

## **Notification of Rights under Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days after the day Perkins School for the Blind receives a request for access.

*Parents or eligible students should submit to the educational director a written request that identifies the records they wish to inspect. The educational director will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.*

2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

*Parents or eligible students who wish to ask Perkins School for the Blind to amend a record should write the educational director, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.*

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

### **Exceptions to Consent Requirement**

FERPA has always allowed a number of exceptions to the rule that an agency must obtain parental or eligible student consent before releasing PII to another entity (34 CFR § 99.31). FERPA allows PII disclosure from a student's record without consent when the PII is disclosed to:

- school officials, including teachers, within the agency or institution, who are determined to have legitimate educational interests;
- a contractor, consultant, volunteer, or other party that an agency or institution has outsourced institutional services or functions and meets certain requirements, including being under the agency's direct control with respect to the records;
- school officials of another school, district, or postsecondary institution where the student is already enrolled or seeks to enroll;
- local and state education authorities, and certain federal officials, including comptroller general, attorney general and education secretary;

- determine financial aid eligibility;
  - state and local officials addressing a juvenile justice case if the authorizing state law was adopted before November 19, 1974 (when FERPA became effective);
  - organizations conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction;
  - accrediting organizations carrying out accrediting functions;
  - parents, as defined in under FERPA, of a dependent student;
  - comply with a judicial order or subpoena, after the agency made a reasonable attempt to notify the parent or eligible student before disclosing the information;
  - assist with a health or safety emergency;
  - a victim of an alleged violent crime or a non-forcible sex offense, but limited to the final results of the postsecondary education disciplinary proceeding;
  - a parent of a student under age 21 at an institution of postsecondary education when it concerns the student's violation of any law, rule, or policy of the institution governing the use or possession of alcohol or a controlled substance; and
  - officials maintaining the records of a sex offender and other offenders required to register under federal Violent Crime Control and Law Enforcement Act of 1994.
4. The parent or eligible student has a right to file a complaint with the U.S. Department of Education concerning alleged failures by Perkins School for the Blind to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202