

## **STUDENT RECORDS**

### **Access to Education Records**

Schools are required by FERPA to:

- provide a parent with an opportunity to inspect and review his or her child's education records within 45 days of the receipt of a request
- provide a parent with copies of education records or otherwise make the records available to the parent if the parent, for instance, lives outside of commuting distance of the school
- redact the names and other personally identifiable information about other students that may be included in the child's education records.

Schools are not required by FERPA to:

- Create or maintain education records;
- Provide parents with calendars, notices, or other information which does not generally contain information directly related to the student;
- Respond to questions about the student.

### **Amendment of Education Records**

Under FERPA, a school must:

- Consider a request from a parent to amend inaccurate or misleading information in the child's education records;
- Offer the parent a hearing on the matter if it decides not to amend the records in accordance with the request;
- Offer the parent a right to place a statement to be kept and disclosed with the record if as a result of the hearing the school still decides not to amend the record.

A school is not required to consider requests for amendment under FERPA that:

- Seek to change a grade or disciplinary decision;
- Seek to change the opinions or reflections of a school official or other person reflected in an education record;
- Seek to change a determination with respect to a child's status under special education programs.

### **Disclosure of Education Records:**

A school must:

- Have a parent's consent prior to the disclosure of education records;
- Ensure that the consent is signed and dated and states the purpose of the disclosure.

A school MAY disclose education records without consent when:

- The disclosure is to school officials who have been determined to have legitimate educational interests as set forth in the school district's annual notification of rights to parents;
- The student is seeking or intending to enroll in another school;
- The disclosure is to state or local educational authorities auditing or evaluating Federal or State supported education programs or enforcing Federal laws which relate to those programs;
- The disclosure is pursuant to a lawfully issued court order or subpoena; and
- The information disclosed has been appropriately designated as directory information by the school.

### **Complaints of Alleged Violations:**

Complaints of alleged violations may be addressed to:

Family Policy Compliance Office  
US Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

Complaints must:

- Be timely submitted, not later than 180 days from the date you learned of the circumstances of the alleged violation
- Contain specific allegations of fact giving reasonable cause to believe that a violation has occurred, including:
  - Relevant dates, such as the date of a request or a disclosure and the date the parent learned of the alleged violation;
  - Names and titles of those school officials and other third parties involved;
  - A specific description of the education record around which the alleged violation occurred;
  - A description of any contact with school officials regarding the matter, including dates and estimated times of telephone calls and/or copies of any correspondence exchanged between the parent and the school regarding the matter;
  - The name and address of the school, school district, and superintendent of the district;
  - Any additional evidence that would be helpful in the consideration of the complaint.