

Family Educational Rights and Privacy Act (FERPA) The Buckley Amendment

Parents' and Students' Rights to School Records

The Family Educational Rights and Privacy Act, otherwise referred to as the Buckley Amendment, is a federal law enacted in November 1984. It gives all parents of students under 18 years of age and all students over 18 years of age attending post-secondary schools, the right to see, correct and control access to student records.

Any school, which receives federal funds from the U.S. Department of Education, must follow this law. Schools are required to establish written procedures to carry out this law and to notify parents of their rights annually.

Under this law, parents have access to school records which may include: attendance reports, health files, test results, grade reports, discipline records, and many other types of information which is gathered about each student and filed from year to year. Parents do NOT have to be shown: a teacher's or counselor's personal notes, records of school security police, and personnel records of school employees.

The school has 45 days to grant your request to see school records. They must send you a copy of the records if you are unable to review them at the school. They may charge you a reasonable fee for making the copies.

If you want something removed from the records, you have the right to first ask the principal to remove it and explain why. If he/she refuses, you may request a hearing. Put your request in writing to the school official in charge of student records. You may insert into the record a written statement describing why you think the material is false, misleading or inappropriate. The statement MUST be included with the record. If your school refuses to let you see or correct your child's records, or releases information without your consent, immediately send a written complaint to:

Family Policy Compliance Office
U.S. Department of Education,
400 Maryland Ave, S.W.,
Washington, D.C. 20202-5901
202-260-3887

The Buckley Amendment is a federal law for all students. In Connecticut, the laws governing special education students give parent the following rights:

"Parents shall have the right to inspect and review any education records relating to their child which are collected, maintained or used by the board of education.

- 1) A request to inspect and review a child's records shall be in writing. The board of education shall comply with such request within ten (10) days of such request, or within three (3) days of such request if the request is in order to prepare for a meeting regarding an individualized education program or any due process proceedings.
- 2) The parents' right to inspect and review the child's records shall include the right to one free copy of those records. A request for the free copy shall be made in writing. The board of education shall comply with such request within five (5) days of such request." (Sec. 10-76d-18. Education records and reports)