(b)(6)

APR 8 2011

Dear (b)(6)

This is in response to your October 4, 2009, letter to this Office in which you allege that (b)(6) (District) violated the Family Educational Rights and Privacy Act (FERPA) when it disclosed personally identifiable information from the education records of your son, (b)(6) (Student), to third parties 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 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 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 parent has provided written consent. "Personally identifiable information" includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

In addition to conducting investigations of alleged violations of FERPA, this Office also provides educational agencies and institutions with technical assistance to help ensure they comply with or come into compliance with FERPA. Enclosed for your information is a copy of our letter of technical assistance to the District.

 (b)(6)

I apologize for the amount of time it has take us to address your concerns. If you have any questions or concerns regarding our letter to the District, you may contact Mr. Ricky Norment of my staff at 202-260-3887.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office

Enclosure