

The Family Educational Rights and Privacy Act (FERPA)

Statute: 20 U.S.C. 1232g Regulations: 34 CFT Part 99.

FERPA provides that an LEA that receives Department funds may not have a policy or practice of denying parents the right to:

- Inspect and review education records (34 CFT 99.10)
- Seek to amend education records (34 CFT 99.20.99.21, and 99.22)
- Consent to the disclosure of personally identifiable information from education records except as specified by law. (34 CFR 99.30 and 99.31)

These rights transfer to the student when he or she turns 18 year of age or enters a postsecondary educational institution at any age ("eligible student").

LEAs must annually notify parents and eligible students of their rights under FERPA. 34 CFR 99.7. the annual notification must also include:

- The procedure to inspect and review education records;
- The procedure to request amendment of education records;
- A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest if the agency or institution discloses or intends to disclose personally identifiable information to school officials without consent; and
- The right of parents to file a complaint with the Family Policy Compliance Office (FPCO) in the Department