

# **Understanding The Family Educational Rights and Privacy Act (FERPA)**

**Presented by:  
Advocates for  
Justice and  
Education, Inc.-  
The Parent  
Training and  
Information  
Center for the  
District of  
Columbia**



# What is FERPA?

- **FERPA gives parents certain rights with respect to their children's education records.**



- **These rights transfer to the student when s/he reaches the age of 18 or attends a school beyond the high school level.**

# Who is a Parent?

**Non-parental guardians and other individuals who act as parents in the absence of a parent or guardian are considered parents under FERPA and are entitled to full access rights**

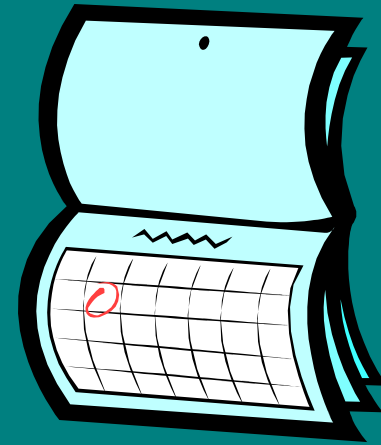


# **RIGHTS UNDER FERPA**

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

# TIMELINE

- **Once a request is made, the LEA has 45 days to produce the educational records for review and inspection.**



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

# EXCEPTIONS

- 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 the 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
- State and Local authorities, within a juvenile justice system, pursuant to specific State law.

# **Who can look at my child's records?**

**Properly trained volunteers and independent contractors who work in a school to the extent necessary to perform their work, but only after they are instructed not to share any student information with others who do not otherwise have access.**

**Under no  
circumstances  
should students  
have access to other  
students' records**

# **What can schools disclose without consent?**

- **Directory information such as:**
  - **student's name**
  - **address**
  - **telephone number**
  - **date and place of birth**
  - **honors and awards**
  - **dates of attendance**
  - **Weight and height of members of an athletic team**

**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.**

# **What if you do not want DCPS to release directory information?**

- **Parents or eligible students may instruct DCPS to withhold any or all of the information by completing the “Release of Student Directory Information Form,” available at the time of registration**
- **Or, notify the Office of Data and Accountability at 1200 First St NE, 12th Floor Washington, DC 20002 in writing within two weeks after the first day of the school year**

**Parents or eligible students have the right to request that a school correct records when inaccurate or misleading**

- **If the school decides not to amend the record:**
  - **The parent or eligible student has a right to a FORMAL HEARING**



# **What if the school still decides not to change the record?**

- **After the hearing, if the school still refuses to change the record:**
  - **Parent or eligible student has the right to place a statement with the record setting forth his/her view about the contested information**
  - **Then file a complaint**

# **NOTIFICATION**

**Schools MUST notify parents and eligible students annually of their rights under FERPA.**

**The way the notice is given is determined by the school.**

**Examples: PTA Bulletin, student handbook, special letter**

# **The Right to File a Complaint**

- **Parents and/or eligible students can file a complaint with the U.S. Department of Education if they believe the school has failed to comply with FERPA**

***Family Policy Compliance Office***

***U.S. Department of Education***

***400 Maryland Avenue, SW***

***Washington, DC 20202-5901***

# CONSEQUENCES

**School districts risk losing federal funding if they do not comply with keeping educational records private.**



# **FOR MORE INFORMATION:**

**Contact AJE at our two locations**

**The Big Chair: 2041 Martin Luther King Jr.  
Ave SE Suite 400 (202) 678-8060**

**4201 Georgia Ave NW (202) 265-1432**

**EMAIL:**

**[Carmen.daugherty@aje-dc.org](mailto:Carmen.daugherty@aje-dc.org)**

**[Michelle.harris@aje-dc.org](mailto:Michelle.harris@aje-dc.org)**