

FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents (and students over eighteen) certain rights with respect to the student's education records including:

1. Access to Records

The parent(s)/guardian(s) of a student under 18 years of age or a student at least 18 years old is entitled to inspect and copy information in the child's school records. When the student reaches 18 years of age, graduates from high school, marries, or enters military service (whichever comes first) all rights and privileges accorded to parent(s)/guardian(s) become exclusively those of the student. Where the parent(s)/guardian(s) are divorced or separated, both shall be permitted to inspect and copy the student's school records unless the School is provided a court order indicating otherwise.

Requests shall be made in writing and directed to the Building Principal. Access to the records shall be granted within 45 days of the Building Principal's receipt of such a request. The School charges \$.35 per page for copying information from a student's records, however no parent(s)/guardian(s) or student shall be precluded from copying information because of financial hardship.

A record of all releases of information from student records (including all instances of access granted whether or not records were copied) shall be kept and maintained as part of such records. This record shall be maintained for the life of the student record and shall be accessible only to the parent(s)/guardian(s) or eligible student, or Building Principal.

2. Student Record Challenges

A parent/guardian may challenge the accuracy, relevancy, or propriety of his/her student's school records. However when the student's school records are being forwarded to another school, no challenge may be made to grades or references to expulsions or out-of-school suspensions. If the Laboratory Schools decides not to amend the record as requested, the Laboratory Schools will notify the parent/guardian in writing of the decision and their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent / guardian when notified of the right to a hearing.

3. Disclosure of Education Records

The parent/guardian and/or student has the right to provide written consent before the Laboratory Schools discloses personally identifiable information from the student's education records. The School may disclose student records to any person possessing a written, dated consent, signed by the parent(s)/guardian(s) or eligible student stating to whom the records may be released, and identifying the type of records to be released

Records may be disclosed without written consent to the extent that FERPA authorizes disclosure including in the following circumstances:

- **Directory Information** – The School may disclose directory information regarding students, unless the student's parent(s) / guardian prohibits the release of such information. Directory information is limited to: name, address, gender, grade level, birth date and place, parents'/guardians' names and addresses, academic awards, degrees, and honors, information in relation to school-sponsored activities, organizations, and athletics, and period of attendance in school. **Any parent(s)/guardian(s) or eligible student may prohibit the release of any or all of the above information by delivering a written objection to the Building Principal during registration.**
- **Health or Safety Emergency** – The Building Principal may release information in a health or safety emergency. Disclosure in these circumstances would be made after taking into consideration the nature of the emergency, the seriousness of the threat to the health or safety of the student or other persons, the need for such records, whether the persons to whom such records are released are in a position to deal with the emergency, and the extent to which time is of the essence in dealing with the emergency.
- **School Officials & Contractors** – The School may disclose student records to school officials, including teachers, within the agency or institution whom the agency or institution has determined to have legitimate educational interests. 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 responsibilities for the Laboratory School or the University. The School may also disclose student records to other to a contractor, consultant, volunteer, or other party who provides an institutional service or function and agrees to be subject to the requirements of FERPA.
- **Judicial Order / Subpoenas** – The School may disclose student records to comply with a judicial order or lawfully issued subpoena provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or eligible student may seek protective action. The notice requirement does not apply to:

- Federal grand jury subpoena where the court has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed;
- Any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed; or
- An ex parte court order obtained by the United States Attorney General (or designee) concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331.

No record of a disclosure is maintained when records are disclosed according to the terms of an ex parte court order.

- **Legal Actions** – The School may disclose student records to a court if a legal action is instituted by either the educational agency and /or the student or parents and the student's education records are relevant for the action.
- **Other School Systems** – The School may disclose student records to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer. Note, this includes the transfer of disciplinary records with respect to the suspension or expulsion of a student.
- **State & Federal Agencies & Educational Studies** – The School may disclose student records to authorized representatives of the federal government (including the Comptroller General of the United States; the Attorney General of the United States; the Secretary of the U.S. Department of Education) or to State and local educational authorities authorized by law to receive such records. This includes juvenile authorities authorized to receive such information under state law. The School may disclose student records to organizations conducting studies for, or on behalf of, educational agencies or institutions provided that the release of such information satisfy specific requirements in the law.
- **Financial Aid** – The School may disclose student records in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to: determine eligibility for the aid; determine the amount of the aid; determine the conditions for the aid; or enforce the terms and conditions of the aid.
- **Accrediting Agencies** – The School may disclose student records to accrediting organizations to carry out their accrediting functions.
- **Sex Offenders** – The disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable Federal guidelines.