(b)(6)

JUN 27 2011

Dear (b)(6)

This is in response to your undated letter which this Office received on April 26, 2011, in which you allege that (b)(6) (District) violated your rights under the Family Educational Rights and Privacy Act (FERPA). This office administers FERPA, a Federal law that pertains to education records.

Specifically, you state that on March 16, 2011, a juvenile probation officer contacted you about your son (b)(6) who attends (b)(6) High School). The probation officer said the vice principal of the High School brought up your son's name came up a lot and said that he was "high risk." You explain that the disclosure by the principal occurred at the High School's monthly meeting that is held in conjunction with juvenile services and various other social service agencies. You further explain that no consents exist that would allow for the disclosure of education records by the High School to these agencies under FERPA. In your specific case, you state that "these meetings took place prior to juvenile probation getting a referral on my son." Finally, you allege that on April 21, 2011, the juvenile probation officer asked if your son abused drugs, and that the officer indicated that the High School is disclosing to the community that your son is abusing drugs. You assert which your son has not abused drugs.

FERPA is a Federal law that affords parents 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. Education records are those records that are directly related to a student and that are maintained by an educational agency or institution or a party acting for the agency or institution.

FERPA prohibits the improper disclosure of information derived from education records. Therefore, information that is based on opinion or hearsay and not specifically contained in education records would not be protected under FERPA. It is not clear what, if any, of your son's education records were disclosed to the probation officer or to the local school community.

Accordingly, if you wish to pursue this compliant, please complete the enclosed complaint form and state concisely which of your son's education records were disclosed, on what date and to whom. We will review the information you provide and take any necessary action.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office

Enclosure