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This is in response to your recent letter to this Office regarding the Family Educational Rights and Privacy Act (FERPA). Due to staff limitations and resources, we are unable to review voluminous materials. Therefore, we are providing you with a guidance document on FERPA and a complaint form. Also, we are returning your incoming materials to you as they may helpful to you for future use.

However, it appears that your allegation relates to the fact that you received education records of two students from the (b)(6) Board of Education when it responded to a request from you for 504 accommodations for your child. FERPA vests the rights it affords with the parent or eligible student and does not provide for these rights to be vested in a third party that has not suffered an alleged violation. Thus, an individual must have "standing," that is, have suffered an alleged violation, in order to file a complaint under FERPA. In this situation, the parents whose children's education records have been disclosed to you maintain the FERPA rights to file a complaint, so would need to mail a completed complaint form to us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

Also, it appears that some of the concerns you have raised may be addressed by the Individuals with Disabilities Education Act (IDEA) rather than FERPA. Although IDEA is a Federal law, it is administered by the states. For further information regarding IDEA, you may contact: