

# OPT-OUT FERPA

## **National Opt-Out Campaign Encourages Parents to Protect the Privacy of their Children's School Records**

*Parents have the right under federal education law to restrict access to their children's personal information*

New York, N.Y. – As the new school year gets under way across the country, parents have the opportunity to protect the privacy of their child and family by opting out of allowing schools to share their personal information with third parties. When parents do not opt out of directory information, they are consenting to their child's contact information being disclosed or sold to third parties for commercial or other uses, compromising the privacy and possibly the safety of their child.

The annual National Opt Out Campaign informs parents of their rights under the Family Educational Rights and Privacy Act (FERPA) to restrict third-party access to their children's information and encourages them to review their school's annual FERPA notification. Under FERPA, schools must notify parents and guardians at the beginning of each school year of their right to "opt out."

As cases of identity theft with children as targets increase daily, as well as database breaches and the rampant sale of personal information, parents should be aware of how easily personally identifiable information can be bought and sold by marketers as well as by identity thieves. And with cloud computing and mobile devices coming into greater use for education and student data storage, the risks of data leaks and breaches have become even greater.

"Officials from the U.S. Department of Education have emphasized that FERPA protects the privacy of the education record and not the child," said Sheila Kaplan, founder of Education New York, who launched the National Opt Out campaign in 2011. "Parents should keep that fact in mind and seriously consider their right to opt out and ask their schools how they are protecting student privacy."

To raise awareness of the right to opt out, Kaplan is making available free of charge [Opt Out merchandise](#) to share with parents concerned about student privacy.

The Federal Trade Commission also has raised the alarm on student privacy with a [Consumer Alert](#) to parents warning of the risk of children's identity theft and urging parents to safeguard their children's school records and directory information.

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FERPA was enacted in 1974 to protect the privacy of school records and directory information -- which can include name, address, phone number, date and place of birth, and e-mail address, among other personally identifiable information. However, under FERPA these data can be disclosed without parental consent.

Parents and others interested in children's privacy are encouraged to visit the [National Opt Out Campaign website](#) to learn more about what they can do to protect their children, including asking their state legislators to support the creation of a [Chief Privacy Officer](#) in state departments of education as well as greater restrictions on the protection of student personal information.

For more information, visit [www.opt-out-now.info](http://www.opt-out-now.info) or [www.educationnewyork.com](http://www.educationnewyork.com).

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