Faculty and Staff guide to 
FERPA and Student Records: 
Understanding the Law

Office of the Registrar
What is FERPA?

- It is also known as the Buckley Amendment.
- FERPA is enforced by the Family Policy Compliance Office of the U.S. Department of Education.
Why Comply with FERPA?

- It’s the Law!
- Failure to comply could result in the withholding of Federal Funds including Student Financial Aid.
- Lawsuits caused by violations cost time and $$$.
Rights Granted to Students by FERPA

- The right to inspect and review their own education records
- The right to seek to have those records amended
- The right to have some control over the disclosure of information from those records
When do FERPA rights begin?

- When the student is “in attendance” as defined by the institution

- At Trinity, FERPA rights begin when the student has officially registered for classes
What are Education Records?

- All records that directly relate to a student and are maintained by the institution are covered under FERPA.

- Neither the storage location or the department housing the records matters. Student files kept in an academic department are education records.

- Education records can be in any format: electronic, handwritten, print, film, e-mail, etc.
What information should be handled in a secure way?

Any record that personally identifies a student, such as:

- Transcripts
- Student information displayed on a computer
- Grades
- Class assignments, graded tests, papers, etc.
- Class rosters
- Advising Folders
- E-mails
Personal Notes—created by a faculty or staff member if they are kept in the sole possession of the one who made the record.

Law Enforcement Records—maintained solely for law enforcement purposes and revealed only to law enforcement agencies.
Education Records are *not*...

- Medical treatment records—created by a health care professional and used for the medical/health *treatment* of the student.

- Alumni records containing information obtained *after* a student's graduation.
What information can be released?

- Information that the student has given written permission to release
- Information needed by Trinity officials who have a legitimate educational interest in that specific information
- Information needed by certain government agencies
- Directory information, under certain conditions
What is directory information?

- “Information that would not generally be considered harmful or an invasion of privacy if disclosed”
- Each college or university, to some extent, can determine what information is classified as directory information
- Schools may release directory information without the student’s consent but are not required by FERPA to do so
- Students may request non-disclosure of their directory information. These requests must be honored.
Directory Information at Trinity University includes:

- Name
- Local and permanent address
- Telephone numbers
- E-mail address
- Trinity ID number
- Date and place of birth
- Photograph
- Majors/Minors
- Class schedule
- Dates of attendance
- Previous institutions attended
- Degrees and awards received
- Enrollment status
- Participation in officially recognized activities and sports
- Height and weight of athletes

NOTE: Some students have requested non-disclosure of directory information!
Student Rights under FERPA

- To know where education records are kept
- To inspect their education records
- To request to have records amended if necessary
- To file a complaint with the U.S. Department of Education if they feel their rights are being violated
- To expect that their education records are kept confidential
- To suppress the disclosure of directory information to non-Trinity officials
Who can access Student Information?

- Trinity University officials with a legitimate educational interest

- **Legitimate Education Interest**: 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.
Trinity Parents’ Rights

- Parents may obtain directory information without the student’s prior consent.

- Under FERPA, non-directory information such as grades, financial information, and other educational records are not disclosed to parents without the student’s prior written permission.

- A student must sign a Student Consent to Release Educational Records before a parent can have access to educational records. This form is kept on file in the Office of the Registrar.
IMPORTANT!

- Access to student information via TigerPAWS, Datatel or other computer software does not grant employees unrestricted use.

- Curiosity is not a valid reason to view student information. The person viewing the information must have a legitimate educational interest.

- Records should only be accessed in the context of official business.
To Avoid FERPA Violations . . .

- **Please do not:**
  - Provide addresses, telephone numbers, class schedules, or any other directory information to anyone outside of Trinity; the student may have requested nondisclosure.
  
  - Send e-mail to groups of students containing personal information about one or more of those students (unless using the Bcc option)
  
  - Include confidential information (grades, GPA, number of credits, etc.) in a letter of recommendation unless you have specific written permission from the student to do so.
  
  - Discuss or share student information with parents. Parental requests should be referred to the Office of Academic Affairs or the Registrar.
More Tips

- Refer requests for student academic information to the Office of the Registrar.
- Information on a computer should be treated with the same confidentiality as a paper copy.
- Do not leave student information displayed on an unattended computer.
- Confidential information should not be stored on a laptop or hard drive; if it must be maintained, keep it on the secure area of the TU network.
- Do not leave graded tests or other records in a stack for students to pick up by sorting through the papers of other students.
Record Disposal

- Hard copy records containing Social Security Numbers, grades, or any other information protected by FERPA should be **shredded**, not just thrown in the garbage.
- Delete computer files when no longer needed.
- Advising folders for inactive students should be shredded by the department or returned to the Registrar’s Office.
You have been FERPA-ized!!!

Any questions?

- Contact the Office of the Registrar (roffice@trinity.edu)