

FERPA Compliance Guidelines

Confidentiality:

Regardless of the function you serve at the University, it is extremely important to have a working knowledge of the Family Educational Rights and Privacy Act of 1974 (FERPA), commonly called the Buckley Amendment. A detailed description of the policy can be found below. Basically, the law was designed to protect the privacy of educational records.

Some information is considered to be public. Unless a student files a request to prevent ALL disclosure, the following information is considered “directory information” and may be released to the public without prior consent of the student: **name, place and date of birth, enrollment status, most previous educational institution attended, campus address, email address, phone number, degree, field or study, grade level, participation in recognized activities and sports, and height and weight of athletic team members.**

Grades are considered “directory information” to the extent of publishing honor rolls and in selecting students to honor societies or to receive academic scholarships.

You must consult with the Registrar’s Office prior to releasing any information regarding a student unless you have written permission from the student specifying the information to be released and the party to whom it should be released. It is generally advisable to forward requests for information (from parents for example) to the Registrar’s Office.

ALL other information, not only academic but also financial, disciplinary, non-academic, or medical, is confidential and cannot be given or made available to anyone other than an appropriate University official without the student’s prior written consent.

Compliance:

Compliance with the Buckley Amendment is key to all offices concerned with student records. Anyone who keeps educational records has an obligation to store them in a confidential manner and to ensure their release is only to University officials with legitimate educational interest. *“Legitimate educational interest” means that you may only look at educational records in the context of your employment, and only when doing so is necessary to carry out your professional responsibilities.* If asked, we must be able to articulate the educational interest which necessitated access to an educational record.

Documents such as class lists, grade rosters, examinations, and papers are all educational records and must not be posted or made available in a manner which would allow one student to see information regarding another student. It is also important to note that while we work at Plymouth State University, we may advertently or inadvertently be exposed to confidential information about students. We must be cautious to keep such information confidential and not let it slip out in idle comment or conversation. We should remember that being authorized to access confidential information does NOT authorize us to release it to others.

I, (please print your name) _____, understand the above information and agree to abide by the University’s FERPA regulations.

Signed: _____

Date: _____

Student Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education record. These rights include:

1. The right to inspect and review the student's education record within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, chair of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write to the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. 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. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U. S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.
5. Some educational records maintained by the University are not open to access by students: these include confidential letters of recommendation submitted before January 1, 1975, or to which the student has waived access, the financial records which parents have submitted to the University, medical and counseling records used in providing treatment to the student, the records of the University Campus Police unit, records containing information on more than one student, and records in the possession of the maker which are not accessible to other individuals. This last exception includes, for instance, the grade books of instructors and the desk files of faculty and administrators.
6. The University is permitted to release the following "directory information" without the prior consent of the student: name, place and date of birth, enrollment status, confirmation status, previous educational institutions attended, parent's name, home address, campus address, email address, phone, dates of attendance, degree (if any), date awarded or anticipated graduation date and curriculum, participation in recognized activities and sports, and height and weight of athletic team members. Grades are considered "directory information" to the extent of publishing honor rolls and in selecting students to honor sororities or to receive academic scholarships. Students have the right to restrict disclosure or release of any or all "directory information." Requests must be submitted in writing to the Dean of Student Affairs within five weekdays after the beginning of Spring or Fall term.