Dr. Joshua Starr
Superintendent
Stamford Public Schools
888 Washington Boulevard
Stamford, Connecticut 06902

MAR 16 2011

Dear Dr. Starr:

This is in response to an allegation against Stamford Public Schools (District) made to this Office by (b)(6) (Parent). The Parent alleged that the District violated the rights of her son, (b)(6) Student), under the Family Educational Rights and Privacy Act (FERPA) when it disclosed personally identifiable information from the Student's education records to third parties without his prior written consent. Specifically, the Parent alleges that the District improperly disclosed the fact that the Student received special education services. This disclosure occurred on page eight of the District's 2010 yearbook. Enclosed for your review is a copy of page eight of the yearbook. This Office administers FERPA, which addresses issues that pertain to education records.

FERPA is a Federal law that gives 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. 20 U.S.C. 1232g; 34 CFR Part 99. Enclosed is a copy of the FERPA regulations. Once a student turns 18 years of age or attends a postsecondary institution, he or she becomes an "eligible student," and all rights under FERPA transfer from the parent to the student. 34 CFR § 99.5. Based on the information provided by the Parent, the Student is over 18 years of age and, as such, rights under FERPA have transferred to him. Thus, the Parent does not have standing under FERPA to file a complaint with this Office. However, in addition to conducting investigations of alleged violations of FERPA, this Office also provides technical assistance to schools to ensure they are in compliance or come into compliance with FERPA. This letter is written as technical assistance relative to the Parent's allegation.

The term "education records" means 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. CFR § 99.3 "Education records." Under FERPA, a school may not generally disclose personally identifiable information from an eligible student's education records to a third party unless the student has provided written consent. 34 CFR § 99.30. There are several exceptions to FERPA's general prohibition against nonconsensual disclosure of education records. However, none of FERPA's exceptions apply to the disclosure alleged by the Parent.