opened and read the February 2, 2009, letter. Finally, please inform us how you received a copy of the letter and envelope. For example, did (b)(6) provide you with the original letter and envelope sent to her, or did the School provide you with copies of these documents. We will review the information you submit and take any appropriate action.

I trust that the above information is helpful in explaining the scope and limitations of FERPA as it relates to your concern.

Sincerely,

Ricky C. Norment
Program Analyst
Family Policy Compliance Office

Enclosure