(b)(6)

FEB 16 2011

Dear (b)(6)

This is to respond to your June 5, 2010, complaint form to this office in which you allege that rights afforded you under the Family Educational Rights and Privacy Act (FERPA) were violated by the (b)(6) (District) when it denied you access to your children's education records in response to your request. This office administers FERPA, which addresses issues pertaining to education records.

FERPA is a Federal law that gives custodial and noncustodial parents alike the right to have an opportunity to inspect and review their children's education records, unless there is a court order or State law that specifically provides to the contrary. The school may ask for legal certification denoting parenthood, such as a court order or birth certificate, from the parent requesting access to education 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 FERPA fact sheet.

On January 26, 2011, (b)(6) superintendent of the District, informed this office that a court order exists which restricts your access to your children's information (see enclosed). Based on this office's review of the court orders which pertain to you that were provided by the District, FERPA permits the District to deny you access to your children's education records as discussed above. Accordingly, this office is unable to further assist you with regard to your inquiry.

I trust this information is helpful to address the scope and limitations of FERPA.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office

Enclosures