



Your College Kid Has Privacy Rights. Here's How You Can Prepare

Make as many provisions as possible beyond being an emergency contact.

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Remember being required to attend report card conferences with your child's teacher? Gone, too, are the days of verifying if your child will have a school-administered physical or receive one by your own physician, as your child heads off to college this fall. College freshmen who have celebrated their 18th birthday are adults with a legal right to privacy, meaning parents or guardians no longer have automatic rights to access their information — from medical issues to class grades. Don't despair, prepare, and make as many provisions as possible beyond being an emergency contact.

Attorney Gary Schuster, the father of two college-aged children, has a few tips for families related to both healthcare concerns and access to educational records. Schuster is partner and attorney at Jacobowitz and Gubits LLP, the Walden-based law firm that marks its 50th anniversary this year.

"To begin, it's a good idea to look into a healthcare proxy," said Schuster. "The person named will be the agent who will make medical decisions for the student if the student is unable to do so. Also, a completed HIPAA (Health Insurance Portability and Accountability Act) form allowing the parent to receive medical information related to the student is recommended.

"A power of attorney, much like a healthcare proxy but with an emphasis on financial and business matters, allows the parent to conduct business-related activities on their child's behalf and could also prove valuable."

As for keeping in the loop about grades, "Students can complete a FERPA (Family Educational Rights and Privacy Act) form to allow parents access to their educational records."

A few additional considerations are to work with the financial aid officer to confirm all costs and whether the parent or student will be responsible. Depending on the individual, this can also be a good time for a young adult to establish credit and financial responsibility by having their own credit card.

After taking care of all that, go ahead and steal one more look at them in the rearview mirror before driving home. It's your right.