

FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)

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 student education records. The law applies to all schools that receive funds 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 student when he or she reaches the age of 18 or attends a school beyond the high school level.** Students to whom the rights have transferred are "eligible students."

- Eligible students or parents who have completed the Authorization for Release of Student Records Form have the right to inspect and review academic records, student account records, and/or financial records – that they received permission for.
- Eligible students or parents with prior authorization from the student have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the eligible student or parent with prior authorization from the student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- In most cases schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, **without consent**, to the following parties or under the following conditions:
 - School officials with legitimate educational interest.
 - Other schools to which a student is transferring.
 - Specified officials for audit or evaluation purposes.
 - Appropriate parties in connection with financial aid awarded to a student.
 - 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 (refer to campus Police: 408-270-6468.)
 - State and local authorities, within a juvenile justice system, pursuant to specific State law.
 - Employment/enrollment verification.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. When applying to EVC, students may request, in writing, that their directory information be withheld.