



Family Educational Rights and Privacy Act (FERPA)

What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. It applies to all schools that receive funds under the U.S. Department of Education.

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 considered "eligible students."

What are Education Records?

Education records are records that are directly related to a student and that are maintained by an educational agency or institution. These records include but are not limited to grades, transcripts, student course schedules, health records (at the K-12 level), student financial information (at the postsecondary level), and student discipline files.

What are the Rights of Parents or Eligible Students?

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.

- The right to inspect and review the student's education records maintained by the school.
- 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 student then has the right to a formal hearing.
- The right to consent in writing to the disclosure of any information from a student's education record. However, under certain conditions, FERPA allows schools to disclose those records without consent.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date of birth, etc. However, schools must tell parents or eligible students about this and allow them a reasonable amount of time to request that the school not disclose information about them.

Adapted from: *Family Educational Rights and Privacy Act (FERPA)*, February 2015. U.S. Department of Education.

When Can Records be Disclosed Without Consent:

- 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.



The contents of this fact sheet were developed, in part, under a grant from the U.S. Department of Education, #H328M140010. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government. Project Officer, David Emehiser.

This fact sheet is funded, in part, by a contract with the Oklahoma State Department of Education—Special Education Services (OSDE-SES). Views expressed in this fact sheet do not necessarily reflect the opinions of the OSDE.

