



New River Community and Technical College

Bluefield State College Human Resources Training and Development Workshop

FERPA

Presented by the Office of Human Resources

Family Educational Rights & Privacy Act (FERPA)

- Federal Law designed to protect the privacy of a student's education records
- Passed by Congress in 1974
- Sometimes called the Buckley Amendment

PROTECT OUR STUDENTS PROTECT OURSELVES

- Why?
 - Because it's the right thing to do
 - Because the Federal Government requires us to do so
- Maintaining confidentiality of student records is everyone's responsibility whether you are faculty, staff or student

Four Specific Rights to the Adult Student

- The right to see the information that the institution is keeping on the student
- The right to seek amendment to those records and in certain cases append a statement to the record
- The right to consent to disclosure of his/her records
- The right to file a complaint with the FERPA Office in Washington, D.C.

What is a student educational record?

- Just about any information provided by a student to the college for use in the educational process is considered a student educational record
- The storage media in which you find this information does not matter.

What are the basic rules?

- Student educational records are considered confidential and may not be released without the written consent of the student.
- As a faculty or staff member you have a responsibility to protect educational records in your possession.
- You have access to information only for legitimate use in completion of your responsibilities as a college employee. Need to know is the basic principle.

Basic Rules continued

- Some information is considered public (sometimes called “Directory Information”). This info can be released without the student’s written permission. However, the student may opt to consider this info confidential as well.
 - Student’s name, address, telephone #, date and place of birth, honors and awards, and dates of attendance.

Basic Rules continued

- If you are ever in doubt, do not release any information until you contact the Registrar's Office. This office is responsible for student record information.

Exceptions

- FERPA allows schools to disclose records, without consent, to the following parties or under the following conditions:
 - School officials with legitimate educational interest
 - Other schools they are transferring to
 - Specified officials for audit or evaluation purposes
 - Appropriate parties parties in connection with financial aid to a student
 - Organizations conducting certain studies for the school
 - Accrediting organizations
 - To comply with an judicial order or subpoena
 - Officials in cases of health and safety emergencies

Special Don'ts

- At any time use the entire Social Security Number of a student in a public posting of grades
- Ever link the name of a student with that student's social security number in any public manner
- Leave graded tests in a stack for students to pick up by sorting through the papers of all students

Don'ts continued

- Circulate a printed class list with student name and social security number or grades as an attendance roster
- Discuss the progress of any student with anyone other than the student (including parents) without the consent of the student
- Provide anyone with lists of students enrolled in your class for any commercial purpose

Don'ts continued

- Provide anyone with student schedules or assist anyone other than college employees in finding a student on campus

Quiz – Question 1

- If a student's parent calls asking how a student is doing in a class, can you give out that information?

No – You must assume that the student is an adult who is entitled to privacy, even from parents. Parents may assert their rights to the records if the student is a dependant according to the tax code.

Quiz – Question 2

- You receive a call from a recruiting firm asking for names and addresses of students with a GPA of 3.0 or better. They say they have good job information for these students. Can you help these students get jobs by giving out this information?

No – While we all want to help students to get good jobs this request must be referred to the Registrar's Office.

Quiz – Question 3

- A person comes up to your office with a letter containing a signature that gives consent to the release the transcript of a student. Do you give the transcript to them?

No – Transcripts and record information are available only through the Registrar's Office.

Quiz – Question 4

- You receive a phone call from a local police department indicating that they are trying to determine whether a particular student was in attendance on a specific day. Since they are in the middle of an investigation are you allowed to give them this information?

No – Information about whether or not a student was enrolled in a particular semester is directory information and can be obtained through the Registrar. If the police require more information, a subpoena may be required.

Quiz – Question 5

- You get a frantic phone call from an individual who says that he is a student's father and must get in touch with her immediately because of a family emergency. Can you tell him when and where her next class is today?

No – For the safety of the student you cannot tell another person where a student is at any time. When this situation arises follow prescribed procedures.

Quiz – Question 6

- Is it wrong for professors to leave exams, papers, etc. outside their office for students to pick up?

Yes – This is a violation of the privacy rule because it is inappropriate for students to have access to other student's information.

Quiz – Question 7

- An unauthorized person retrieves information from a computer screen that was left unattended. Under FERPA, is the institution responsible?

Yes – Information on a computer screen should be treated the same as printed reports.

When it Doubt...Don't



Questions, Handouts and Evaluation

