



ASK THE **FERPA** PROFESSORS

Expert answers to your **FERPA** questions.

MAY 1, 2023

DEAR FERPA PROFESSORS,

I work for an educational vendor where a customer has requested us to make a change which makes me uncomfortable. I am hoping you might be able to help me determine if my concern is valid. The customer is asking us to block access to their students' self-service tools (what classes they are taking, their refund check information, etc.) if they do not take an action such as updating their demographic data or accepting their responsibility to pay their bill. This seems like a violation of the student's rights. Is that allowed?

I read this: §99.10 What rights exist for a parent or eligible student to inspect and review education records?

- (d) If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the student's education records, the educational agency or institution, or SEA or its component, shall—
- (1) Provide the parent or eligible student with a copy of the records requested; or
- (2) Make other arrangements for the parent or eligible student to inspect and review the requested records.

Thanks,

Ms. Mercant

DEAR MS. MERCANT,

You are wise in FERPA ways to have an issue with such a request from one of your institutions. One of the primary rights of students is to have access to their education records and one of the responsibilities of institutions is to provide students the opportunity to "inspect and review" those records. § 99.10 of the FERPA regulations requires that an institution provide such access in a reasonable period of time and does not permit institutions to abridge this right of access for any reason when it concerns education records that are maintained by the institution or a party acting for the institution. This would certainly include any records maintained in the institution's student information system.

I hope this is helpful in answering your question. You can find the above cited regulation on page 157 of the 2012 AACRAO FERPA Guide.

THE FERPA PROFESSORS

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www.aacrao.org/FERPA50