



FERPA 101

Utah Student Privacy Conference



United States Department of Education
Privacy Technical Assistance Center

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FERPA pre-test

1. FERPA only applies to schools that receive federal education funds. T F
2. Once a student turns 18, the school can't share education records with the parents. T F
3. If a child is living with a grandparent who is responsible for the day-to-day care of the child, the school must provide the grandparent with access to the child's education records. T F
4. Student health records maintained by the school nurse are not education records. T F
5. FERPA permits a parent to file a lawsuit against a school, district, or school board for violating his or her rights under FERPA. T F



FERPA pre-test (cont.)

6. Schools are required to provide parents with a copy of their child's education records upon request. T F
7. Designated directory information is not considered sensitive personally identifiable information, and, therefore, the school may disclose the information without the consent or knowledge of the parent or eligible student. T F
8. If a parent discusses a matter about his or her child in an open school board meeting, that constitutes "consent" under FERPA for school board members or other school officials to respond by disclosing PII from the child's education records. T F



FERPA pre-test (cont.)

9. Having a data-sharing agreement with an outside vendor is sufficient for a school to disclose PII from education records to a vendor without consent of parents or eligible students. T F
10. When a student under 18 transfers from School District A to School District B, District A can share all of the student's education records with District B without the consent of the parent, including disciplinary records and special education records. T F



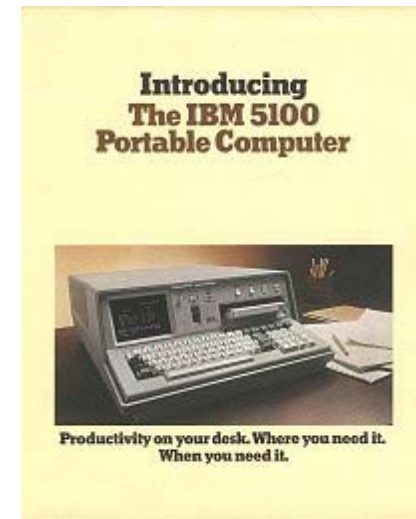
The world has changed

When FERPA was passed in 1974:

- Average house price was \$38k
- Average income was \$11k
- Federal spending was “only” \$269B
- You could buy a PC for the low, low price of \$20k

And...

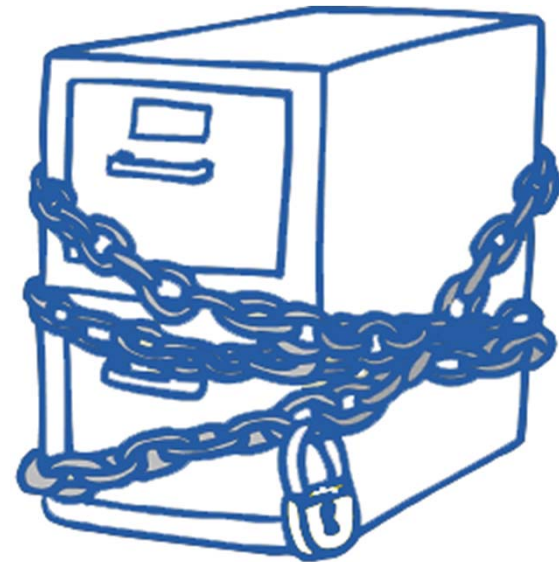
- Disco was still cool
- Education records were papers in the principal’s office



What is FERPA?

A federal privacy law that affords parents the right to:

- have access to their children's education records,
- seek to have the records amended, and
- consent to the disclosure of personally identifiable information from education records, except as provided by law.



Key points

- FERPA protects the privacy of students by restricting access to records that contain *Personally Identifiable Information* (PII).
- FERPA does not permit the *Disclosure* of PII from education records without consent, except under certain *Exceptions*.
- FERPA requires that *Reasonable Methods* be used to protect the integrity and security of the records being maintained at the school or district.
- FERPA does permit the disclosure of certain types of PII that is properly designated as *Directory Information* by the school or district if the parent or eligible student does not opt out of the disclosure.

