

## BROOKLYN LAW SCHOOL

### 2019-2020 NOTIFICATION OF THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students 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 parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the records, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student to release any information from a student's education records. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

School officials with legitimate educational interest<sup>1</sup>;  
Other schools to which a student is transferring;  
Specified officials for audit or evaluation purposes;  
Appropriate parties regarding financial aid 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; and  
State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, degree program, honors, awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

All FERPA requests are to be made by completing the forms available on BLS Connect (<https://blsconnect.brooklaw.edu/administrative/policies/Pages>) and sending the forms to:

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<sup>1</sup> A school official has a legitimate educational interest if the official acts in any of the following capacities: performing a task that is specified in the job description or employment contract; related to a student's education or to the discipline of a student; providing a service or benefit relating to the student or the student's family such as counseling, job placement, financial aid, etc.; or maintaining the safety and security of the campus.

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All requests shall be granted or denied within forty-five (45) days of receipt of the request. If granted, the parent or eligible student shall be notified of the time, date, and location of inspection of the records. A denial of a FERPA request may be appealed. The appeal form is on BLS Connect.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may use the [Federal Relay Service](#). Or you may contact the: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-8520.