

FERPA or GRAMA Request?

- **FERPA** (federal law) governs access to education records of identifiable students.
- **GRAMA** (Utah's public records law) governs access to government records, including school district records.

FERPA applies when:

1. The records are “education records”

This includes:

- Student files (grades, discipline, IEPs, transcripts)
- Anything directly related to a student and maintained by the school

Under FERPA:

- Only the parent/guardian or eligible student (18+) has a right of access
- The school must verify identity before releasing records. (ie: All discipline records for Student X or IEP documents for [named student].)

2. The request involves personally identifiable information (PII)

Even if you file under GRAMA, FERPA **preempts** and restricts disclosure of:

- Names tied to records
- Student IDs
- Anything that could identify a student

So the district may:

- Deny the GRAMA request, or
- Redirect you to FERPA if you're the parent/student

3. You are requesting your own child's records

- FERPA gives you a direct right of access
- GRAMA is unnecessary and often rejected as the wrong process

GRAMA applies when:

1. De-identified or aggregate data

Examples:

- “Number of suspensions by school”
- “District-wide graduation rates”
- “Total IEP counts”

These are public records under GRAMA as long as no student is identifiable.

2. Policies, procedures, or administrative records

Examples:

- Discipline policies
- Emails between administrators (unless they contain student PII)
- Training materials

These are not “education records” tied to a specific student.

3. Redactable records

If a document contains student info, the district should:

- Redact the PII, and
- Release the rest under GRAMA

They can't automatically deny the whole record just because FERPA applies to part of it.

Points to Remember:

FERPA is not a records request law—it's a privacy law.

- It limits what can be disclosed
- It does not replace GRAMA entirely
- GRAMA requests must still be processed
- There may be redacted or withheld FERPA-protected portions
 - **If you're asking for your own child's records → use FERPA**
 - **If you're asking for public information about the district → GRAMA applies**
 - **If it's mixed → they should redact and still respond under GRAMA**