

FERPA Training Seminar

Rutgers University

Offices of the RBHS and GSBS Registrar

March 6, 2014



FERPA

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WHAT IS FERPA?

FERPA is . . .



- the Family Educational Rights and Privacy Act of 1974.
- formerly known as the Buckley Amendment.
- enforced by the Family Policy Compliance Office (FPCO) of the U.S. Department of Education.

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Why Comply With FERPA?



- It's the Law.
- Failure to comply could result in the sanctions by FPCO and/or withholding of Federal funds including Student Financial Aid.
- Lawsuits caused by violations cost time and \$\$\$.

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Who Is And Is Not Covered Under FERPA?

- **Students** who are or have been in attendance at a postsecondary institution **are** covered under FERPA.
- **Applicants** who are denied admission or who never attend **are not** covered under FERPA.

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Rights Granted To Students By FERPA

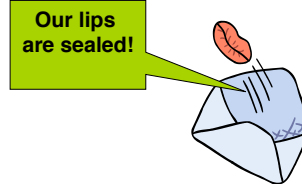
- The right to inspect and review their own education records.
- The right to seek to have those records amended.
- The right to have some control over the disclosure of information from the records.
- The right to expect that their education records are kept confidential except where special provisions are made.



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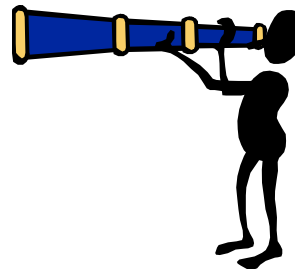
- The right to suppress the disclosure of directory information to outside agencies.
- The right to file a complaint with the US Department of Education if they feel their rights under FERPA are being violated.




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When Do FERPA Rights Begin For a Student?

- FERPA begins upon enrollment and extends beyond separation (graduation, withdrawal, transfer, dismissal) from the institution. FERPA only ends upon the death of a student.




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Responsibility of Schools . . .


- Maintain privacy of education records
- Insure consent prior to release

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What Are Education Records?

- All records that directly relate to a student and are maintained by an institution.
- These records can be in any media form: handwritten, print, type, film, electronic, etc.



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Who Creates and Maintains Education Records?

- Faculty
- Admissions Offices
- Financial Aid Offices
- Student Account Offices
- Registrars
- Deans / Advisors

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What Information Might Need To Be Handled In A Secure Way?

- Registration forms
- Transcripts
- Student information displayed on your computer screen
- Grades / Class Rosters
- Student Schedules / Class Assignments
- Financial Records
- Financial Aid Documents
- Recommendation Letters
- Any paper with the student's SSN on it
- Employment Records – if position is dependent on enrollment
- Disciplinary Proceedings

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What Are Not Education Records:

- **Personal Notes** – kept by a faculty/staff member if kept in the sole possession of the one who made the record.
- **Law Enforcement Records** – maintained solely for law enforcement purposes & revealed only to law enforcement agencies.



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What Are Not Education Records:

- **Employment Records** – of those whose employment is not contingent upon being a student.
- **Medical Records** - created by a health care professional used only for the medical/health treatment of the student.
- Most information contained in **Alumni Records** (donations, etc).

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Case Study

Mary Jones, the wife of one of our students, comes to the Student Affairs Office to say she must reach her husband immediately. His mother was just hit by a bus! She asks to see his class schedule so she can go to the classroom to get him. What do you do?

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What Information Can Be Released?

- Directory Information
- Information that the student has given written consent to release.
- Information needed by employees who have a legitimate educational interest.
- Information needed by certain government agencies.

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What is “Directory Information”?

- It is information that can be released without the student’s written consent.
- Each college, to some extent, can determine what information is classified as directory information.
- It is typically information that if released **is not** harmful to the student.

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Directory Information at RBHS Includes:

- Name
- Addresses
- Rutgers Email address
- Telephone numbers
- Dates of Attendance, Enrollment Status
- Credit Load/Credits Earned
- ID# and Net ID, Date & Place of birth
- School of Attendance
- Fields of study/programs
- Photographs

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Directory Information - continued

- Awards
- Honors
- Degree's conferred (including dates and any graduation honors)
- Past & present participation in officially recognized activities
- Previous schools attended and graduate/dental placements

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Who Can Access Student Information?

- RBHS employees who have a legitimate educational interest.



Legitimate Education Interest: *The review of relevant student information is necessary to fulfill a responsibility as part of his or her job description. Can include many people in various offices.*

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With Whom Can Student Information Be Shared?

- Student Loan Providers
- Agents of the courts when the college has been issued a subpoena or court order
- Officials of other institutions in which student seeks or intends to enroll



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With Whom Can Student Information Be Shared?

- Certain State & Federal Agencies.
- Appropriate individuals in an emergency in order to protect the health and safety of the student or other persons.
- Under the Solomon Amendment – military recruiters.



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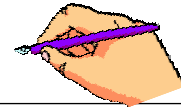
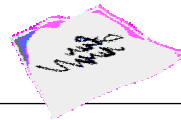
Parents' Rights



- In the case of undergraduate students, parents do have the right to access non-directory information with signed consent from their son/daughter. This is **NOT** the case for GSBS students. Because all of our students are Graduate students, they are by definition “independent.”

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TAKE NOTE:



- Access to Student information via BANNER or other computer software does not authorize unrestricted use of that information.
- Curiosity is not a valid reason to view student information.
- Records should only be used in the context of official business.

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MORE Important Info:

- When in doubt – don't give it out.
- Be cautious about giving our information maintained by your office. Both Faculty and Staff should refer any requests for student academic information to the GSBS Registrar's Office at 973-972-8385.
- Information about a student can ONLY be released with a signed consent from the student.
- Information on a computer should be treated with the same confidentiality as that on paper or film.

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MORE, MORE Important Info:

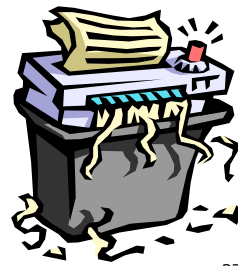
- Do not leave confidential information displayed on an unattended computer.
- Cover or put away papers that contain confidential information if you are going to step away from your desk.



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Record Disposal

- Records containing Social Security Numbers, grades or other personal information are normally shredded, not just thrown in the garbage.



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Special Hints for Faculty

To Avoid FERPA Violations –

PLEASE DO NOT:

- Use the SSN/Student ID to post grades.
- Circulate a printed class list with the Student Name and SSN/Student ID.

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Special Hints Continued

To Avoid FERPA Violations – **PLEASE DO NOT:**

- Provide anyone with student schedules.
- Provide anyone with lists of students enrolled in classes.
- Include confidential information (i.e. grades, #of credits) in a recommendation letter without the written consent of the student.

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You have been FERPA-ized!

Bookmarks Options Directory

Resources:

Family Policy Compliance Office

www.ed.gov/policy/gen/guid/fpco

Office of Rutgers Biomedical and Health Sciences Registrar
http://rbhs.rutgers.edu/uoweb/registrar_office/FERPA/FERPA.shtml

American Association of Collegiate Registrars and
Admissions Officers www.aacrao.org

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QUESTIONS?

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