

Family Educational Rights & Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a Federal law designed to protect the privacy of a student's education records. The law applies to all schools, which receive funds under an applicable program of the U.S. Department of Education¹. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student, or former student, who has reached the age of 18 or is attending any school beyond the high school level. Students and former students to whom the rights have transferred are called eligible students.

- Parents or eligible students have the right to inspect and review all of the student's education records unless, for reason such as great distance, it is impossible for parents or eligible students to inspect the records. Schools may charge a fee for copies.
- Parents and eligible students have the right to request that a school correct records believed to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record commenting on the contested information in the record.
- Generally, schools must have written permission from the parent or eligible student before releasing any information from a student's record. However, the law allows schools to disclose records, without consent, to the following parties:
 - School employees who have a need to know;
 - Other schools to which a student is transferring;
 - Certain government officials in order to carry out lawful functions;
 - Appropriate parties in connection with financial aid to a student;
 - Organization conducting certain studies for the school;
 - Accrediting organizations;
 - Individuals who have obtained court orders or subpoenas;
 - Persons who need to know in cases of health and safety emergencies; and State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may also disclose, without consent, "directory" type of information such as a student's name, address, telephone number,² 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.³

The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
600 Independence Avenue, SW
Washington, D.C. 20202-4605

¹ FRCS receives no funding from the Dept. of Education.

² It is FRCS policy to refrain from releasing this information to anyone outside of the school family.

³ A printable copy of the complete *Family Education Rights and Privacy Act of 1974* is available in pdf format. You need Adobe Acrobat Reader installed on your computer in order to read this file. Acrobat is available at no charge at Adobe or the UCA web.