UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF PLANNING, EVALUATION AND POLICY DEVELOPMENT

(b)(6)

SEP 3 2010

Dear (b)(6)

This is in response to your August 2, 2010, letter to this Office in which you allege that (b)(6) (Academy) violated the Family Educational Rights and Privacy Act (FERPA) when it disclosed personally identifiable information from the education records of the son of your clients, (b)(6) and (b)(6). This Office administers FERPA which addresses issues that pertain to education records.

FERPA is a Federal law that applies to educational agencies and institutions that receive funds from programs administered by the U.S. Department of Education. Private and parochial schools at the elementary and secondary level do not receive such funding and are, therefore, not subject to FERPA. Because the Academy is a private school, it does not appear that it is subject to FERPA. Consequently, there is no basis for this Office to assist you with this matter. Enclosed for your information is a FERPA guidance document.

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

Sincerely,

(b)(6)

Ricky C. Norment
Program Specialist
Family Policy Compliance Office

Enclosure

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