

LEGAL MAILBAG – MAY 14, 2026



By Attorney Thomas B. Mooney, Neag School of Education, University of Connecticut

The “Legal Mailbag Question of the Week” is a regular feature of the CAS Weekly NewsBlast. We invite readers to submit short, law-related questions of practical concern to school administrators. Each week, we will select a question and publish an answer. While these answers cannot be considered formal legal advice, they may be of help to you and your colleagues. We may edit your questions, and we will not identify the authors. Please submit your questions to: legalmailbag@casciac.org.

Dear Legal Mailbag,

As a high school administrator, we regularly encounter situations involving seniors who have recently turned 18. The other day, a student went to the nurse complaining of stomach pain. The nurse contacted his mother, who stated that she did not want him dismissed and wanted him to remain in school. The student then came to see me, explained the situation, and stated that because he is over 18, he is responsible for his own educational decisions and he intended to dismiss himself. We called his mother together in an effort to reach a mutual understanding, but it left me in a difficult position.

Once they turn 18, are students legally able to make all educational decisions, including dismissing themselves from school?

Signed,
Who's in Charge?

Dear Who's:

It is understandable that a student in the full bloom of youth who turns 18 may be overexuberant in asserting freedom from parental control. However, Legal Mailbag advises that school officials are not required to defer to a decision of an 18-year to disavow parental control.

The analysis starts with the observation that school officials have authority over students and others in the school setting, and that authority is not based solely on the fact that students are generally still minors. For example, a parent could announce that he or she will be bringing lunch to his or her child every day or that he or she will be picking the student up an hour before dismissal each day. In such cases, school officials can simply tell the parent that such actions are not allowed. Similarly, just because a student is now 18, school officials do not have to defer to his or her decision to leave school early. To be sure, Legal Mailbag is not suggesting that administrators physically impede the student's exit from school. Rather, school officials can make clear that the student's leaving school early is not authorized and that accordingly there will be disciplinary consequences if the student leaves school without authorization.

There is one formal change in legal status for students who turn 18 that is relevant to the relationship between a student and school officials. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, confers rights on parents to access school records and to maintain their confidentiality. Under FERPA, those rights transfer to the student when he or she reaches the age of 18, and under the statute such students are then called "eligible students." Even under these circumstances, however, school officials may share educational records with parents without the consent of the eligible student if that student is claimed as a dependent on the parent's tax return, as will almost always be the case. 20 U.S.C. § 1232g(b)(1)(H), 34 C.F.R. § 99.31(a)(8).

In sum, school officials are free to treat students as adults when they reach age 18. But whether and when to defer to student decision making is a matter for school officials to decide. Moreover, school officials may continue to include parents in decision-making even when a student reaches age 18 by sharing information with them and considering their input in making educational decisions.