



FERPA

Clear, Simple, and Fun!

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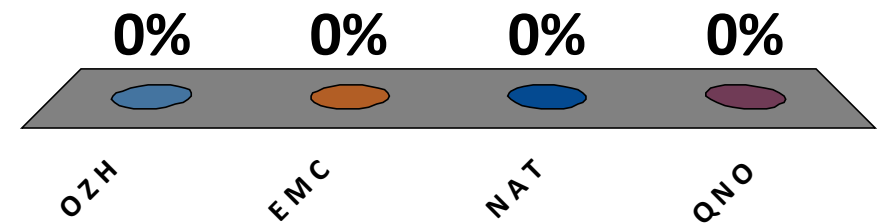
W_L_O_E

A. O Z H

B. E M C

C. N A T

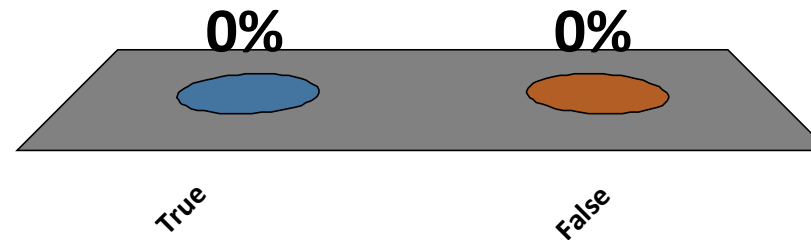
D. Q N O



FERPA is important

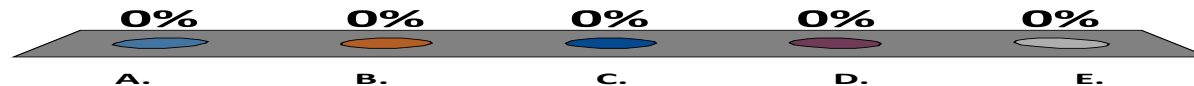
A. True

B. False



What does FERPA stand for?

- A. Family Educational Rights and Privacy Act
- B. Federal Educational Rights and Privacy Act
- C. Federal Education Rights Privacy Association
- D. Federal Emergency Response Preparedness Act
- E. Ferris Educational Rights Policy Amendment



What is FERPA?

- It stands for the Family Educational Rights and Privacy Act of 1974.

Family Educational Rights and Privacy Act of 1974

- A federal law designed to protect the privacy of *education records*, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

Family Educational Rights and Privacy Act of 1974

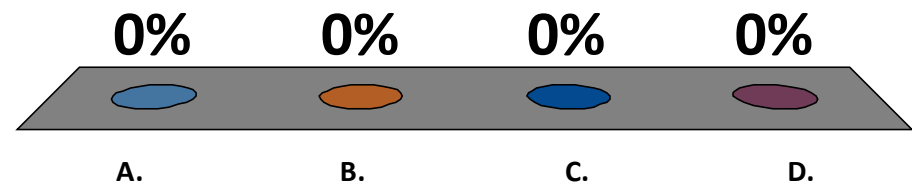
- This act is enforced by the Family Policy Compliance Office, U.S. Department of Education, Washington, DC.
- The Family Policy Compliance Office is the office within the Department of Education that administers FERPA and is responsible for providing technical assistance regarding FERPA to educational institutions.

Why Comply with FERPA?

- It's the Law (Code of Federal Regulations 34, Part 99).
- Failure to comply could result in the withholding of Federal Funds, including Student Financial Aid.
- Lawsuits caused by violations cost time and money.

The FERPA rights of a student begin:

- A. When the application for admission is received
- B. When the student is formally admitted
- C. When the student pays his/her first tuition bill
- D. When the student is “in attendance” as defined by the institution



The Essence of the Act

- College *students* must be permitted to inspect their own *education records*.
- *School officials* may not disclose *personally identifiable* information about students nor permit inspection of their records without their written permission, unless such action is covered by certain exceptions permitted by the Act.

Who is and is not covered under FERPA?

- Students who are or have been in attendance at a postsecondary institution are covered under FERPA.
- Applicants who are denied admission or who never attend are not covered under FERPA. But we do make every effort to protect their information as well.

When do FERPA rights begin and end for a student?

