



# FEDERAL LAWS AND STUDENT PRIVACY

By CollegiateParent

**Many parents view their students' college years as a gradual transition from dependent childhood to independent young adulthood. However, there are a few areas where college students are considered adults under the law and parents' rights to access information about their students are restricted.**

## **Health Records**

The Health Insurance Portability and Accountability Act (HIPAA) protects the privacy of medical records. As soon as children turn 18, parents no longer have access to their medical information even if they're still covered by the family health insurance policy.

This means that your student's visits to the college health and counseling centers — or the family doctor back home — are completely confidential and, in the case of a serious new or ongoing health issue, you won't be able to join the conversation unless invited by your student.

This also means that, if there is an accident or health emergency and your student is hospitalized, medical personnel will not be able to consult with you without your student's consent.

There's a simple form your student can complete which permits healthcare providers to share information with you or include you in conversations. Generic HIPAA authorization forms can be found online; your doctor's office may have one as well or there may be one on the college website. If your student goes to school out of state, it is a good idea to fill one out both for that state and your home state. Keep paper copies and store scans on your computer or smartphone.

## **Educational Records**

Parents do not have automatic access to their college student's grades.

FERPA, the Family Educational Rights and Privacy Act, gives parents control of their children's educational records and transfers that control to students when they turn 18 or go to college. Educational records include grades, transcripts, course schedules, student financial information and disciplinary records.

How should families deal with FERPA? A good place to start is by talking to your student (early in the school year if possible) about how much information you'd like about their grades. Would you like your student to tell you their grades? Do you actually want to see the grades?

If your student wants to let you see their grades, they can fill out a "Student Information Release Authorization" — the school should have a link to this form on their website. There may also be an option to add this access to your parental login to their student account (which you may already be using to view the tuition statement).

Alternatively, if your student is a dependent for tax purposes, the college may disclose these records to you with or without your student's consent. You will need to provide evidence of your student's status; steps to follow will be on the Registrar's page on the college website.

At any time a college is allowed under FERPA to contact parents of students under the age of 21 who violate laws or policies relating to drug possession or underage drinking, and schools are permitted to disclose information from a student's records in case of a safety or health emergency.



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