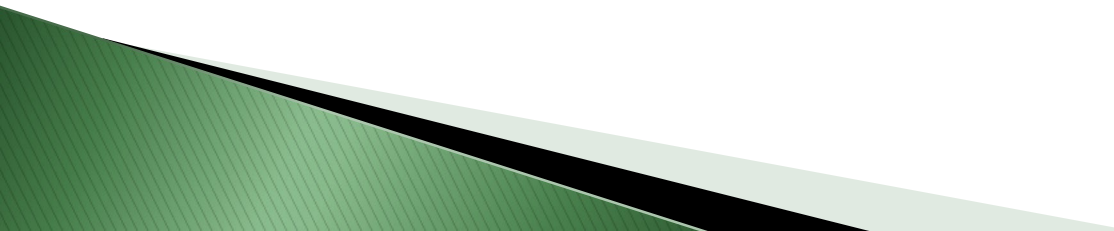


FERPA

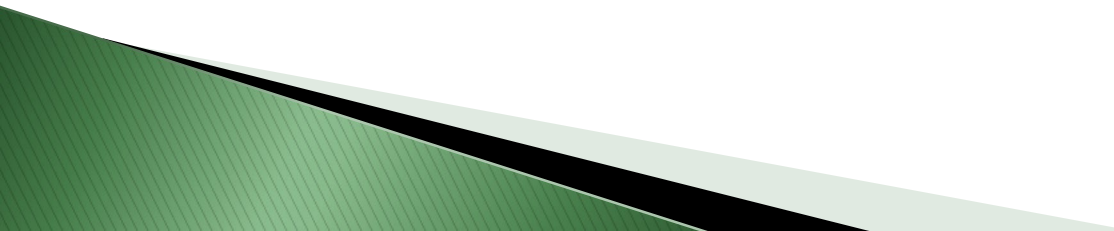
Family Educational Rights and Privacy Act

(January, 2019)

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What is FERPA?

FERPA stands for Family Educational Rights and Privacy Act (sometimes called the Buckley Amendment). Passed by Congress in 1974, the Act regulates the release of academic records, and grants four specific rights to students:

- ▶ The right to view all information the institution is keeping in his/her student file
 - ▶ 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.
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What Information May Be Released?

FERPA allows institutions to release certain information called “Directory Information” without the student’s consent, unless the student has specifically requested that Directory Information not be released. Florida Gateway College defines the following items as Directory Information:

- ▶ Student’s name
- ▶ Date and Place of Birth
- ▶ Major Field of Study
- ▶ Dates of Attendance
- ▶ Degrees and Awards Received
- ▶ Most Recent Educational Institution Attended by the Student
- ▶ Enrollment Status
- ▶ Full or Part–Time Status
- ▶ Height and Weight of Athletic Team Members
- ▶ County of Residence
- ▶ Participation in Official Recognized Activities and Sports
- ▶ Student’s Photograph

Request Non-Release of Directory Information

Students may request the non-release of Directory Information by submitting a written request for that purpose to the Registrar's Office. The student's records in Banner will be flagged "Confidential".

- ▶ When accessing information about this person in Banner a warning that the information about this person is confidential will display.
- ▶ When accessing the records in MyFGC, the display will show **Confidential Information for [person's name]** at the top of the page.

What is a Student Educational Record?

Most information provided to the College by a student for use in the educational process is considered a student educational record.

Some examples are:

- ▶ Personally Identifiable Information (i.e., social security number, Student ID number, personal characteristics)
- ▶ Grades
- ▶ Class Schedules

The storage media in which you find this information does not matter. Student educational records may be:

- ▶ A document in the Enrollment Services
- ▶ Student records in any other office
- ▶ A computer printout in your office
- ▶ A class list on your desk
- ▶ A computer display screen
- ▶ Notes you have taken during an advising session


Faculty Reminders for Compliance with FERPA

In compliance with FERPA, you cannot:

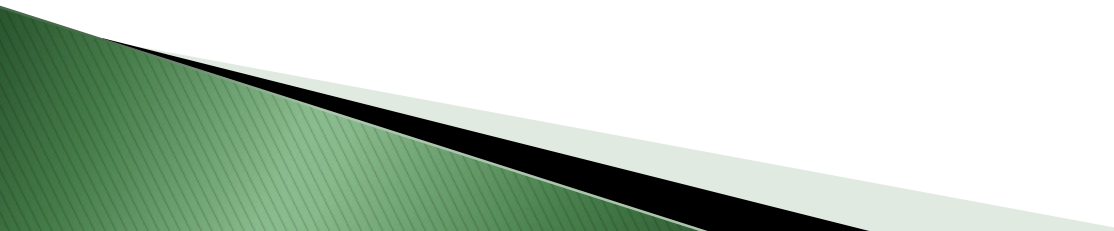
- ▶ Use even a portion of a student's social security number (SSN) or FGC Student ID number in a public posting of grades or in any other way.
- ▶ Link the name of a student with his/her SSN or Student ID number in any public manner
- ▶ Leave graded tests in a stack for students to pick up by sorting through the papers of all students
- ▶ Circulate a printed class list with the student names, SSNs, Student ID numbers, or grades, as an attendance roster

