FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a comprehensive law that applies broadly to information collected in public agencies or schools that receive federal education funds; thus, FERPA applies to information collected and maintained by public elementary, secondary, and postsecondary education institutions. The school district must have prior written information (consent) from a parent or a student that has turned 18 years of age, before disclosing any information upon request. FERPA defines education records as information:

• Directly related to a student, specifically any information recorded in any way, including, but not limited to: verbal conversation, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche
• Maintained by education agencies or institutions, or by parties acting for the agency or institutions, or by parties acting for the agency or institutions (e.g., special education schools, and health or social services institutions)
• Information should not be disclosed (verbal or written) which could identify a student as one who receives special services outside the scope of those who need to know in order to provide such services. This includes but is not limited to such examples as: 1. Conversations with family and friends, 2. Conversations with staff members without “need to know,” 3. Newsletters, 4. Memos to staff, 5. Faculty bulletin boards, 6. Newspaper articles and/or photos.