Honorable Kay R. Hagan
United States Senator
701 Green Valley Road
Suite 201
Greensboro, North Carolina 27408

SEP 8 2009

Dear Mrs. Hagan:

This is in response to your August 13, 2009, letter addressed to the Office of Legislation and Congressional Affairs regarding concerns raised by your constituent, (b)(6). (b)(6) alleges that the (b)(6) (Institute) denies that he graduated from the Institute. This inquiry was forwarded to this Office for response because we administer the Family Educational Rights and Privacy Act (FERPA), which addresses issues pertaining to education records.

FERPA is a Federal law that gives eligible students the right to have access to their 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" is defined as 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. Enclosed for your information is a copy of the FERPA guidance document.

Based on the information received, it appears that (b)(6) was a student at the Institute registered as (b)(6) on or about 1976. (b)(6) alleges that the Institute denies that he graduated and further denied him a diploma. As a courtesy, Mr. Bernard Cieplak of my Office first contacted (b)(6), registrar, at the Institute on August 18, 2009. Since that date, (b)(6) has reviewed (b)(6) education records and determined that he did not complete the Institution's requirements necessary for graduation and thus could not receive a diploma. (b)(6) states that the Institute has responded to (b)(6) on several occasions and has stated that without receiving any additional information or evidence to the contrary from (b)(6) the Institute would not reconsider (b)(6) graduation status. Accordingly, while FERPA addresses issues pertaining to education records, it does not address issues pertaining to local policies or matters relating to an institution's graduation requirements. Accordingly, this Office is unable to further assist (b)(6) in this regard.

Should you or your staff have any further questions in regard to this matter or FERPA, we may be contacted as follows:

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520
Telephone: 202-260-3887

Sincerely,

Paul Gammill
Director
Family Policy Compliance Office

Enclosure