Faculty Reminders for Compliance with FERPA – Continued

You cannot:

- ▶ Discuss the progress of a student with anyone other than the student (including parents) without the written consent of the student. (Any written consent must be on file in the Enrollment Services. Always check with Enrollment Services before releasing information to anyone other than the student.)
 - ▶ Provide lists of students enrolled in your classes for any commercial purpose
 - ▶ Provide student schedules or assist anyone other than FGC employees in locating a student on campus
 - ▶ Include personally identifiable information, including GPA, in any letters of recommendation without written authorization from the student
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FERPA Summary

- ▶ Student educational records are considered confidential and may not be released without the written consent of the student, except by provisions outlined in law (exceptions are handled by Enrollment Services).
 - ▶ As a faculty or staff member, you have a responsibility to protect educational records in your possession.
 - ▶ Some information is considered public and is called “Directory Information.” Directory Information may be released without the student’s written permission. However, the student may request that no information be released. Those records will be flagged as Confidential.
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- ▶ FGC has identified Directory Information to include the following:
 - ▶ Student's name
 - ▶ Date and place of birth
 - ▶ Major field of study
 - ▶ Dates of attendance
 - ▶ Degrees and awards received
 - ▶ Most recent educational institution attended by the student
 - ▶ Enrollment status
 - ▶ Full or part-time status
 - ▶ Height and weight of athletic team members
 - ▶ County of residence
 - ▶ Participation in officially recognized activities and sports
 - ▶ Student's photograph.

FERPA Summary – continued

- ▶ Directory Information **does not include** addresses, telephone numbers, email addresses, courses in which a student is enrolled, or grades. When in doubt, refer the question to Enrollment Services.
- ▶ You have access to information only for legitimate “educational” use in completion of your responsibilities as a college employee. Information cannot be used for any other purpose.
- ▶ If you are ever in doubt, do not release any information until you contact Enrollment Services. Enrollment Services is responsible for student record information.
- ▶ Every FGC employee signs a FERPA certification that is maintained in the employee’s file in Human Resources.
- ▶ Detailed FERPA information is in the College Catalog.

Questions and Answers

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

- ▶ **If a student's parent calls asking how a student is doing in a class, are you allowed to give out that information?**

No.

Even though the person inquiring may be the student's parent, once a student is enrolled in a postsecondary institution, all rights relating to the student's record belong to the student, regardless of age. Therefore, you may not release a grade or any other non-directory information.

Contact Enrollment Services to see if the student has given written authorization for the parent to have access to the student's records.

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 dependent according to the tax code. However, permission would be determined by Enrollment Services.

- ▶ 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. Are you allowed to help these students get jobs by giving out this information?

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No.

Do not give out student information that pertains to grade point average to anyone without prior written consent of that student. In this case, the request should be forwarded to Enrollment Services. All outside requests for any information must be referred to Enrollment Services.

Information about the recruiting firm could be provided to students in the appropriate major (the information would be disseminated by the college) or to the Career Center in Advising Services.

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

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

No.

Students should order official transcripts online from the FGC web page. Students may access grades and unofficial records through MyFGC. Anyone with questions should contact Enrollment Services.

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- ▶ **You receive a telephone call from a local law enforcement agency 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.

Law enforcement agency representatives should be directed to the office of the Vice President for Enrollment Management and Student Affairs. When in doubt, contact Enrollment Services and we'll direct the representative to the vice president.

Information about whether or not a student was enrolled in a particular semester is directory information and can be obtained through Enrollment Services. If more information is needed, a subpoena may be required. However, FERPA requires that the student must be notified of the subpoena, unless it is specifically stated on the subpoena that the student must not be notified.

- ▶ You get a frantic phone call from an individual who says that he is a student's father and must get in touch with the student immediately because of a family emergency. Are you allowed to tell him the time and location of the student's classes?

- ▶ You get a frantic phone call from an individual who says that he is a student's father and must get in touch with the student immediately because of a family emergency. Are you allowed to tell him the time and location of the student's classes?

No.

When this situation arises, direct the caller to the office of the Vice President for Enrollment Management and Student Affairs. The vice president will determine the appropriate course of action.

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



- ▶ **Is it wrong for instructors to leave exams, papers, etc. outside of their office for students to pick up?**

Yes.

Personally identifiable materials cannot be left in a public place.

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- ▶ **An unauthorized person retrieves information from a computer screen that was left unattended. Under FERPA are the institution and the person whose computer was left unattended responsible?**

Yes.

The medium in which the information is held is unimportant. No information should be left accessible or unattended, including computer displays.

The Guiding Principle

- ▶ Treat student records as you would want someone to treat your own sensitive information (your transcripts, social security number, etc.).

Congratulations!

You have completed the FERPA tutorial. You are on your way to becoming a FERPA expert.

Thank you for taking the time to familiarize yourself with student confidentiality rights, as outlined by federal law.

Remember – when in doubt, contact Enrollment Services.

