

FERPA BASICS FOR FACULTY, ADVISORS, AND STAFF

It's Everyone's Responsibility

As a member of Franklin Pierce University, you have a legal responsibility under FERPA to protect the confidentiality of student educational records in your possession. You have access to student information only for legitimate use in the completion of your responsibilities as a university employee. **Need to know is the basic principle.**

Your access to student information is based on your role within the university. You may not disclose information from educational records to persons other than the student in question and a University official who has a **legitimate** educational interest.

Student educational records (other than directory information) are considered **confidential** and may not be released without written consent of the student.

If you're in doubt about a request for student information, contact the Registrar at x4094. **When in doubt, do not give it out.**

It's the Law

FERPA (Family Educational Rights and Privacy Act), was passed by Congress in 1974. It grants four specific rights to a postsecondary student:

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

FERPA applies to all educational agencies or institutions, receive funds under any program administered by the Secretary of Education. FERPA governs what may be released but does not require that any information be released.

Important Terms

FERPA Rights transfer to the student when they reach the age of 18 or attend a postsecondary institution. Students to whom the rights have transferred are "eligible students". Franklin Pierce University defines "attends a postsecondary institution" as the first day of classes of the student's start term.

Educational records are defined as records, files, documents and other materials maintained by the University, in any medium (including email, video and tape recordings), in any department that is directly related to a student or information from which an individual student can be personally identified.

Educational records do not include personal files of faculty and staff, law enforcement records, or parent's financial records.

Directory information is information that is generally not considered harmful or an invasion of privacy if released. It **may** be disclosed to outside organizations without prior written consent. **This does not mean that you have to release information because it is considered Directory Information.**

The following is defined as **Directory Information** by Franklin Pierce University:

- Student's name
- Campus and home address
- Telephone number
- Fields of study
- Term(s)/semester(s) of attendance
- Enrollment status (i.e., class, undergraduate or graduate, full or part-time)
- Degrees, honors, and awards received
- The most recent prior educational institution attended
- Participation in officially recognized activities and sports
- The weight and height of athletic team members

Can student directory or public information always be released?

NO! Before releasing any information about a student, check the student's FERPA permissions. Faculty and advisors can do this via Campus Web. Others can check the student record in Jenzabar EX. If you do not have access to either of these, then you should not be giving out any student information.

If the student has requested that directory information be withheld, no information can be released. If the student does not have a restriction on the release of directory information, directory/public information may be released. Note that FERPA **does not require** that directory information be released. University faculty and staff who have a need to know may obtain directory information for a student with a no information release restriction, but must not release this information to anyone.

Any student who does not want information released may write to the Registrar's Office requesting a directory block on his/her record. Students must submit this notice by the end of the add/drop period for which s/he is registered. This notice remains in effect until revoked by the student.

What are parental rights under FERPA?

Parents **do not** have a right to obtain information from student records, including grades or faculty records about a student's performance in class. However, a student may consent to disclosure of such information to his/her parents.

They can have generalizations about situations – often this is sufficient. If you do not have release on file, you can recommend that the parent speak to his/her son or daughter about the concern they are expressing.

Third Party Vendors

The cloud computing environment offers many handy and inexpensive applications. However, placing any information about students on a website not under contract with the University may raise FERPA issues. Make the use of these sites optional, or allow students concerned about privacy to provide their information to you in a secure manner. An example of contracted companies are Canvas, Jenzabar, Apogee, etc.

Best Practices

- If you cannot verify who you are communicating with, speak in generalities.
- Use FPU email for all University business; limit information to one personally identifying item – ie either name **OR** student ID number.
- Ensure that your records are secure: shut your door and lock your computer when leaving your office.

For more information, guidance, help with specific situations, etc...

Contact the Registrar, 603-899-4094.

Information can also be found online at <http://eraven.franklinpierce.edu/s/dept/registrar/index.htm#ferpa> and in the most current version of the Academic Catalog

DO NOT!

- ask someone to verify their identity by confirming their SSN, date of birth, etc.
- discuss the progress of any student with anyone other than the student or the student's advisor without the consent of the student.
- link the name of a student with that student's ID number in any public manner.
- leave graded tests, papers, or other materials for students to pick up in a stack that requires sorting through the paper of all students.
- circulate a class list with student name and ID number, photo, or grades as an attendance roster.
- provide anyone with the student schedules or assist anyone other than university employees in finding a student on campus.
- access the records of any student personal reasons .
- store confidential student information on any computer unless that information is required and secure from intrusion.