

Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974 (FERPA), is a federal law that grants important privacy rights to students regarding their educational records. More specifically, unless required by federal law, the information contained in educational records may not be disclosed to third parties, including parents, without the written consent of a student who is 18 or over. However, if the student is a minor, or, if the parents can demonstrate that their student is a dependent for income tax purposes, the parents may access the records. In addition to granting privacy rights, FERPA gives students the right to review their educational records and the right to request an amendment of those records should they feel the records contain inaccurate information.

The term, “educational records,” as used in the FERPA statute, includes more than academic records in its meaning. Educational records may also be financial aid records, transcripts, letters of recommendation, disciplinary files, grades, test scores, admissions applications and course enrollments. In essence, any records maintained by an institution and which contain information directly related to a student are educational records. Additionally, FERPA designates certain types of student information which may be published or released without the consent of the student. This information is referred to as “directory information”. Although such information is contained within an educational record, it is not generally considered harmful or an invasion of privacy if disclosed. Directory information can include a student’s name, address, telephone listing, email address, photograph, birth date, place of birth, area of study, grade level, dates of attendance, and recognition for activities, honors and awards.