



## **Family Education Rights and Privacy Act (FERPA)**

Excerpted from the Achievement First Family Handbook 2018-19

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of scholar education records. The law applies to all schools that receive funding under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the scholar when he/she reaches the age of 18 or attends a school beyond the high school level. Scholars to whom the rights have transferred are "eligible scholars."

In accordance with FERPA law:

- Parents or scholars over 18 years of age have the right to inspect and review the scholar's education records maintained by the school.
- Parents or scholars over 18 years of age have the right to request that the school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible scholar then has the right to a formal hearing. The issue will first be heard by the superintendent of Achievement First or the superintendent's designee. If the parent or eligible scholar is still not satisfied with the decision of the superintendent or the superintendent's designee, a hearing with the Board of Trustees or a designated subcommittee of the board may be requested. The decision of the Board of Trustees or its designated subcommittee is final.
- The school may disclose, without consent, "directory" information such as a scholar's name, address, telephone number, parent/guardian name and contact information, date of birth, honors and awards, and dates of attendance (see list above under Scholar Records). Any parent who does not want such directory information included should submit a request in writing to the director of school operations.
- This listing in the Family Handbook serves as the school's annual notification of parents and eligible scholars of their rights under FERPA.
- Generally, the school must have written permission from the parent or eligible scholar in order to release any information from a scholar's education record. However, the school may disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a scholar is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a scholar;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.