

THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The [Family Educational Rights and Privacy Act \(FERPA\)](#) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student educational records. FERPA gives families certain rights with respect to their children's educational records. These rights transfer to the student at age 18 or when a student attends a school beyond the high school level.

Under the provisions of FERPA, parents or eligible students have the right to:

- Inspect and review the student's educational records maintained by the school.
- Request that a school amend records that they believe to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. If, upon review, the school decides not to amend the record, the parent or eligible student has the right to a formal hearing. If, after the formal hearing, the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth their view about the contested information.
- Complete confidentiality of personally identifiable data, information or records pertaining to a student with a disability. Such personally identifiable information shall not be disclosed by any officer or employee of the State Education Department or any school district, or member of a committee on special education or committee on preschool special education to any person other than the parent of such student, except in accordance with sections 300.500 through 300.536 and sections 300.610 through 300.625 and part 99 of title 34 of the Code of Federal Regulations. FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
 - School officials with legitimate educational interest;
 - Other schools to which a student is transferring;
 - Specified officials for audit or evaluation purposes;
 - Appropriate parties in connection with financial aid to a student;
 - Organizations conducting certain studies for or on behalf of the school;
 - Accrediting organizations;
 - To comply with a judicial order or lawfully issued subpoena;
 - Appropriate officials in cases of health and safety emergencies; and
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.
- File a complaint with the Department of Education concerning alleged failures of the school to comply with the requirements of this Act. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

Policies and procedures for exercising the right to inspect and review the educational record, requesting an amendment to that record, and the specific criteria for determining who constitutes a school official and what constitutes a legitimate educational interest are detailed in the document entitled Accessibility of Program Records Policy, which can be found on page [36](#) of The Clear View School Day Treatment Center's Family Handbook. A link to the full law is provided above.