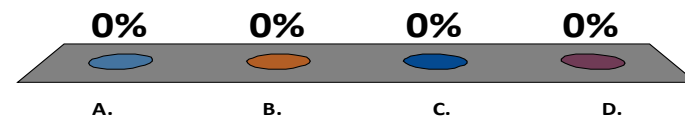
- Rights begin when the student is “in attendance” as defined by the institution.
- For Ferris State University this means a student is officially registered for at least one class and that class has started.
- FERPA rights continue after the student leaves the institution and are only terminated upon death of the student.

Student & Former Student Rights under FERPA

- To inspect their education records.
- To request an amendment to their record and a hearing if the request is for amendment is unsatisfactory.

Which of the following is not an education record?

- A. A student's traffic violation
- B. A student's email address
- C. The women soccer team's roster showing hometown, height, weight, and current class of team members
- D. A work study student's work record



Student & Former Student Rights

- To file a complaint with The U.S. Department of Education if they feel their rights are being violated.
- To expect that their education records are kept confidential except where special provisions are made.
- To suppress the disclosure of directory information.

What are Education Records?

- All records that directly relate to a student and are maintained by an institution.
- These records can be in any media form: handwritten, print, type, film, electronic, microfiche, etc.

What information might need to be handled in a secure way?

Any personally identifiable piece of information, other than strictly directory information. Items such as those listed below fall into this category.

- Registration forms
- Transcripts
- Student information displayed on a computer screen
- Grades
- Student schedules
- Class assignments
- Class Rosters
- Any paper with the student's SSN/CWID on it
- Any items stored in Xtender.

What are *not* considered to be Education Records...

- **Law Enforcement Unit Records** – maintained solely for law enforcement purposes & revealed only to law enforcement agencies.
- **Employment Records** – of those whose employment is not contingent upon being a student.
 - Records created as a result of being a student (work study, graduate assistant, etc.) are education records.
- **Medical Records** - created by a health care professional used only for the medical/health treatment of the student.
- **Alumni Records** - created after student has left the institution.

What are *not* considered to be Education Records...

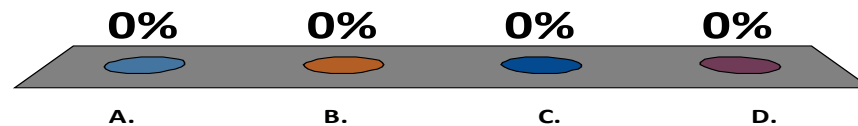
- **Personal Notes** – kept by a faculty/staff member if kept in the sole possession of the one who made the record.

However...

- Personal Notes taken in conjunction with any other person are not sole possession notes.
- Sharing personal notes with another person or placing them in an area where they can be viewed by others makes them “educational records”.

Directory information may include all of the following except the student's:

- A. Photograph
- B. Major
- C. Class Schedule
- D. Country of Citizenship



What information can be released?

- Directory Information.
- Information that the student has given written consent to release.
- Information needed by University officials who have a legitimate educational interest.
- Information requested by certain government agencies.

What is “directory information”?

- It is information that can be released without the student’s written consent.
- Each university/college determines what information is classified as directory information.

Directory Information at Ferris State University includes...

- Name
- Address
- Telephone Number
- Academic College
- Program/Major
- Athletic Participation (including photos of events)
- Admission Status
- Enrollment Status (including withdrawal & drop dates)
- Class Level
- Date(s) of Attendance
- Degrees, Awards & Honors (including date awarded)
- Previous Schools Attended

Directory Information - continued

- Awards may include...
 - Dean's List
 - Memberships in National Honor Societies
 - Athletic Awards
 - University-funded scholarships (non-need based)

FERPA/Non-Disclosure Holds

- Students have the right under the law of FERPA to request that their directory information *not* be released.
- To institute a FERPA hold, the student must complete a form in the Center for Student Services.

What does it do?

- Prevents the University from releasing any information about a student.
- The University cannot even acknowledge that the person is a student at Ferris State.
- Strongly recommend against students obtaining this hold unless it is absolutely necessary.

As defined in FERPA, “legitimate educational interest” refers to:

- A. A faculty member’s need to provide feedback to students in the form of grades/evaluations
- B. The registrar’s need to obtain education record information from faculty to produce a student’s transcript
- C. A schools official’s right to obtain information only about students he/she is advising or teaching during the current year
- D. A school official’s need to review student education record information to fulfill a responsibility as part of his/her contract



Who can access Student Information?

- University faculty, staff, and other designated officials, who, to carry out their responsibilities, have a *legitimate educational interest*.

A **Designated University official** is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff). Also considered University officials are members of the Board of Trustees, a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent), temporary employees, affiliates, student workers, and graduate assistants employed by the University.

