

FERPA & U



Family Educational Rights & Privacy Act



Northwest
UNIVERSITY

Notice

- ✓ This tutorial is intended to inform Northwest University employees as to their responsibilities when dealing with student information.
- ✓ This tutorial includes excerpts and summaries from the NU Student Records Policy and Procedures Manual and is intended for instructional purposes only.
- ✓ Any specific questions should be referred to the actual Manual and to the Registrar's Office.

Welcome to FERPA!

Think of your work area. What information do you have which may need to be handled in a secure way? For example:

- a student directory
- student registration forms
- graded papers
- advising packets
- student information displayed on your computer screen

Information Access

- ✓ We now have more access to restricted information than ever before through PowerCampus and various generated student lists.
- ✓ The consequences of how we handle, or mishandle, student information are significant. What student information can you disclose, and to whom, under the Family Educational Rights & Privacy Act (FERPA)?
- ✓ This tutorial will help you answer these questions.

“Educational Records”

- ✓ Educational Records are records maintained by the University which directly relate to a student.
- ✓ Almost any student-related piece of paper is part of that student’s educational record. Also, student-related information displayed on a computer screen is considered part of the student’s educational record.
- ✓ There are some records that are considered exceptions, primarily relating to employment, security, and health records. Personal notes, even faculty advising notes, when shared with another office, often become educational records.

“Student”

- ✓ Any person who attends or has attended Northwest University.
- ✓ “Attend” means that the individual has attended at least one class period.
- ✓ FERPA covers students once they attend their first NU class up to the point of their death.

What is “FERPA”?

FERPA (Family Educational Rights and Privacy Act) is a federal law that protects students and educational institutions. This law gives students five rights.

- to inspect and review education records
- to seek the amendment of education records
- to consent to the disclosure of education records
- to obtain a copy of the school’s Student Records policy
- to file a complaint with the FERPA Office in Washington, D.C.

Right to inspect, review, and seek to amend education records



- ✓ Students must have access to review their education records at any time. If students believe that any information in their records is inaccurate, misleading, or in violation of their privacy rights, they may request in writing that the office which contains those records amend them.

Right to Have Some Control Over the Disclosure of Information from Education Records

- ✓ Students automatically allow Northwest University to release some limited information regarding their attendance in college.
- ✓ This is called “Directory Information.”

Directory Information is **ONLY**:

- ✓ name, address, and telephone number
- ✓ parent's name and address
- ✓ date and place of birth
- ✓ major field of study
- ✓ participation in officially recognized activities and sports
- ✓ weight and height, if a member of an athletic team
- ✓ dates of attendance
- ✓ degrees and awards received
- ✓ most recent previous school attended
- ✓ photograph

The Right to Consent to the Disclosure of Education Records

More than Directory Information can be released to certain individuals and offices:

1. University officials who have legitimate educational interest (need to know to fulfill official responsibilities);
2. Officials of another school, upon request, in which a student seeks or intends to enroll.

(The University will attempt to notify the student regarding such request. An official transcript, however, will not be sent without a written request from the student.)

(continued)

The Right to Consent to the Disclosure of Education Records (*continued*)

3. Certain officials of the U.S. Depart. of Ed, Comptroller General, and state and local educational authorities, in connection with certain state or federally supported educational programs;
4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid;
5. Organizations conducting certain studies for or on behalf of the University;

The Right to Consent to the Disclosure of Education Records (*continued*)

6. accrediting organizations to carry out their functions;
7. parents of an eligible student who claim the student as a dependent for income tax purposes;
8. to comply with a judicial order or a lawfully issued subpoena;
9. appropriate parties in a health or safety emergency;
10. financial status information to the student (or other individuals) if the correct student ID and PIN is presented.

Withholding Directory Information

- ✓ With the exception of the previously listed individuals and situations, students at NU can request that not even Directory Information be released without their specific permission.
- ✓ These students are placed on the FERPA “**Do Not Release Information**” list.
- ✓ Each semester, students renew their FERPA status by completing the online Pre-Registration process.

Do Not Release Information

- ✓ In the event that a student does not want even directory information to be released, his/her name will be on the “Do Not Release Information” list and noted on any Registrar’s Office student lists.
- ✓ In the event that a student has requested Directory Information restriction, one cannot even confirm that the individual attends Northwest University.
- ✓ No address, phone number, or current enrollment status can be released. The directive of the student must be followed.

