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MAR 8 2011

Dear (b)(6)

This is in response to your February 2, 2011, letter to this Office in which you express concerns related to your child's special education needs. This Office administers the Family Educational Rights and Privacy Act (FERPA), which addresses issues that pertain to education records.

FERPA is a Federal law that gives parents the right to inspect and review 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. The term "education records" is defined as those records that contain information 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 for your information are a guidance document and complaint form.

It does not appear that your concerns are addressed by FERPA. Rather, they may be addressed by Part B Individuals with Disabilities Education Act. Although Part B is a Federal law, it is administered by the States. For further information regarding Part B, you may contact:

Mary Watson
North Carolina Department
of Public Instruction
Department of Exceptional Children
301 N. Wilmington Street
6th Floor
Raleigh, NC 27601-2825

However, should you read the enclosed guidance document and still believe your concerns are addressed by FERPA, you may follow the directions on page 6 and 7 of the guidance document for filing a complaint. We will review the information you submit and take any appropriate action.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office

Enclosures