

PRIVACY MATTERS FOR PARENTS AND GUARDIANS: **Correcting the Record**



Schools have always maintained records on students and their families, including contact information, grades, attendance, disciplinary records, and whether or not a student is eligible for a lunch program or has special needs. Teachers and school administrators use this information for purposes that vary from gauging student progress, to figuring out annual budgets, to making sure children get appropriate support and services. This information can be useful, but only if it is correct. As a parent or guardian, you have some rights around ensuring the accuracy of your child's education record.

Why Does this Matter?

The Family Education Rights and Privacy Act (FERPA) was enacted in 1974. It restricts who can access and use information contained in a student's education record—all of the information that is directly related to a given student as part of that student's education. The law applies to any school that receives federal funding. As a result, FERPA applies to most public schools and some private schools.

As a parent or guardian, FERPA gives you a number of specific rights around your child's education records. Specifically, you have the right to review your child's education record, and to give or withhold consent around disclosing some of your child's information

under certain circumstances. When your child turns 18 or enters college, these rights transfer to your child (see [Privacy Matters For Parents and Guardians: Your Rights Under FERPA](#) for more information on your FERPA rights).

Under FERPA, you also have the right to request changes to or deletions of inaccurate information in the student record. That doesn't mean you can request to delete any blemish that appears on your child's record. In fact, using FERPA to challenge grades, disability placements, or disciplinary rulings is strictly prohibited. Instead, the law affords parents a way to correct information that was inaccurate in the first place, or is misleading.



What Can I Do?

If you think something in your child's education record is misleading or inaccurate, there's a three-step process to amend it.

- 1. Petition.** Contact your school to correct or delete the error in the record.
- 2. Hearing.** If the school doesn't modify the record following your request, you have the right to a formal hearing. The school is required to have a process that provides you with the opportunity to challenge the school's decision.
- 3. Statement.** If the hearing doesn't yield satisfactory results, you have the right to include a formal statement in your child's record that sets forth your views about the incorrect information in the record. That statement becomes part of your child's educational record.

If you believe that a school hasn't given you proper access to your child's education record, you can contact the Department of Education at (202) 260-3887 to file a formal complaint within 180 days of your request.

Where Can I Learn More?

To learn more about student privacy and the steps you can take as a parent or guardian to protect your child's privacy, check out these helpful resources:

A Parents' Guide to Student Data Privacy

Primer for parents on student privacy

studentprivacycompass.org/wp-content/uploads/2015/09/parents_guide.pdf

Student Privacy Compass

This site is a tool for finding information, news, and opinions on maintaining student data privacy. Student Privacy Compass is an initiative of the Future of Privacy Forum.

studentprivacycompass.org/

Parents: Raise Your Hand and Ask Schools How They Protect Student Data

Q&A for engaging your students' school around privacy issues

studentprivacycompass.org/parentqa2018/

Student Privacy Policy Office

The Department of Education has a Student Privacy Policy Office that shares resources and guidance on FERPA to help parents understand their rights under the law.

studentprivacy.ed.gov/audience/parents-and-students