

FERPA for Faculty & Staff

What is FERPA?

FERPA (**Family Educational Rights and Privacy Act**), also known as the Buckley Amendment, was passed by congress in 1974. **FERPA applies to all educational agencies or institutions, including Slippery Rock University of Pennsylvania, that receive funds under any program administered by the Secretary of Education. FERPA protects the privacy of student education records.**

What are students' rights under FERPA?

- **Inspect and review their education records.**
- **Seek amendment of incorrect educational records.**
- **Consent to disclosure of his/her/their educational records.**
- **File a complaint with the Department of Education.**
- **Obtain a copy of institution's policy.**

What is an "Educational Record?"

Any record, with certain exceptions, maintained by an institution or educational agency or by a party acting for the institution or educational agency that directly identifies a student or students. A key distinction of education records is that education records are shared. This record can contain a student's name or information from which an individual student, or students, can be personally (individually) identified. These records include files, documents and materials in whatever medium (handwriting, print, monitor screen, tapes, disks, film, microfilm, microfiche or notes) that contain information directly related to students and from which students can be personally identified such as:

- Grades
- Class List
- Student Course Schedules
- Disciplinary Records
- Student Financial Records
- Payroll Records for Student Employees

May I access confidential information about students?

Access to personally identifiable information contained in educational records may be given to **appropriate University administrators, faculty members, or staff members and appropriate student workers**. Faculty/Staff members and student workers should not access student academic records **unless their normal job duties specifically require access**. This type of access is termed **"legitimate educational interest"**.

What is Legitimate Educational Interest?

A legitimate educational interest is the need to access any education record information that will aid school officials in fulfilling their professional responsibilities.

This means if a student is assigned to you for advising, you have a legitimate educational interest and may access his/her records. If a good friend asks you to tell him the grades his daughter has earned, DON'T. This has two problems. First, unless this student is your advisee, you do not have a legitimate educational interest to view the record. Second, the student, not the parent, "owns the record", and must give you written permission to release it to a third party.

In post-secondary institutions, the student "owns" his/her educational record from the first enrollment at a college or university. This has nothing to do with age of the student.

How does FERPA affect letters of recommendation?

Statements made by a person making a recommendation that are made from that person's personal observation or knowledge do not require a written release from the student who is the subject of the recommendation. However, if personally identifiable information obtained from a student's educational record is included (GPA, grades, etc.), the writer is required to obtain a signed release from the student. This letter would become part of the student's educational record and the student has the right to read it unless he/she has waived that right. A Request for Reference form is available on the [Academic Records & Registration webpage](#), or students may give permission in writing following the outline below:

"I give permission to Prof. XYZ to write a letter of recommendation to:

Allstate Insurance
324 Wilkins Drive
Atlanta, GA 33011

Prof XYZ has my permission to include my GPA and grades and I waive (or do not waive) my right to review a copy of this letter at any time in the future.

Signature of Student and Date"

What is Directory Information?

FERPA has identified certain information, called directory information, which may be disclosed without the student's written permission. Slippery Rock University designates the following student information as public or "Directory Information". Such information may be disclosed without a student's previous consent by the institution for any purpose, at its discretion.

- Student Name
- Addresses (*local, permanent, and e-mail*)
- Telephone Number (*local, cell, and permanent*)
- Date and Place of Birth
- Program, Concentration(s), and Minor(s)
- Student Activities (*including athletics*)
- Height and Weight (*athletic teams*)
- Dates of Attendance
- Date of Graduation
- Degrees and Awards Received
- Student ID Number used to communicate in electronic systems (*that cannot be used to access educational Records without a PIN, password, etc.*)
- All Educational Institutions Previously Attended
- Academic Awards / Scholarships
- Title of Master Thesis
- Number of Credits Registered (*full / part - time*)
- Pictures of Students
- Class Level
- Anticipated Graduation Date

What is a Non-Disclosure Request?

Currently enrolled students have the opportunity to withhold disclosure of all 18 categories of information under the Family Educational Rights and Privacy Act of 1974 (FERPA). **The University will not partially withhold this information**, so students are advised to think carefully before requesting non-disclosure.

To withhold disclosure, students must complete the Non-Disclosure of Directory Information form located on the [Academic Records & Registration Forms page](#).

Slippery Rock University assumes that failure on the part of any student to specifically request the withholding of "Directory Information" indicates individual approval for disclosures.

Former students and alumni are not covered under the Family Educational Rights and Privacy Act of 1974 (FERPA). As such, the University is not obligated to honor requests for non-disclosure of "Directory Information" from former students.

NOTE: Students requesting that "Directory Information" not be disclosed during their final semester of enrollment will have this information withheld indefinitely after leaving the University. Students are cautioned that making such a request may adversely impact future requests from potential employers, and other important individuals/organizations.

What information may I disclose to parents?

