

Family Educational Rights and Privacy Act (FERPA)

A federal law affirming Parents' Privacy Rights, protecting the right of parents to access all information about their child from the school.

Access their children's educational records

Educational records include files, documents and other material maintained by the educational institution that is directly related to the student. FERPA gives both parents, custodial and noncustodial, equal access to student information unless the school has evidence of a court order or state law revoking these rights. The information that parents have a right to access include not only grades, but also the child's disciplinary record, notes from a meeting with the school counselor, or a child's request to go by a different name or be treated as a different gender. Information like this is needed by parents so that they can ensure that their child's physical, mental, and emotional needs are being fully met at home and school.

Confirm the accuracy and seek to have the records amended

FERPA requires schools and local education agencies to annually notify parents of their rights under FERPA. The notice must effectively inform parents with disabilities or who have a primary home language other than English. The annual notice pertaining to FERPA rights must explain that parents may inspect and review records and, if they believe the records to be inaccurate, they may seek to amend them. Parents also have the right to consent to disclosures of personally identifiable information in the record.

Review and Appeal the Records

Parents not only have the right to request education records, but also they have the right to request amendments to education records and the right to file a complaint. If, upon review, parents find an education record is inaccurate or misleading, they may request changes or corrections, and schools and education agencies must respond promptly to these requests. If a parent's request is denied, he or she must be offered the opportunity for a hearing. If the disagreement with the record continues after the hearing, the parent may insert an explanation of the objection in the record. FERPA's right to amend does not apply to grades and purely educational decisions made by school personnel.

Consent to Disclosure of Personally Identifiable Information

Parents alone have the authority to permit the release of their child's personally identifiable information. The school may not release the PII information to a third party without the authorization from the parent. Personally identifiable information—often abbreviated as PII—refers to any data or information about students collected by schools, districts, government agencies, or organizations and companies working with schools that might reveal the identity or personal information of specific students or that could allow someone to indirectly track down the identity or personal information of students.

- (a) The student's name;
- (b) The name of the student's parent or other family members;
- (c) The address of the student or student's family;
- (d) A personal identifier, such as the student's social security number, student number, or biometric record;
- (e) Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name;
- (f) Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community to identify the student with reasonable certainty.

