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MAR 10 2011

Dear (b)(6)

This letter is in response to your June 6, 2010, complaint form and information which you sent to the U.S. Department of Education, Family Policy Compliance Office (FPCO). FPCO administers the Family Educational Rights and Privacy Act (FERPA), which affords parents and eligible students certain rights with regard to education records. Unfortunately the information you provided is not sufficient to determine if there has been a violation of your rights under FERPA.

FERPA is a Federal law that gives parents the right to have access to their minor child'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. The term "education records" is defined as those records that are directly related to a student and which are maintained by an educational agency or institution or by a party acting for the agency or institution. Enclosed is a copy of a FERPA fact sheet.

This Office investigates those timely complaints that contain specific allegations of fact giving reasonable cause to believe that a school has failed to comply with FERPA. A timely complaint is defined as one that is submitted to this office within 180 days of the date that the complainant knew or reasonably should have known of the alleged failure to comply with FERPA. While it appears that you believe the information disclosed about your child came from his education records, you have not provided sufficient information for this office to determine what specific information from your child's education records was disclosed to a third party or if the information disclosed came from education records and not from hearsay or personal knowledge. Without further specific information, this office is unable to investigate your allegation.

Sincerely,

Bernard Cieplak
Program Analyst
Family Policy Compliance Office

Enclosure