

# Overview of the Buckley Amendment

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You may have heard of the Buckley Amendment. Here's what this legislation does, as well as how it can be helpful to you as a parent.

## What the Buckley Amendment Means

The Buckley Amendment is a federal law that was created in November 1974 as part of the Family Educational and Privacy Act (FERPA).

The amendment requires that schools provide an administrative process for parents to challenge and request information in their [child's education records](#) that they believe are misleading, inaccurate, or inappropriate.

The Buckley Amendment also gives parents the possibility of changing information in their child's educational records. Parents of all students under the age of 18 have the rights outlined in the amendment. The same goes for parents of students who are over 18 but enrolled in post-secondary schools. Many children with [learning disabilities](#) remain in school until after the age of 18.

## How the Process Works

Your child's educational records, also known as a cumulative file, will typically include documents related to his or her school attendance, test scores, report cards, and discipline records. Parents aren't allowed access to teachers' personnel records, school security records, notes from school counselors, and similar materials. The cumulative record is centered on the child's growth and development during his or her time in school.

If you disagree with any of the records included in the cumulative file or believe that it's inappropriate for certain documents to be included, you'll need to contact the school principal or another administrator to explain your reasoning.

For example, if your child has a learning disability, you may dispute a note about your child's behavioral problems if it was later discovered that the disability caused such behavior.

If the school refuses to remove the disputed document, you can ask for a hearing or write a rebuttal to the document in question. Then, you can request that it be included in the cumulative file.

## How to Proceed If Schools Don't Comply

Schools that receive funds from the federal government must comply with the Buckley Amendment. They have 45 days to allow you access to the records in your child's cumulative file. If you can't come to the school to view the documents directly, they must make copies of the materials included in the file.

You may have to pay a fee to get copies. If the school is willing, ask for the files to be scanned and emailed to you to avoid paying a fee.

Schools not only must adhere to the Buckley Amendment, but they must also outline in writing how they will execute the process of giving parents access to children's cumulative files. In addition, they must inform parents of their rights to see the information in the child's records on a yearly basis.

If your [child's school](#) doesn't update you about this process each school year, require within about the process while letting them know they're legally obligated to dispense this information. If your child's school refuses to give you access to your child's cumulative file, contact the Family Compliance Office of the [U.S. Department of Education](#) to make a complaint.

#### Article Sources

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1. U.S. Department of Education. [FERPA for Students](#). Updated June 26, 2015