

FERPA

*An introduction to
the Family Educational
Rights and Privacy Act*

Presented by: Deanne Jackson, Registrar's
Office



Introduction

- This is an overview of FERPA and is not meant to answer every question you may face.
- Campus policies have been developed to comply with FERPA.
- If you have questions about a situation, contact Deanne Jackson (341-4076 or deannel@mst.edu).

Family Educational Rights and Privacy Act of 1974

- > FERPA is the Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment. Statute: 20 U.S.C. 1232g; Regulations: 34 CFR Part 99. The intent of the Act is to protect the rights of students and to insure the privacy and accuracy of education records. The Act applies to all institutions that are recipients of federal aid administered by the Secretary of Education.

FERPA: What You Need to Know

- Institutions may not disclose information about a student without a student's written consent (with a few exceptions.)
- You may be the one who is asked for information, so you need to know what, about who, to who, and when information may be released.

Who is protected by FERPA?

Those protected by FERPA are students who are or have been in attendance at the institution, in person or by correspondence, regardless of their age or status in regard to parental dependency. Students who have applied to but have not attended an institution, and deceased students, do not come under FERPA guidelines.

Primary Rights of Students Under FERPA

- The right to inspect and review their education records
- The right to request an amendment to the student's education records that the student believes are inaccurate or misleading
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent

Primary Rights of Students Under FERPA (continued)

- The right to file a complaint with the United States Department of Education concerning alleged failures

What can I release?

- > Directory information may be shared, unless a student has asked that it not be.

Missouri S&T's Directory Information is (Same for all UM system):

- > Name
- > Address
- > Telephone listing
- > Email address
- > Major field of study
- > Dates of attendance
- > Student Level
- > Degrees and awards received
- > Enrollment status (i.e. full/part time)
- > The most recent education agency or institution attended.
- > Participation in officially recognized sports



What can I **not** release?

- > Social security number
- > Student number
- > Race/ethnicity/nationality
- > Gender
- > Student Class Schedule
- > Grades
- > Other “personally identifiable” information without written consent.

How can I release non-directory information?

- > To release any information, other than directory information, to someone other than the student, the student must have given prior written consent.
- > The consent must:
 - Specify the records to be disclosed
 - State the purpose of the disclosure
 - Identify the party or class of parties to whom the disclosure may be made
 - Include a signature and date

When is the student's consent not required to disclose information?

When the disclosure is:

- > to school officials who have a legitimate educational interest;
- > to federal, state, and local authorities involving an audit or evaluation of compliance with educational programs;
- > to organizations providing financial aid;
- > to organizations conducting studies on behalf of educational institutions;

When is the student's consent not required (continued)?

- > to accrediting organizations;
- > to parents of a dependent student (upon documentation of dependent status to the Office of the Registrar, based on federal income tax);
- > to comply with a judicial order or subpoena;
- > in a health or safety emergency;
- > releasing directory information;
- > releasing the results of a disciplinary hearing to an alleged victim of a crime of violence;
- > to a parent of a student under the age of 21 who has violated University regulations pertaining to the use or possession of alcohol or a controlled substance.

S&T's policy regarding release of information

- > In accordance with S&T's FERPA policies, you may release directory information if the student has not asked that it be withheld

What is the penalty of violating FERPA and how would anyone know?

- > Students may file complaints with the U.S. Department of Education
- > The Family Policy Compliance Office (FPCO) is authorized by the Secretary of Education to investigate, process, and review complaints and violations under FERPA
- > If a complaint is found to be valid, the institution may lose Department of Education funds, for instance federal financial aid.
- > Generally this is done only if compliance can *not* be secured with voluntary means.

FERPA bottom line for you

- > Institutions may **not** disclose information about a student **without a student's written consent** (with few exceptions.)
- > You, as a design team chief, could be the one who is asked for information, so you need to know what to release, about whom, to whom and when.
- > You need to know how to record requests for release of information
- > Most of you will not have access to the data inside PS, however you will have access to data inside new design team database.
- > **When in doubt call the Registrar's Office at 573-341-4181.**

