

## 4. Parent Asks a Principal About Disciplinary Action Taken Against a Student Who Allegedly Bullied Her Child



A frustrated mother appears in the principal's office, demanding to know what actions have been taken against a student who has bullied her child in school, which the parent has reported multiple times. The parent says she has heard that the School Resource Officer is investigating reports of bullying that occurs on school grounds and is working with students who have been found to bully others. The mother wants to know if the school has taken any disciplinary action against the other child,

such as suspending or expelling him, and if the school has required the child to attend counseling.

### Who has the information?

The high school principal.

### Who wants the information?

A parent who believes that her child has been the victim of bullying.

### What information does the requester want?

The mother wants to know if any disciplinary action has been taken against the student who she says has bullied her child and whether that student has been required to participate in counseling.

### What does the requester want to do with the information?

It appears that the mother wants to be reassured that the school is taking proper measures to ensure her child's safety.

### Which laws are relevant in this situation?

FERPA rules govern the principal's disclosure of the information requested by the parent.

### What do the laws permit, and what do they prohibit?

FERPA requires parental authorization prior to disclosing disciplinary information about a student.

A health and safety exception to the parental authorization requirement *might* apply if there is an articulable and significant threat to the health or safety of a student or other individuals and if the information is needed to

protect the health or safety of the student or other individuals. When these conditions apply, the school may disclose the information to appropriate parties without parental consent. An *articulable and significant threat* means that a school official can explain why, based on the information available, he or she believes there is a substantial threat.

## How can school personnel proceed legally in this situation?

The principal may not release the information requested by the mother without the authorization of the other student's parent. Given the details presented here, it does not appear that FERPA's health and safety exception applies. The principal can tell the mother that the school has taken appropriate action with regard to the student, but the principal cannot give her any additional details.

If a significant amount of bullying is occurring in the school, school staff may choose to implement a bullying prevention initiative.