

FERPA General Guidance for Parents

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents or eligible students who wish to ask the School to amend a record should write the School principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it should be changed. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an Education record in order to fulfill his or her professional responsibility. [Optional] Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. [NOTE: FERPA requires a school district to make a reasonable attempt to notify the parent or student of the records request unless it states in its annual notification that it intends to forward records on request.]
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are: Family Policy Compliance Office; U.S. Department of Education; 400 Maryland Avenue, SW; Washington, DC 20202-8520

Confidentiality and Student Records

The Family Education Rights and Privacy Act provide certain safeguards to the privacy of our patrons and our students. Parents have certain rights under this act until such a time as their student is 18 years of age or is enrolled in post-high school institution after which the student may exercise those rights:

The parent or eligible student has the right to inspect and review the student's education records. Records are available for inspection by contacting the school principal during regular business hours. The parent may seek an amendment of the student's educational records that the parent or eligible student believes to be inaccurate, misleading, or is otherwise in violation of the student's privacy rights. The educational agency or institution shall decide whether to amend the record as requested, it shall inform the parent or eligible student of its decision and of his or her right to a hearing. If the educational agency decides not to amend the record as requested, it shall inform the parent or eligible student of its decision and of his or her right to a hearing. The parent or eligible student has the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the Act authorized disclosure without consent. The parent or eligible student shall provide a signed and dated

written consent before an educational agency or institution discloses personally identifiable information from the student's educational records, except to officials of another school, school system, or institution of authorized federal, state, or local government agencies, or in connection with financial aid for which the student has applies or to organizations conduction a study on behalf of the educational agency or as directory information. The parent or eligible student has the right to file with the Department a complaint concerning alleged failures by the educational agency or Institution to comply with the requirements of this act and this part. Parental Access to Educational Records I.C.20-10.1-22.4

Sec. 1 As used in this chapter "educational records" means information the:

Is recorded by a nonpublic or public school; and Concerns a student who is or was enrolled in the school.

Sec. 2 Excerpt as provider in subsection b. a nonpublic or public school must

Allow a custodial parent and a non-custodial parent of a child the same access to their child's educational records.

A nonpublic or public school may not allow a non custodial parent's access to the child's education records if:

- a. A court has issued an order that limits the non custodial parent's Access to the child's educational records; and
- b. The school has received a copy of the court order has actual knowledge of the court order.