The best response is to say, “I am sorry, I don’t have information on any such student.”

The Right to Obtain a Copy of the College's Student Records Policy

- ✓ A copy of Northwest University's Student Records Policy and Procedures can be obtained from the Registrar's Office.

The Right to File a Complaint with the FERPA Office

- ✓ Students may file a complaint with the FERPA Office in Washington, D.C.
- ✓ Students should contact the NU Registrar's Office for information related to filing a complaint.

Q & A

Q: *Can I include non-directory information in a letter of recommendation for a student?*

A: **ONLY** if the student provides written permission for the individual writing the letter of recommendation to release such information.

Q & A

Q: *Can student grades be posted by Social Security Number or Name?*

A: No. This can **ONLY** be done if each student provides written permission for the instructor to do so. Even with permission from the student, this is not recommended. A unique number assigned to each student would be a preferred method.

Q & A

Q: *If I know that I am speaking to a particular student on the phone, can I give him/her non-directory information?*

A: No - But.... For instance, at the end of a semester, many students contact the Registrar's Office for their grades. We use a series of questions to verify that we are speaking to the student (i.e.: ID, SSN, middle name, hometown, father's middle name, courses last semester) and then give grades.

➤ *However, if we have any doubt, we do not give out non-directory information.*

Q & A

Q: *If I make notes regarding disciplinary action with a student, does the student have a right to see my notes?*

A: If you share the notes with another college person or office, then they become part of their educational record and the student can request to view the notes. As long as they are just “your” notes, they are not viewable.

Q & A

Q: *How do I know if a student has requested to be on the “Do Not Release Information” list?*

A: In PowerCampus, the student screen will indicate FERPA notification. All student lists given to other offices should have some notation of those students who have requested FERPA protection. All lists for public view **MUST** have FERPA student's names removed.

Q & A

Q: *What should I do if someone requests information of a FERPA protected student?*

A: “I do not have information on any such student. May I have your phone number/address and I will check further.”

Then contact the FERPA student for directions. If they want information released, you must receive their explicit permission on what to release and to whom IN WRITING with their SIGNATURE.

Q & A

Q: *What do students not have the right to view?*

A:

- Financial information submitted by parents
- Confidential letters, etc., associated with admissions, employment, job placement or honors to which a student has waived rights of inspection and review
- Educational records containing information about other students such as
 - Grades
 - Test scores, etc.

Q & A

Q: *How can a parent access student information if the student is not being claimed by either parent for Federal income tax purposes?*

A: The parent can have access only if the student is willing to release information. The student must authorize the release of information each time information is to be released.

Q & A

Q: *Are we required to make copies of a student's file if they request to view it?*

A: No, unless refusing to do so would constitute refusal to allow viewing. If the student cannot reasonably travel to view the file, the University can charge a reasonable copying and mailing fee and send a copy of the information to the student.

Q & A

Q: *What is the best setting to allow a student to view their information?*

A: The information should be maintained under control of the office to insure that nothing is removed or altered. Record should be kept of the viewing. Any information referring to other students must be removed or masked. Any comments or corrections should be recorded and signed by the student.

A Few Highlights

- ✓ In general, do not release any address information to off-campus inquiries.
- ✓ Check a student's directory restriction before you answer any questions.
- ✓ Students may authorize the release of any information by providing a signed release.
- ✓ Remember the NU Student Records Policy can be found on the shared drive (*n:\shared\registrar\FERPA Manual.doc*)
- ✓ Information viewed on a computer screen should be treated with the same confidentiality as paper records. Be sure to clear your computer screen when it will be unattended.
- ✓ Offices must be locked when no one is physically present - even for short breaks.

FERPA Summary

- ✓ As you can see, educational records are all around us. Each of us needs to do our part to keep this information secure and protect students' rights.
- ✓ If there is any question in your mind regarding any request for education record information, it is always better to err on the conservative side and call the office that maintains that portion of the education record and ask for guidance.
- ✓ Should you ever have any questions, please contact the Registrar's Office immediately.

REMEMBER . . .

When in doubt, don't give it out!



**Contact your supervisor or the
Registrar's Office for instructions**

Certification of Understanding

Please certify that you have read and understand the FERPA instructions presented in this tutorial by completing the FERPA Understanding form available from the Human Resources Office.