Legitimate educational interest is defined as the need to know in order to...

- Perform an administrative task outlined in persons official job duties.
- Perform a supervisory or instructional task directly related to the student's education.
- Perform a service or benefit for the student such as health care, job placement, financial aid, etc.

Who else can access Student Information without obtaining prior written consent?

- The individual student
- Whomever the student authorizes by providing the institution with a written release (release must be written, signed and dated and must specify the records to be disclosed and the identity of the recipient).
- Any party requesting directory information (unless the student has a Privacy or Non-Disclosure hold).
- University officials of Ferris State University who have a legitimate educational interest.

Parents' Rights

- Parents may obtain directory information.
- Parents may obtain non-directory information by obtaining a signed consent from their child.
- It does not matter who is paying the tuition bill the record belongs to the student attending the University.

Please Remember...

- Access to student information does not authorize unrestricted use of that information.
- Curiosity is not a valid reason to view student information.
- Records should only be accessed in the context of official business.

More Important Info...

- When in doubt – *don't give it out.*
- Refer requests for student academic information to the Office of the Registrar.
- Information about a student can be released with a signed consent from the student.
- Information on a computer should be treated with the same confidentiality as a paper copy.

Still more important info...

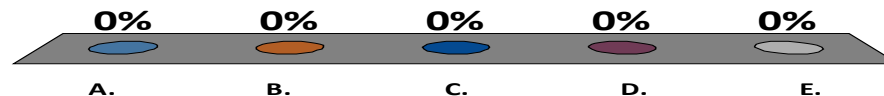
- Do not leave confidential information displayed on an unattended computer.
- Cover or put away papers that contain confidential information if you are going to step away from your desk.

Record Disposal

- Records containing Social Security Numbers, CWID's or grades should be placed in the University-provided shred containers, not just thrown in the garbage or placed in an unsecured recycling bin.

To avoid FERPA violations do not:

- A. Use the SSN/Student ID to post grades.
- B. Leave graded tests/assignments in a stack for students to sort through.
- C. Circulate a printed class list with the Student Name and SSN/Student ID.
- D. A and C only
- E. All of the above



Helpful Hints Continued

To Avoid FERPA Violations – Please Do Not...

- Provide anyone with student schedules.
- Provide anyone with lists of students enrolled in your classes.
- When using FerrisConnect or other online teaching tools, ensure that only “directory” designated information is posted.
- Share student information, including grades or GPA’s, with other faculty or staff unless their responsibilities warrant a need-to-know.

Letters of Recommendation

- Letters which only directory-level information and statements based on the writer's personal observation or knowledge do not require a written release from the student.
- If non-directory information is included in a letter of recommendation, you must have a signed consent from the student.
- The signed consent should include the following:
 - Who has permission to write the letter
 - Where the letter should be sent to
 - What non-directory information should be included

Sample Permission Letter for Writing a Letter of Recommendation

I give permission for Dr. Reid to write a letter of
recommendation to:

Chemical Bank
1111 S. State Street
Big Rapids, MI 49307

Dr. Reid has my permission to include my
grades, GPA, and class rank in this Letter.

I waive/do not waive my right to review a
copy of this letter at any time in the future.

Signature

Date

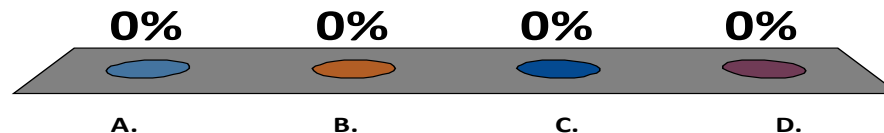
Please Remember...

The presentation you have heard today is intended to give general information about FERPA and to acquaint Ferris State University faculty and staff with some of the privacy issues surrounding students educational records.

Always err on the side of caution if there is any question regarding whether you should release student information. Please contact the Registrar's Office for guidance on specific issues.

Last, but not least: Was this presentation beneficial?

- A. Of Course!
- B. Not Really 😞
- C. Some of it I knew, but I learned something new too.
- D. I now love FERPA as much as Elise and Matt!



For Additional Information

- Visit the web at

<http://www.ferris.edu/admissions/registrar/schdbook/page15.htm>

American Association of Collegiate Registrar's and Admissions Officers. 2012. *FERPA 12 Family Educational Rights and Privacy Act*. Washington DC.: AACRAO.