NOV 23 2009

(b)(6)

Dear (b)(6)

Thank you for your letter to President Barack Obama regarding accountability in education. We appreciate your views on this issue. The White House has referred your letter to the Department of Education for review, and I am pleased to respond.

This Office administers the Family Educational Rights and Privacy Act (FERPA), which addresses issues that pertain to education records. FERPA gives parents of minor students 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.

You write concerning a local student (b)(6) (Student), who received recognition from the President's Education Awards Program in February 2009 for "outstanding academic excellence." You are concerned that as of May 2009 the Student has been unable to proceed with his education at (b)(6) (School) due to policies of the School that do not permit students to take examinations or obtain transcript information if there are unpaid financial obligations to the School. You have initiated a local appeal to provide financial assistance to the Student so that he may satisfy the financial obligation to the School and complete his high school education. You are also working with local officials to initiate changes to the School's policy concerning these matters. You ask for assistance with your concerns.

FERPA applies to educational agencies and institutions which receive Federal funds from programs administered by the U.S. Department of Education. 34 CFR § 99.1(a). Because private and parochial schools at the elementary and secondary school levels do not generally receive funds from the Department of Education, records and information

from records maintained at such schools would not be subject to FERPA. Accordingly, the (b)(6) is not subject to FERPA. Additionally, issues concerning the policies of a private parochial school are not generally subject to Federal education laws. These issues must usually be addressed with the individual school administrators or other officials within its regulatory structure.

Thank you for your interest in education. We regret we are unable to assist you further with your concerns.

Sincerely,

Paul Gammill
Director
Family Policy Compliance Office