

This is in response to your public comment on FERPA and PPRA E-Compliant Forms, specifically, regarding the time period that a complainant has to file a complaint. You stated: “[The] time for a complaint to be submitted should be extended.” Please note the following.

Under the Family Educational Rights and Privacy Act (FERPA) regulations, a parent or eligible student must file a “timely” complaint. The FERPA regulations define a “timely” complaint as an allegation of a violation of FERPA that is submitted to the Student Privacy Policy Office (Office) within 180 days of the date of the alleged violation or of the date that the complainant knew or reasonably should have known of the alleged violation. See 34 CFR § 99.64(c). While the current regulations for the Protection of Pupil Rights Amendment (PPRA) do not specify when a complaint under PPRA must be filed with the Office, our policy has been to use the same regulatory definition of a timely complaint as the FERPA regulations use.