(b)(6)

MAY 04 2011

Dear (b)(6)

This is in response to your recent complaint forms to this Office regarding the Family Educational Rights and Privacy Act (FERPA) in which you allege that the (b)(6) Schools violated your rights in the manner it has handled implementation of your daughters' Individualized Education Plans under Part B of the Individuals with Disabilities Education Act (Part B). This Office administers FERPA which pertains to education records and it doesn't pertain to the disclosure of information that comes from a source other than an education record, such as observation or hearsay. Nonetheless, it appears that the concerns you have raised may be better addressed by the Individuals with Disabilities Education Act (IDEA). Although IDEA is a Federal law, it is administered by the states. For further information regarding IDEA, you may contact:

Mr. Douglas Cox
Assistant Superintendent for Instructional
Support Services
Virginia Department of Education
P.O. Box 2120
Richmond, Virginia 23218-2120
Telephone: (804) 225-3252

With regard to the Health Insurance Portability and Accountability Act (HIPAA), this Office does not enforce that law; rather, it is enforced by the U.S. Department of Health and Human Services (HHS). You may find information helpful to you on their website: www.hhs.gov or contact HHS at 800-368-1019. The other issues you raise are not addressed by FERPA and should be directed to the appropriate school officials at the local or State level, not the Federal level.

Sincerely,

Ellen Campbell
Acting Director
Family Policy Compliance Office