# Superintendent’s Memo #053-19


**COMMONWEALTH of VIRGINIA
Department of Education**

DATE: March 1, 2019

TO: Division Superintendents

FROM: James F. Lane, Ed.D., Superintendent of Public Instruction

## SUBJECT: U.S. Department of Education Acts on School Safety Report Recommendation to Improve Understanding of Student Privacy Law

Last December, the Federal Commission on School Safety (FCSS) released an in-depth [*Final Report of The Federal Commission on School Safety*](https://www2.ed.gov/documents/school-safety/school-safety-report.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=), which observed that “substantial misunderstanding remains at the local level among officials and educators concerning the *Family Educational Rights and Privacy Act* (FERPA), and in particular its application to school-based threats.”

In response, the U.S. Department of Education just released a comprehensive set of frequently asked questions (FAQs) on schools’ and districts’ responsibilities under FERPA in the context of school safety.

This FAQ document, titled [*School Resource Officers, School Law Enforcement Units and the Family Educational Rights and Privacy Act (FERPA)*](http://links.govdelivery.com/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTkwMjEyLjE1NDg5MDEmbWVzc2FnZWlkPU1EQi1QUkQtQlVMLTIwMTkwMjEyLjE1NDg5MDEmZGF0YWJhc2VpZD0xMDAxJnNlcmlhbD0xODA1MDE1OCZlbWFpbGlkPUFkYW0uSG9uZXlzZXR0QGVkLmdvdiZ1c2VyaWQ9QWRhbS5Ib25leXNldHRAZWQuZ292JmZsPSZleHRyYT1NdWx0aXZhcmlhdGVJZD0mJiY=&&&102&&&https://studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=), consists of 37 commonly asked questions about schools’ and school districts’ responsibilities under FERPA relating to disclosures of student information to school resource officers (SROs), law enforcement units, and others, and seeks to explain and clarify how FERPA protects student privacy while ensuring the health and safety of students and others in the school community. The full FAQ document can be found here: [*School Resource Officers, School Law Enforcement Units and the Family Educational Rights and Privacy Act (FERPA)*](http://links.govdelivery.com/track?type=click&enid=ZWFzPTEmbWFpbGluZ2lkPTIwMTkwMjEyLjE1NDg5MDEmbWVzc2FnZWlkPU1EQi1QUkQtQlVMLTIwMTkwMjEyLjE1NDg5MDEmZGF0YWJhc2VpZD0xMDAxJnNlcmlhbD0xODA1MDE1OCZlbWFpbGlkPUFkYW0uSG9uZXlzZXR0QGVkLmdvdiZ1c2VyaWQ9QWRhbS5Ib25leXNldHRAZWQuZ292JmZsPSZleHRyYT1NdWx0aXZhcmlhdGVJZD0mJiY=&&&102&&&https://studentprivacy.ed.gov/resources/school-resource-officers-school-law-enforcement-units-and-ferpa?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=).

For additional information on the meetings, field visits, listening sessions, roundtables, and other resources used to produce the FCSS report, please visit the U.S. Department of Education [Federal Commission on School Safety](https://www.ed.gov/school-safety?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=), or contact Joseph Wharff, Associate Director, Office of Student Services at the Virginia Department of Education, by email at Joseph.Wharff@doe.virginia.gov, or by telephone at (804) 225-3370.

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