

FERPA

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (also known as the Buckley Amendment), as amended, is a federal regulation which requires that an institutional policy covering the privacy rights of students be established, and that a written statement of adopted procedures must be made available. FERPA's purpose is to require educational institutions to conform to fair information practices. For example, persons who are subjects of data systems must be informed of the existence of such systems, be able to learn what data about themselves are on record, and be assured that those responsible for data systems take reasonable precautions to prevent misuse of data. The penalty for non-compliance could be the loss of federal financial aid funds.



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INSTITUTIONAL COMPLIANCE REQUIREMENTS

- A. Written institutional policy
- B. Annual notification to students of their rights under FERPA
- C. Procedure for students' access, review, and challenge of education records
- D. Procedure for preventing disclosure of directory information for current students
- E. Student's right to file a complaint with the U.S. Department of Education

DIRECTORY INFORMATION

Directory Information is information that may be disclosed to a third party without the student's permission. Regis University has designated the following as Directory Information:

- Name, address, telephone number, e-mail address, dates of attendance, class level.
- Previous institution(s) attended, major/minor field of study, awards, honors, degree(s) conferred.
- Past and present participation in officially recognized sports and activities, physical factors of athletes (height and weight), date and place of birth.

CONTACTS

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FERPA BEST PRACTICES

- Computer access should not be shared with other individuals, and system users should always log out appropriately.
- Computer screens and hard-copy documents with student records should be inaccessible to others.
- Picture ID, appropriate signature, and/or student identifiers should be required before releasing non-directory information to students.
- Hard-copy documents containing non-directory information about students must be shredded -- not put in the recycle bin.
- Requests for non-directory student information (background investigations, requests from legal firms, subpoenas, etc.) from third parties should be referred to the Registrar's Office for processing.
- If the student has a code of "F" (**FERPA Non-Release, Withhold all Information**), he/she has filed a non-release form and no information should be released. Always check the **PRIVACY FIELD** on Colleague before releasing any directory information. This includes the printing of names in student directories.
- Regis employees are not permitted to change or process data pertaining to their own records or those of family members.
- Using e-mail for items that are non-directory information should be limited to regis.edu accounts.
- Legal counsel advises against the practice of providing non-directory factual student information over the telephone. Students can access grades, GPAs, class schedules, and unofficial transcripts on WebAdvisor.

FREQUENTLY ASKED QUESTIONS

Q. To whose records does FERPA apply?

- A. FERPA applies to the education records of persons who are or have ever been in attendance at the University. It does not cover records for applicants or students who are deceased.

Q. What are education records?

- A. Education records are records (in any medium) that are: 1) directly related to a student, and 2) maintained by an educational agency or institution or by a party acting for the agency or institution. Some exceptions may be medical records, campus law enforcement records, or sole possession records.

Q. How will I know if a student has requested that Directory Information not be disclosed?

- A. A student's privacy preference is specified in the Colleague system and on printed advising transcripts. If a student has elected confidential status, a code of Priv: F will appear in the top right-hand corner of the screen. There will also be a confidential indicator when a student record is accessed. No information should be released.

Q. How does FERPA apply to Faculty and Staff?

- A. The regulation requires faculty and staff to handle students' education records in a legally specified manner.

Grades, Class Rosters, Transcripts: Students' scores, grades or class rosters should not be displayed publicly. Even with names obscured, numeric student identifiers are considered personally identifiable information and must not be used. Grades, transcripts, class schedules, or degree audits distributed for purposes of advisement should not be placed in plain view in mailboxes located in a public domain.

Papers: Graded papers or tests should not be left unattended on a desk in plain view in a public area nor should students have to sort through them in order to retrieve their own work.

Colleague/WebAdvisor Accounts:

Access to Colleague and WebAdvisor is not tantamount to authorization to view the data. Faculty and staff are deemed to be "school officials" and can access data if they have a "legitimate educational interest." A legitimate educational interest exists if the faculty or staff member needs to view the education record in order to fulfill his or her professional responsibility. Neither curiosity nor personal interest constitutes legitimate educational "need to know."

Parents/Spouses: Parents, spouses and other relations do not automatically have a right to