

FERPA



The Family Educational Rights
and Privacy Act

What is the Family Educational Rights and Privacy Act?

- The Family Educational Rights and Privacy Act (**FERPA**) is a Federal law that *protects the privacy* of student education records.
- **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 high school.)

The Right To Inspect Records

Parents or eligible students have the *right to inspect and review* the student's education records maintained by the school.



The Right To Correct Records

- Records that a parent or qualified student considers *inaccurate or misleading* may be changed by mutual consent.
- If the parties involved cannot agree, an *adversarial hearing process* is available.
- After the hearing, if the school still decides not to amend the record, the parent has the right to *place a statement with the record* setting forth his or her view about the contested information.

The Release of Records and Rules for Disclosure

Schools must have **written permission** from the parent or eligible student in order to release any information from a student's education record

Signature

Release of Records and Disclosure Exceptions

- School officials with legitimate *educational* interest
- 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

Release of Records and Disclosure Exceptions

- *Accrediting* organizations
- To comply with a *judicial order* or lawfully issued *subpoena*
- Appropriate officials in cases of *health and safety* emergencies
- State and local authorities, within a *juvenile justice system*, pursuant to specific State law.

Personal Record Kept By A School Staff Member

- Educators *keep certain records without providing* access to parents as long as:
 - made as a *personal memory* aid
 - in the *personal possession* of the individual who made it
 - The information *will never be revealed* or made available to any other person

Student Directory Information

- "Directory Information" consists of information necessary to publish such things as honor rolls, athletic programs, or conduct awards assemblies, etc.



Student Directory Information

- Schools must tell parents and eligible students about directory information and *allow them a reasonable amount of time* to request that the school not disclose directory information about them.
- 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.

Student Directory Information

- 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*.

Use of Social Security Numbers to Identify or Match Education Records

- Employees *may use social security* numbers if the state has no prohibition against using them.
- However, you *may not require* students to provide them. It is important for you to inform students or parents if agencies or schools intend to use these numbers.

STUDENT EDUCATIONAL RECORD

- Any information about a student for use in the educational process is considered a student educational record.
 - Personal Information
 - Enrollment Records
 - Grades
 - Schedules

WHAT ARE THE BASIC RULES?

RULE ONE:

- Student educational records are considered confidential and may not be released without the written consent of the student.



CONFIDENTIAL

WHAT ARE THE BASIC RULES?

RULE TWO:

- As a faculty or staff member, you have a responsibility to protect educational records in your possession.



WHAT ARE THE BASIC RULES?

RULE THREE:

- You have access to information only for legitimate use in completion of your responsibilities as an instructor.

"Need to know"
is the basic
principle



CONFIDENTIALITY

- **C**ontrol information about students.
- **O**nly share information with those who have a need to know and who have proper authorization.
- **N**ever discuss school information about students while attending social events.
- **F**ollow guidelines if you are approached for confidential information.

CONFIDENTIALITY

- **I**nteract with those who inquire in a manner in keeping with your responsibilities.
- **D**on't discuss student situations in the lounge with staff that don't have a need to know.
- **E**xplanations for not discussing a student are easier than explanations for inappropriately divulging confidential information.

CONFIDENTIALITY

- **N**ot sharing is caring.
- **T**hink about privacy.
- **I**t's important that things which happen at school, stay at school.
- **A**ppropriate information exchanges require responsibility.

CONFIDENTIALITY

- **L**earn how to handle uncomfortable inquiries in a positive and courteous but confidential way.
- **I**dentify acceptable ways that necessary people can access information.
- **T**reat confidential information as if your job depends on it it may.
- **Y**ou are a part of positive public relations for your school. Confidentiality is a cornerstone.