

# **Privacy Guidelines for Student Records**

## **What is FERPA?**

The Family Educational Rights and Privacy Act of 1974, also known as the Buckley Amendment, helps protect the privacy of student education records. The Act provides for the right to inspect and review education records, the right to seek to amend those records, and the right to limit disclosure of information from the records. The intent of the legislation is to protect the rights of students and to ensure 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. Further details regarding the FERPA Act may be accessed at <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

FERPA training for Pacific University faculty and staff is under the direction of the Registrar. Contact the Registrar and the Assistant Dean of the College of Arts and Sciences for further information.

## **Who is protected under FERPA?**

Students, who are currently or formerly enrolled, regardless of their age or status in regard to parental dependency, are protected. Students who have applied to but have not attended Pacific University and deceased students do not come under FERPA guidelines.

## **What are education records?**

With certain exceptions, an education record is any record (1) from which a student can be personally identified and (2) maintained by the college. Education records include any records in whatever medium (handwriting, computer media, print, e-mail, magnetic tape, film, diskette, microfilm and microfiche, video or audio tape, etc.) that are in the possession of any school official.

## **What is considered Directory Information?**

Directory Information is information that is generally not considered harmful or an invasion of privacy if disclosed. Under the terms of FERPA, Pacific University has established the following as directory information:

- Name
- Address
- Telephone number
- E-mail address
- Dates of attendance
- Class schedule/roster
- Previous institutions attended
- Major fields of study
- Full or part-time enrollment status

- Awards
- Honors
- Degree(s) conferred (including dates)
- Past and present participation in officially recognized sports and activities
- Physical factors (height, weight) of athletes
- Date and place of birth

The above information may be released for any purpose at the discretion of our institution. However, FERPA states that each student has the right to withhold any or all of the information. Pacific University will honor the student's request to restrict the release of "Directory Information." Once restricted, that information cannot be released without the written consent of the student.

### **WHAT ABOUT . . . . ?**

#### **PARENTIAL ACCESS TO CHILDREN'S EDUCATION RECORDS**

At the postsecondary level, parents have no inherent right to inspect a student's education records. The right to inspect is limited solely to the student. Records may be released to parents ONLY under the following circumstances: (1) through the written consent of the student, (2) in compliance with a subpoena, or (3) by producing a copy of the most recent Federal Income Tax form showing that the student was claimed as a dependent.

#### **POSTING OF GRADES BY FACULTY**

The public posting of grades either by the student's name, institutional student identification number, or social security number without the student's written permission is a violation of FERPA. Even with names obscured, student identifier numbers are considered personally identifiable information. Therefore, the practice of posting grades by social security number or student identification number violates FERPA. The returning of papers via an "open" distribution system, e.g., stacking them on an open table, is a violation of a student's right to privacy, unless the student submits a signed waiver to the instructor for such purpose. The instructor must keep the waiver on file in order to avoid institutional or personal liability.

#### **FACULTY SENDING GRADES VIA E-MAIL**

There is no guarantee of confidentiality in transmitting information electronically via campus e-mail or through the Internet. Faculty who wish to send grades to students via e-mail need to understand that if there is an unauthorized release of grades to someone who is not a school official, the institution would be in violation of FERPA, if the student whose grades were illegally disclosed filed a complaint with the Family Policy Compliance Office.

## **SHARING E-MAIL ADDRESSES OR OTHER PERSONALLY IDENTIFIABLE INFORMATION AMONG STUDENTS IN THE SAME CLASS**

Faculty who utilize electronic teaching tools such as WebCT may wish to share students' e-mail addresses or other personally identifiable information in a class with others in the same class. This is permissible as long as (1) the institution has identified e-mail addresses as directory information, (2) the students have had an opportunity to request that their e-mail addresses not be disclosed, and (3) the faculty member does not share the e-mail address of any student who has requested non-disclosure.

## **CAN YOU INCLUDE GRADE INFORMATION WHEN WRITING A LETTER OF RECOMMENDATION?**

Written permission of the student is required if any information included in the recommendation is an "education record" (grades, GPA, and other non-directory information). Faculty also need to be advised that personal observations about the student are acceptable comments that can be included in the recommendation without the student's written permission.