

YOUR CHILD'S RECORDS

Types of Records

MARC maintains records for your child that we keep confidential. You will receive copies of most of these records. Your child's file contains the following records.

- MARC Fact Sheet
- Information that we receive from your child's case manager (Intake)
- Medical Records
- Evaluations*
- IFSP/IEP*
- Progress Reports and Early Intervention Case Notes*
- Assessments*/Checklist
- Correspondence that we may have with other agencies or providers*

* Indicates that you will receive copies of these records, while your child is in our program.

Your Rights

We want you to know these things about your child's rights and your rights regarding your child's records.

- Your child's records are confidential. Personally identifiable information can not be given to others without your written consent.
- You or your representative can review any educational or developmental records maintained by MARC at any time.
- You may request a copy of your child's records. There may be a small fee for these copies.
- Bylaw, we are not permitted to make copies of records that we receive from external agencies, hospitals, etc.
- You have the right to request that any information you feel is inaccurate or misleading in you child's records be changed or removed.
- If you request for an amendment of records is refused, you have the right to request a hearing. Your child's case manager can help you initiate a hearing.
- For more detailed information concerning your child's records, please refer to the copy of the **Family Educational Rights and Privacy Act (FERPA)**, which is attached.



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Family Educational 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."

- 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 record, 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 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 (34 CFR § 99.31):
 - 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 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, address, telephone number, date and place of birth, honors and 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. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

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