



**NORTH CAROLINA COMMUNITY COLLEGE SYSTEM**  
*H. Martin Lancaster, President*

March 11, 2004

**MEMORANDUM**

**TO:** Basic Skills Directors

**FROM:** Randy Whitfield, Ed.D.  
Associate Vice President, Academic & Student Services  
Basic Skills Department

**SUBJECT:** FERPA

The Family Educational Rights and Privacy Act (FERPA) protects the rights of students and grants students the right to access their student records when they turn 18 or begin attending an institution of higher learning. The right of inspection, not copying, must be granted within forty-five days of the request. Students who attend Basic Skills are attending institutions of higher learning even though they are not enrolled in higher learning programs; therefore, Basic Skills students are protected by FERPA. The following are guidelines for FERPA regulations:

- A student's right to educational records does not mean that parents have no rights to those records. If a parent claims a student as a dependent for tax purposes, then the program must share student records with the parent. (Programs have the right to ask parents to show a copy of their tax returns.)
- It is recommended that, if possible, programs still get the written consent of students before sharing information. Programs could have students sign a written release or bring their parents with them to a conference.
- Programs may obtain a blanket written authorization from a student which allows the program to disclose records/information to the parents. It is a good idea to have a statement saying students have to notify the college in writing if they decide to withdraw the authorization.

Contact David Sullivan, System Office Attorney, by telephone (919) 807-6961 or email him at [sullivan@ncccs.cc.nc.us](mailto:sullivan@ncccs.cc.nc.us) if you have questions about the general statement of this law.

cc: Presidents  
Senior Continuing Education Administrators

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