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Dear (b)(6)

Thank you for your letter, which we received on February 23, 2011, concerning allegations that your rights under the Family Educational Rights and Privacy Act (FERPA) were violated.

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. Under FERPA, parents must provide a signed and dated written consent before an educational agency or institution discloses personally identifiable information from a student's education records, except as authorized by law. When a student reaches the age of 18 or attends an institution of postsecondary education, that student is deemed "eligible" and all of the rights afforded by FERPA transfer from the parents to the student.

This office investigates those timely complaints containing specific allegations of fact giving reasonable cause to believe that a violation of FERPA has occurred. A complaint is timely if it is submitted to this Office within 180 days of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation.

In your case, the rights under FERPA concerning your education records belong to your parents because you are not yet 18 years old. Therefore, your parent(s) would have to file a complaint with this office concerning an allegation that their rights under FERPA were violated when this disclosure took place. Enclosed are a complaint form and a guidance document for parents about FERPA. Should they decide to file a complaint on this matter, we will review the information they provide and take any appropriate action. Otherwise, in order to address your concern, we could provide the school with technical assistance in this matter.

Thank you again for your letter. We trust that this adequately explains the scope and limitations of FERPA as it pertains to your complaint.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office

Enclosures