

FERPA - Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects privacy of student education records. It applies to all schools that receive funds under an applicable program of the U.S. Department of Education - i.e., almost every school.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for the requester to review the records. Schools may charge copy fees.
- Parents or eligible students have the right to request schools correct records which are alleged to be inaccurate or misleading. If the school decides not to amend the record, the requester then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the requester has the right to put a statement into the record stating his or her contested viewpoint.
- Generally, schools must have written permission from the parent or eligible student in order to release information from a student's record. However, FERPA allows schools to disclose records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

School officials with legitimate educational interest;
Other schools to which a student is transferring;
Specified officials for audit or evaluation purposes;
Appropriate parties in connection with financial aid to a student;
Organizations conducting certain studies for or on behalf of the school;
Accrediting organizations;
To comply with a judicial order or lawfully issued subpoena;
Appropriate officials in cases of health and safety emergencies; and
State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

See more information here: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Experiencing any parenting issues that clearly violate the law and your basic rights? Connect with many others at your local county level, your state level, and/or by general categories of similar interest. This material is provided as a free informational service to educate American parenting needs, as public domain for protecting and preserving the Family. Please visit us on the Internet at <http://unitedcivilrights.org>



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