Free State PTA
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Parent Advocacy for Students in Dual Enrollment Programs

Whereas, the 1974 Family Educational Rights and Privacy Act (FERPA), is a federal law that protects the privacy of student education records by stating that when a student turns 18 years old, or enters a postsecondary institution at any age, the rights under FERPA transfer from the parents to the student ("eligible student");[1] and

Whereas, if a student is claimed as a dependent for Federal income tax purposes by either parent, then under the FERPA regulations, either parent may have access to the student's education records without the student's consent;[2] and

Whereas, an exception to FERPA's general consent rule also permits institutions of post-secondary education to share information with parents of students who are enrolled in both a high school and a college or university (dually enrolled). In this situation, the parents retain the rights over the student's education records maintained by the high school, if the student is under the age of 18 years, and the student retains the rights over the education records maintained by the college or university;[3] and

Whereas, when consent is required of students to authorize parents' access to educational records it must be written, signed (hardcopy or electronically) and dated;[4] and

Whereas, dual enrollment programs allow high school students to take college courses and earn college credits or fulfill graduation requirements while still attending high school;[5] and

Whereas, the timeline for reviewing, appealing, or requesting grade changes should be different for anticipated graduating seniors versus that of non-graduating seniors;[6]

Resolved, that PTAs advocate for the 1974 FERPA to be amended to authorize parents or guardians of minors who attend post-secondary institutions to access student records and for students 18 years old or older maintain the ability to authorize their parents or guardians access in writing; and be it further

Resolved, that students enrolled in a dual enrollment program who are in jeopardy of not graduating due to a failing grade should have at least two months notice so that their due

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[1] What is FERPA, Protecting Student Privacy of the U.S. Department of Education

[2] eCFR :: 34 CFR 99.31 -- Under what conditions is prior consent not required to disclose information?

[3] Privacy, Including FERPA | SchoolHouse Connection

[4] 04-9054.pdf (SECURED), Regulations amending FERPA effective May 21, 2004.

[5] Dual enrollment and early college Maryland's community colleges.

[6] Maryland Rules on Grading and Reporting

process rights can be exercised and that local school systems develop policies that authorizes students to participate in commencement ceremonies pending investigations, appeals, or certain thresholds of fulfilling graduation requirements; and be it further

Resolved, that PTAs promote the review and adherence of dual enrollment memorandums of understanding of their respective school systems and share resources on finding a point of contacts for Maryland Public Information Act of local education agencies; and be it further

Resolved, that PTAs advocate that local education agencies provide in writing the percentage grade that a student receives within a dual enrollment program if properly requested within 3 days, since a high school student may not access the post-secondary grading system and the student is under duress of not graduating; and be it further

Resolved, that PTAs champion at the federal level for parents or eligible students to file complaints with the U.S. Department of Education's Student Privacy Policy Office (SPPO) within three years of alleged FERPA violations; and be it further

Resolved, that PTAs advocate for the 1974 FERPA Act be amended to bring into alignment the same rights parents and guardians of minors have when requesting student records at secondary schools to that of post-secondary institutions administering dual enrollment programs by altering the definition of an eligible student as one who is 18 years old or older.