

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.

October 30, 2002

[Letter to Parent]

Dear [Parent]:

This is in response to your October 5, 2002, letter to Secretary Paige in which you allege that Crossings Academy denied you access to your children's education records. Your letter was referred to this Office because we administer the Family Educational Rights and Privacy Act (FERPA) which addresses issues related to education records.

FERPA is Federal law which affords 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. The FERPA regulations define the term "education records" as those records which contain information that is directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution.

FERPA applies to educational agencies or institutions that receive Federal funds from programs administered by the U.S. Department of Education. 34 CFR 99.1(a). In this regard, private and parochial schools at the elementary and secondary school levels do not generally receive funds from the Department of Education; therefore, records maintained at such schools would not be subject to FERPA.

It does not appear from the information you have provided that Crossings Academy is a public school subject to FERPA. However, if this is not the case, please contact this Office directly at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

At the time, please provide the information requested on the enclosed form.

I trust that the above information is helpful in explaining the scope and limitations of FERPA as it applies to your concerns. If you have any questions, you may contact Ms. Ingrid Brault of my staff at (202) 260-3887.

Sincerely,

/s/

LeRoy S. Rooker
Director
Family Policy Compliance Office

Enclosure