

FERPA at a Glance: Questions from Parents

The Family Educational Rights and Privacy Act (a.k.a. FERPA or the Buckley Amendment) is a federal law enacted in 1974 that controls student records. FERPA is administered by the U.S.

Department of Education, and maintains a website for parents at www.ed.gov/policy/gen/guid/fpco/ferpa/parents.html.

FERPA grants parents the right to access their child's educational records, to request amendments to the records, and to have limited control relative to the disclosure of personally identifiable information from the educational records. *Under FERPA, all parental rights are transferred from you to your child once he/she either reaches 18 years of age or enters a postsecondary institution.* This means that you cannot access your child's college educational records even if you are paying the bills unless your child gives you written permission to do so or unless you meet one of the FERPA exemptions that allow you to access your child's records without his/her permission. However, even when FERPA specifies an allowable exception to the privacy rules, your child's college still has the option to include or exclude that exception in its own campus FERPA policy. If a college chooses not to add a particular exception to its policy, you will not be able to access your child's records under that exception even though FERPA allows it.

What information is protected under FERPA?

FERPA covers "educational records" which are very broadly defined as "those records that are directly related to a student and are maintained by an educational agency or institution or by a party acting for

the agency or institution." Examples of FERPA records include grades, transcripts, test scores, I.D. numbers or social security numbers, financial records, disciplinary records, and class schedules. While counseling and medical records are not covered by FERPA, almost every state has laws or policies governing the confidentiality of these types of records.

What information can I obtain without permission from my son or daughter?

Unless your child specifically requests that the college not release it, FERPA allows the college to release certain information, called Directory

Information, to anyone. Directory information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy, if disclosed. It includes, but is not limited to, the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of

study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate; full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. Because each college can specify what it considers as directory information, you should check the FERPA policy at your child's college to see what information could be released under this provision.

FERPA Online
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continued

Will the college let me know if my child gets in any trouble related to drugs or alcohol?

Under FERPA a college MAY, without the student's permission, release certain information to parents or guardians of students under the age of 21 found responsible for violating any law, rule or university policy pertaining to drugs or alcohol. Each college is allowed to decide whether or not to release this information to parents; even schools that decide to release information under this provision can set parameters as to what info to release and when to notify parents. Check the college's policy on this issue.



Will I be informed if my daughter or son is treated at the Health Center or Counseling Services?

Health and Counseling Services' records are subject to even more restrictions than are educational records, including keeping it confidential that your child has even utilized those services. College officials recognize that confidentiality in this area is critical to encouraging students to talk openly and candidly with a physician, psychologist or other health professional without fear that this information will be shared with others.

Will I be notified if my child is hurt or in danger?

In the event of a potentially life-threatening emergency FERPA does allow parents or guardians to be notified without prior consent from the student. Most colleges have some type of emergency notification policy for this type of situation. Further, if a hospital or police agency is involved, they will have their own protocols for notifying you.

Why does the college make it almost impossible to get any info about my child?

In addition to the legal constraints FERPA places on us, most colleges operate within a student development framework that recognizes that the college years are when students are transitioning from late adolescence to adulthood. One of the most effective ways to help with that transition is to treat students as adults, granting them both the rights and responsibilities which go along with that status. This includes communicating directly with them rather than with the parents. Most college officials recognize the important role parents also play in this transition to adulthood, including providing emotional and financial support, and reinforcing good behavior and habits. Students are consistently encouraged to share information with their parents and include them in key decisions and situations they face during their college years.

By Karen L. Simpkins, J.D., Interim Associate Vice President for Human Resources, Eastern Michigan University