

FERPA Quick Reference Guide

How can you easily follow FERPA requirements for release of student records?

Use the set of simple questions listed below to ask any person who is requesting personally identifiable student information. Remember that you must verify that their response is valid.

1) Is the person the parent/guardian of the student?

If yes – after verification, release the requested information

If no – do not release information and ask the next question

2) Is the person an employee of the district who needs access to perform their job?

If yes – after verification from that employee's supervisor, release the requested information and place a note in the student's file

If no – do not release information and ask the next question

3) Does the person have written parental permission to receive the student information?

If yes – after verification, release the requested information and place a copy of the permission in the student's file

If no – do not release information and ask the next question

4) Does the person have a subpoena (court order) for the information?

If yes – after verification, release the requested information and place a copy of the subpoena in the student's file

If no – do not release information and ask the next question

5) Is the information requested part of the student's directory information (i.e., name, mailing address, school attended, grade level, dates of attendance or graduation)?

If yes – determine if directory information is restricted on this child (look at the demographic student information screen in PowerSchool Premier)

If directory information is not restricted then you may release directory information only. If directory information is restricted, then you may not release information.

If no – do not release information.

If the answer to all of these questions is no, but the person still insists on obtaining the information, please have them contact Information Systems 452-2000 ext 11212.

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Fairbanks North Star Borough School District **FERPA Guidelines Regarding Release of Student Information**

The Family Educational Rights and Privacy Act (FERPA, 1974) pertains to all student records kept by the school and/or district. This includes the contents of the permanent record file and any other files kept on students either at your school or at central office. This includes (but is not limited to) health records, special education records, discipline records, Title I records, etc. The student's records are basically broken down into two main types of information:

1. Directory Information

2. Personally Identifiable Information

1. Directory Information

The Fairbanks North Star Borough School District has designated the following information as directory information:

- Name;
- Current Mailing Address;
- Name of School Currently or Previously Attended;
- Grade Level;
- Dates of Attendance and/or Graduation;
- School Awards, Honors, Recognitions;
- Participation in Sports and Activities;
- Height and Weight (interscholastic athletes only);
- Guardian Email Address;
- Preferred Student Email Address;
- Telephone Number;
- Photograph.

All requests for *directory information* should be routed to the Information Systems/Student Records department at central office (452-2000 ext. 11212) or transcripts@k12northstar.org so that we can make sure restricted students are excluded from these directory information lists. In our school district, we have a Directory Release form for parents to select specific restrictions each school year. Directory information restriction is coded on the student's PowerSchool Premier database by school administrative staff. Based on that information, Information Systems will reject any directory information request for students whose data has been restricted.

2. Personally Identifiable Student Information

Student information that is not part of directory information is considered

personally identifiable student information.

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Under What Conditions can we release Personally Identifiable Student Information?

There are specific situations where a school administrator can release personally identifiable student information to persons other than the parent/guardian. These two situations are:

- If you have written permission of the parent/ guardian, or
- If you receive a court order (subpoena) for the information.

There are a few exceptions to the above rule as follows:

- If a police officer declares that he/she needs specific student information because of a health or safety emergency, then you must provide this information to them, and parent consent to release the information is not required.
- If a police officer or social worker is conducting a criminal investigation of child abuse or sexual abuse by the parent/guardian, then written permission of the parent or a court order is not needed to obtain access to student records.
- A biological parent (even though they are not the legal guardian) has a right to receive any and all student records for their child, unless there has been a specific court order which prohibits the biological parent from access to the child's records. The biological parent must show proof of identification and the parent's name must appear on the child's birth certificate.
- Any school district employee can access student records if they need this access in order to perform their job responsibilities.
- There are certain additional restrictions that also apply to a student's sensitive information. These restrictions are covered by the free and reduced meal, social economic status, or special education programs. Last, certain information is restricted such as discipline and medical data. See below for more information.

Brief Review of Specific Situations:

- 1) Juvenile Probation Officers – Probation officers (POs) have written parental permission for access to school records when they are doing a pre-disposition report. Also the "Findings and Order for Disposition of Delinquent Minor" (this is a court document) contains specific language for the release of student records in order to monitor the probationary period. The PO must show documentation relating them to the specific student.

- 2) Social Workers from the Office of Child Services (OCS) – In nearly all the cases where OCS is conducting an investigation, the investigation involves child abuse or sexual abuse. Social workers from OCS who are conducting an investigation for child abuse/neglect or sexual abuse do not need written parental permission or a court order, but you should ask the social worker if this is indeed an investigation of child abuse or sexual abuse. [Note: You should “never” assume you are talking to OCS over the phone, but rather take their name and number and call the OCS direct line back (451-2650) asking for the OCS employee by name.]

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- 3) State of Alaska Department of Health and Social Services – Parents who apply for public assistance are required to sign a release of information form for student records from the school district. The Information Systems department at central office has a procedure worked out with public assistance such that we provide verification of enrollment upon receipt of a copy of the parent permission form.
- 4) Law Enforcement Officers – This includes State Troopers, city police and military police. Providing Law Enforcement Officers with student information is in **direct violation** of FERPA. The only exception within FERPA for allowing the police access to student information without parent permission or a subpoena is when the request is related to a health or safety emergency. When you are contacted by police to provide information contained in student records, and it IS NOT related to a health or safety emergency you will need to see the written parent permission and/or subpoena issued by the court. Please refer problems in this area to Information Systems at central office (452-2000 ext 11212).
- 5) Guardian Ad Litem (GAL) – Guardians authorized by court order. One agency in Fairbanks is the CASA group. CASA provides Guardian Ad Litem services to the Fairbanks community. In any case, the Guardian Ad Litem “must” show proof through a court document that they have been assigned to the named student as the GAL. A copy of the court document should be filed with such requests.

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