

NOTE: This letter was reformatted to make it more accessible on the Student Privacy Policy Office's (SPPO's) website. Please note that SPPO administers FERPA and the office's prior name was the Family Policy Compliance Office (FPCO). Some citations in this letter may not be current due to amendments of the law and regulations. SPPO has not revised the content of the original letter. Any questions about the applicability and citations of the FERPA regulations included in this letter may be directed to FERPA@ed.gov.

August 3, 2000

[Letter to Parent]

Dear [Parent]:

This is in response to your June 22, 2000, complaint form to this Office in which you allege that the Fort Bragg Schools violated the Family Educational Rights and Privacy Act (FERPA) when it failed to provide you access to your son's education records in response to your requests. This Office administers FERPA, which addresses issues that pertain to education records.

FERPA gives parents the right to have access to their minor 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. Education records are defined as those records that contain information directly related to a student and which are maintained by an educational agency or institution or a party acting for the agency or institution.

FERPA is applicable to educational agencies or institutions that receive funding under most programs administered by the U.S. Department of Education. 34 CFR § 99.1. The school your child attends is a "DOD Section 6 school," which means it is funded solely by the Department of Defense under 10 U.S.C. section 2164, and not from program appropriations administered by the Department of Education. Accordingly, FERPA does not apply to your son's education records that are maintained by the DOD School.

Your concern may be addressed by the special education program for DOD schools. The address for that office is:

Coordinator of Special Education – DDESS Headquarters
4040 North Fairfax Drive
Room 416
Arlington, Virginia 22203-1635

I trust the above information is helpful in explaining the scope and limitations of FERPA as it relates to your concerns.

Sincerely,

/s/

LeRoy S. Rooker
Director
Family Policy Compliance Office