Strategies for dealing with upset individuals and FERPA

- > **Listen.** Make sure that you have heard the entire story before you respond.
- > **Repeat.** Show that you understand by repeating back to the person the question they asked or recounting/summarizing the story.
- > **Empathize.** Acknowledge the feelings of the other person, for example, “I can see how this situation is upsetting you.”
- > **Tell them what you can and can not do and WHY.** (Use knowledge of FERPA here.) Use the FERPA page in Joe'SS to know what information you can and cannot share.
- > **Obtain the student's signature on the Non-directory information Release Form.** Form is available on the web
- > **Try to speak directly to the student.** Or get the students name and have a supervisor call him/her

How to Restrict/Release Information

The screenshot shows a web portal interface with a navigation bar at the top containing 'Favorites', 'Main Menu', 'Self Service', and 'Student Center'. Below the navigation bar, there are several sections:

- Report Other Financial Aid**: A dropdown menu with 'other financial...' selected.
- Personal Information**: A section with a dropdown menu open, showing options: 'Addresses', 'Email Addresses', 'Phone Numbers', 'Privacy Settings' (highlighted in blue), and 'other personal...'. A purple arrow points to 'Privacy Settings'.
- Contact Information**: A table with the following data:

Contact Information	
<u>Local Address</u>	<u>Permanent Address</u>
1870 Miner Circle Rolla, MO 65401 Phelps	123 East 101st Street Brisbane, QLD,
<u>Local Phone Number</u>	<u>UM Assigned Email Address</u>
None	None
- Academic Information**: A section with links for 'Academic Regulations', 'Dates and Deadlines', and 'Forms'.
- Helpful Links**: A section with links for 'PeopleSoft Training', 'Missouri S and T Bookstore', 'Textbook Reservation', 'Textbook Shop and Compare', and 'Student Honor Code'.
- Contact for Assistance**: A section with links for 'Registrar's Office', 'Cashier's Office', and 'Student Financial Assistance'.

The browser's status bar at the bottom shows 'Internet | Protected Mode: Off'.

UM

Favorites | Main Menu x | Self Service x | Student Center

Joe Miner go to ...

FERPA Restrictions

List FERPA/Directory Restrictions

You have not restricted the release of your directory information. To exercise your right to privacy by restricting the release of information, click the FERPA checkbox. ***Note: Changes to FERPA restriction may take up to 24 hours to go into effect.

FERPA-Restrict Release of Personal Information

Student Information Disclosure for Reporting. For further details click [FERPA Release](#)

Outlook Directory Options

Please select which phone number and address you wish to be displayed in the Outlook directory.

Home
 UM Work

You may choose not to display your address or phone number in the Outlook directory by selecting the appropriate option at right.

Do Not Display Phone Number
 Do Not Display Address

> FERPA RESTRICTIONS

- > On this page you can restrict all of your information. Or you can choose which information you would like to release in Outlook. The first box is for students that are also employed by the University. Most students will only see the second box in this screen.

Non-Directory Information Release Form

- > If you would like to release your information to particular individuals, you will need make the edit in Joe'SS on your Student Center under Additional Authorized Access and follow the steps.

Interesting FERPA Facts

- > Instructors cannot leave homework/tests outside door in pile for students to go through and find their own.
- > Instructors cannot post scores by number/identifying information for students to see.
- > When sending a group email with grading or specific academic information, the sender must use the BCC option.
- > If someone has a FERPA block, you cannot even say that they are a student.

FERPA QUIZ

QUESTION

The Rolla Daily News calls and asks for a list of your Solar Car Team members and their contact information. They also ask if you could provide the students with GPA's above a 3.5 for an article they are doing about students being a part of a Design Team on campus and also achieving a high GPA.

Can you give them the information?



ANSWER

NO – You cannot give all the information that they are asking.

You can give them the name of the students on the team and their listed contact information, if they do not have a FERPA block, but nothing about their grades or academics.

QUESTION

An employer calls regarding a student on the Concrete Canoe team. He is interested in hiring this student, but would like to speak with them. He asks you for their phone number.

Can you release this?

ANSWER

- > YES – Phone numbers are part of directory information. You can release a student's phone number listed on the FERPA Panel if they do not have a restriction.

QUESTION

- > I am sitting in Civ Eng 2200 and the person next to me asks me a question about a student that I reviewed an application for the night before. The information the student is asking about is not directory information, can I release the information?

ANSWER

- > NO. The student asking for the information as no educational interest in the student they are asking about.

THANK YOU!

- > If you have any questions or concerns please contact Deanne Jackson at 573-341-4181.

