



Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of learner educational records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

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

- Parents or eligible learners have the right to inspect and review the learner's educational 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 parents or eligible learners to review the records. Schools may charge a fee for copies.
- Parents or eligible learners have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible learner has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible learner has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible learner to release any information from a learner's educational record. However, FERPA allows schools to disclose those 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 learner is transferring
 - Specified officials for audit or evaluation purposes
 - Appropriate parties in connection with financial aid to a learner
 - 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
 - State and local authorities, within a juvenile justice system, pursuant to specific state law

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

For additional information, you may call **1-800-USA-LEARN (1-800-872-5327) (voice)**. Individuals who use TDD may use the Federal Relay Service.

Or you may contact us at the following address:

*Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202*