

FERPA

Family Educational Rights and Privacy
Act

Howard Shanken
Registrar

"A federal law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings."

KEY CONCEPTS

- ✓ **Required annual notification**
- ✓ **Written permission of student required**
- ✓ **Student's right to access their records**
- ✓ **Parents/parental disclosure**
- ✓ **Legitimate Educational Interest**

KEY TERMS

- ✓ **Educational Record**
- ✓ **Directory Information**
- ✓ **School Official**

WHAT IS AN EDUCATIONAL RECORD?

- ✓ Any record, with certain exceptions, maintained by an institution that is directly related to a student or students. This record may 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, tapes, disks, film, microfiche) which contain information directly related to students.

AN EDUCATIONAL RECORD IS NOT:

- ✓ “Sole possession” notes.
- ✓ Law enforcement records.
- ✓ Records maintained exclusively for individuals in their capacity as employees. [Records of individuals who are employed as a result of their status as students (Work-Study) are educational records.]
- ✓ Doctor-patient privilege records.
- ✓ Alumni records.

DIRECTORY INFORMATION

- ✓ Information not normally considered a violation of a person's privacy is directory information.
- ✓ Students must be notified of the directory information items.
- ✓ Students must be given the opportunity to request that directory information not be released. Students not wishing directory information released must complete an "Information Stop Form" at the Registrar's Office.

GRCC DIRECTORY INFORMATION INCLUDES:

- ✓ **Name**
- ✓ **Address/Telephone Listing/Email**
- ✓ **Participation in officially recognized activities/sports.**
- ✓ **Weight and height of members of athletic teams**
- ✓ **Photographs**
- ✓ **Dates of attendance**
- ✓ **Degrees and awards received and dates**
- ✓ **Most recent previous educational institution attended**
- ✓ **Academic level/major field of study**
- ✓ **Enrollment status (FT/PT)**

DIRECTORY INFORMATION DOES NOT INCLUDE A STUDENT'S:

- ✓ Race
- ✓ Gender
- ✓ Social Security # or student ID #
- ✓ Grades
- ✓ GPA
- ✓ Country of citizenship
- ✓ Religion

AT GRCC, A SCHOOL OFFICIAL IS A:

- ✓ **Person employed by the College in an administrative, supervisory, academic or research, or support staff position (including law enforcement and health personnel).**
- ✓ **Company with whom the College has contracted; e.g., attorney, auditor, collection agency.**
- ✓ **Person serving on the Board of Trustees.**
- ✓ **Student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.**

“LEGITIMATE EDUCATIONAL INTEREST” AT GRCC

A school official has legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility to be determined by the Provost Office.

Requests for information should be submitted to the Dean of Institutional Research or to the Registrar.

GUIDELINES FOR FACULTY and STAFF

- ✓ Do not use the entire, or partial, Social Security number or Student ID number of a student in a public posting of any type; e.g., grades or attendance. Students may view final grades using eGRCC or hear them using Touch-Tone.
- ✓ Graded tests and assignments should not be accessible to students by sorting through the papers of all students. Faculty may use Blackboard or PeopleSoft Gradebook to post grades.
- ✓ When writing a letter of recommendation for a student, you must have written consent from the student if you plan to include anything other than directory information.

GUIDELINES (contd.)

- ✓ The progress of any student should not be discussed with anyone other than the student (including parents) without the consent of the student.
- ✓ If someone, other than a College employee, is looking for one of your students, refer them to Campus Police.
- ✓ If a federal agent requests information from you regarding a current or former student, please contact the Registrar's Office or Campus Police.

WHAT ABOUT PARENTS?

- ✓ When a student reaches the age of 18 or begins attending a postsecondary institution, regardless of age, FERPA rights transfer to the student.
- ✓ Parents may obtain directory information only at the discretion of the institution.
- ✓ Parents may obtain non-directory information (grades, GPA, etc.) only at the discretion of the institution **AND** after it has been determined that their child is legally their dependent.
- ✓ Parents may obtain non-directory information by obtaining a signed consent from their child.

BEST PRACTICES

- ✓ **Log off your computer.**
- ✓ **Secure all student records.**
- ✓ **Shred, don't trash, student records.**
- ✓ **When in doubt, ask the Registrar.**



SUBPOENAS

Important!

Any subpoena related to a student or student records which is received by an office at Grand Rapids Community College should be sent directly to the Registrar. Subpoenas are time-sensitive documents, which must be **hand delivered** by staff to the Registrar.

FINAL ITEM

If you have questions or need further clarification, or if at any time issues come up that require assistance, please do not hesitate to contact Howard Shanken, Registrar.