

THE FAMILY EDUCATIONAL RIGHTS and PRIVACY ACT of 1974

April 2010

- This act sets forth requirements regarding the privacy of student educational records and limits the release of personally identifiable information.
- FERPA governs release of these records maintained by an educational institution and access to these records.
- Coverage under this act begins upon enrollment. It also protects former students and student records from other institutions.
- Compliance with FERPA regulations allows EICCD to offer Title IV funding (federal financial aid) to students.

FERPA Compliance

- EICCD must:
 - Notify students annually of FERPA rights
 - Allow students to inspect and review their records
 - Allow students to amend an incorrect record
 - Provide means for the student to consent to disclosure
 - Protect non-directory/confidential information from disclosure without student's written consent
 - Provide means for the student to limit disclosure of directory information

What is an "Educational Record?"

An "Educational Record" is any record maintained by the institution or its affiliates which is related to the student, including, but not limited to the following:

Educational Record Examples

- Academic records, regardless of their location
- Advising records
- Class notes and grades
- Instructor records
- Financial Aid Information and account records
- Photographs
- E-mails containing personally identifiable information about the student

- All media including, but not limited to electronic data, video and audiotape
- Letters to, from, or about students
- Grade books – **do not leave where others can see**
- Notes in any student information system or hand written and shared with others
- Records kept by an affiliate of the institution, such as work experience or clinical notes etc. kept by the entity where the student is learning

- Student conduct records
- Disability records
- Aggregate data that is grouped in such a way that someone could discern the identity of a student
- Any written document, whether formal or informal that contains personally identifiable information about a student that is **shared** with another individual or individuals, becomes an educational record
- Records that are publicly available elsewhere
- Information that the student has publicly revealed

An Educational record does NOT include:

- Information that is not “recorded” – that is personal knowledge.
 - “sole possession” records
 - as long as not shared or accessible; kept by a single person as a “memory jogger”
for example, the private notes an instructor may keep during the course of a semester for consultation when it comes time to set final grades
- grades on peer-graded papers until collected and recorded

Directory information at EICCD includes:

Name	Address	Phone number	Email address
Date/place of birth	Major field of study	Participating on officially recognized activities and sports	Weight/height of members of athletic teams
Dates of attendance	Academic honors	Degrees and awards	Full-time/part-time status
Most recent previous school attended	Photograph and likeness	Artwork	Writing

FERPA Inspection/Review

- Students can see everything in their education record except:
 - Information about other students
 - Financial records of parents
 - Confidential letters of recommendation (if rights were waived by the student)



Health and Safety Emergencies

Institutions may release information from education records, without consent, in connection with an “articulable and significant threat to the health or safety of a student or other individuals”

- * Disclosure may be made only to “appropriate parties” and must be limited to “information [that] is necessary to protect the health or safety of the student or other individuals”

Third Party Inquiries

- Forward all third party inquiries regarding a student to the Registrar's Office on your campus:
 - CCC – Mardell Mommsen (244-7006)
 - MCC – Robin Mitchell (288-6103)
 - SCC – Registrar (441-4130)

Posting/e-mailing Student Information

- Never post or e-mail confidential student information to anyone **but that student**. This includes, but is not limited to:
 - Grades
 - Feedback on assignments
 - Academic/course progress



Verification of Student's Identification/E-mail Contact

- If e-mailing, ensure email address being used matches the e-mail address listed in student's record
- If email does not match, respond that you have fulfilled their request to the official email address on file



Be Careful . . .

You must be very careful in what you say in emails – once you send an email your message is on a server that is not secure -- remember there is someone out there who can get into the system and read information that is covered by FERPA –

The District would be held responsible for any information that was disclosed that is covered by FERPA



FERPA Release Process

- Written consent from the student must be submitted to the Registrar's Office to disclose student record information to a third party. This includes, but is not limited to:
 - letters of recommendation
 - release of information to parents/legal guardians and spouses
 - prospective employers

Phone Contact

- Do not release grade information or performance in a class, including, but not limited to, feedback on assignments or tests, clinical experiences, critiques of papers, and coop work experiences over the phone.
- If a third party calls and provides the students' SSN in an attempt to obtain directory information, the requested information cannot be disclosed at that time. It is suggested that you ask that the request for information be faxed or mailed to the Registrar's office.

High School Students

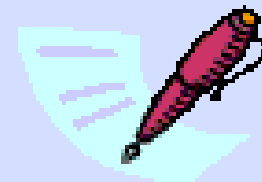
- High school students enrolled in a college class are considered college students and fall under FERPA guidelines.
- Parents and/or legal guardians cannot be given any information regarding classroom performance or grades unless there is a signed consent form on file in the Registrar's office. An exception would be, to obtain a copy of the parents' and/or legal guardians' most recent federal tax return verifying the student was claimed as a dependent.

Letters of Recommendation

- Recommendation letters often contain confidential/protected information and therefore require prior written consent from the student
- One may only release directory information in the letter, such as name, address, phone number, degrees, honors, and awards received, major field of student, dates of attendance and confidential items authorized in writing by the student

Student Request for a Letter of Recommendation

1. Student submits in writing a request to the instructor/staff member for a letter of recommendation
2. Request is either accepted or denied; student is advised of decision
3. Forward the request letter to the Registrar's Office



FERPA/EICCD Policy

- As an employee of EICCD, you may have access to student records. Their confidentiality, use, and release are governed by FERPA. You have a responsibility to protect all education records in your possession or that you come in contact with during the course of your job.



Please adhere to the following:

- Lock your computer and/or log out when you walk away from your computer, whether on campus, at home, or in any other venue.
- Carefully protect access to your passwords
- Carefully log out of any publicly accessible computer and ensure that you have not saved any passwords or data on the hard drive

FERPA – Next Steps

This concludes the training on FERPA.

Please complete the FERPA assessment and click on the link below:

[FERPA Training](#)

