

# PRIVACY MATTERS FOR PARENTS AND GUARDIANS: YOUR RIGHTS UNDER FERPA



Your child's education record is full of data. These records may contain grades, attendance, disciplinary records, transcripts, and other information stored in the school or district's files. If your child goes to a school that receives any amount of federal funding, which includes most public schools and some private schools, the federal Family Educational Rights and Privacy Act (FERPA) protects the privacy of your child's education record.

## Why Does this Matter?

Under FERPA, parents and guardians have the right to inspect and review their child's record. You also have the right to request corrections or deletions if you find inaccurate or misleading information in your child's record (see [\*Privacy Matters For Parents and Guardians: Correcting the Record\*](#) for more on this point). In some circumstances you also have the right to opt out of disclosing your child's information. When your child turns 18 or enters college, all of these rights transfer to them. FERPA allows schools to share certain educational record information without parental consent in some circumstances. For instance, if your child is transferring enrollment from one school to another, FERPA allows your child's current school to share your child's record with the new school. It's the same concept as transferring your

medical records from one provider to another if you change doctors.

There are other exceptions, too, that allow schools to share student data with outside parties without parental consent. If your school is undergoing an audit or evaluation to gain or renew accreditation, for example, FERPA allows student data to be shared with evaluators. If your child receives financial aid, schools can share some student data with the providing agencies. If the school is conducting a study on educational outcomes, FERPA allows student data to be shared with researchers. FERPA allows schools to release certain information to comply with a subpoena or judicial order, and in the case of health and safety emergencies. For more information on these exceptions, see [studentprivacy.ed.gov/ferpa](https://studentprivacy.ed.gov/ferpa).



## 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](https://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/](https://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/](https://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](https://studentprivacy.ed.gov/audience/parents-and-students)

## 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.