The University views parents as important partners in assuring student success. When speaking with parents, please remember, they have every reason to be interested in their child's academic performance. **Let them know you'd like to work with them but must respect FERPA and their student's rights to privacy.** Although you **may not share specific academic information** (i.e. attendance pattern, grades, etc.) with parents **without the written permission of their student**, faculty are **welcome to share with parents the contents of their syllabi** (i.e. attendance expectations, grading methodology, assignments, etc.) **You should also tell parents that if their child will give you written permission (Parent Portal or signed document), you would be happy to discuss their student's performance in your class in greater detail.** Parents, like all other third parties, **may have access to their student's directory information, if not restricted.** If a student has restricted his/her/their directory information, then the directory information is also considered confidential.

Does FERPA affect the return of assignments?

Personally identifiable information about a student may not be disclosed without the student's express, written permission. Therefore, extreme care should be used to protect such information when returning assignments to students. Please do not leave graded papers at the front of the room for students to pick up.

Can I send grades to students?

Instructors can notify students of their grades via the U.S. Mail if the information is enclosed in an envelope. Notification of grades via a postcard violates a student's privacy.

There is no guarantee of confidentiality of sending grades via email via the internet. The institution would be held responsible if an unauthorized third party gained access, in any manner, to a student's educational record through any electronic transmission method. A third party in this definition could be parents or guardians, boyfriend or girlfriend, roommate, etc. Only secure websites (such as MySRU) are approved by FERPA for accessing grade information.

Does FERPA affect the posting of grades?

University policy prohibits the disclosure of any confidential student information in a personally identifiable manner without the student's written consent. Faculty members may use student-specific, password-protected systems (such as D2L) to communicate academic work, grades or other confidential information to students on an individual basis. Students may also access their final course grades using D2L. Grades should **never be posted using a student's name or any portion of their social security number or SRU ID.**

How do I properly dispose of confidential information?

Dispose of all material containing confidential information (such as tests, papers, class rosters) by **shredding or by placing them in a receptacle intended for the collection of material to be disposed of in a secure manner.**

What information about students may I release to faculty and other staff members?

Items defined as **directory information may be released without a student's written permission**, provided that the student has not chosen to restrict his/her/their directory information. **All other personally identifiable information in a student's educational record is confidential and may be disclosed to** appropriate University administrators, faculty members, staff members, or contractors acting on behalf of the University, **who require such access in order to perform their legitimate educational and business duties**, when such records are needed in furtherance of the educational or business purposes of the student or University.

Do I have to release information from a student's educational record?

FERPA regulations state that **you MAY release directory information** about a student, but **FERPA does not require or compel you to do so.**

Do I have to keep a record of the release information from a student's educational record?

A record of each request for access and each disclosure **must be kept, unless** the request was made by or the disclosure was **made to one of the following:**

- **The Student.**
- **A School Official who has Legitimate Educational Interest.**
- **A Party with Written Consent from the Student.**
- **A Party seeking Directory Information only.**

These records **must be kept with the educational records of the student** as long as the educational records are maintained by the University.

May I release information to officially registered student groups?

Student groups **do NOT have legitimate educational interest** and consequently **may not be given confidential information** about a student or students without each student's express, written permission.

What do I about subpoenas?

At Slippery Rock University, **all subpoenas are handled by the Director of Academic Records & Registration**. If you receive a subpoena from an outside agency, you must forward it as soon as possible to that individual in **107 Old Main (x2010)**.

Penalties for Violating FERPA

The Family Policy Compliance Office reviews and investigates complaints of violations of FERPA. The penalty for violating FERPA can be loss in all federal funding, including grants and financial aid.

Reminders

- Do not discuss a student's grades, academic record, classroom performance, etc. with anyone other than the student. You may discuss these topics with other faculty/chair/dean only on a need to know basis. When in doubt, check with Academic Records and Registration. Do not discuss grades or student performance with a student's parents by phone or in person without *prior* written permission by the student; such permissions can generally be processed through the Office of Academic Records & Registration.
- Do not post a student's grades on your office door, in the hallway, or online in a manner that would allow others to identify the student (i.e. never post the student's name or ID number).
- Do not pass a class roster for attendance verification around the room with student identification numbers on it.
- Do not leave graded assignments in a public place for pick-up where other students would have the ability to see grades on other students' work.
- Do not talk to a student about his/her grades/performance in front of class, in the hallway, or other public locations where other students could overhear the conversation.

Who do I contact with questions or concerns?

For more information, see “Students’ Right Under FERPA” or “SRU’s Detailed FERPA Guide,” both of which are [available on the Academic Records & Registration webpage](#).

Direct general questions to:

Office of Academic Records & Registration
104 Maltby Avenue, Suite 107
Slippery Rock, PA 16057

(Phone) 724.738.2010

(Fax) 724.738.2936

(Email) academic.records@sru.edu