

FERPA: What faculty and staff members need to know

It's the Law

FERPA The **F**amily **E**ducational **R**ights and **P**rivacy Act, also known as the Buckley Amendment, was passed by Congress in 1974. Students in attendance (regardless of age) and former students at postsecondary institutions are afforded certain rights concerning their educational records. Those rights afforded are:

- the right to inspect and review the educational records;
- the right to seek to have records amended;
- the right to have some control over the disclosure of information from the records; and
- the right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA.

Family Policy Compliance Office
U. S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605
(202) 260-3887

Student Information Types

Student educational records are records directly related to a student and maintained by the institution or by a party acting for the institution. Educational records include any records in whatever medium (handwritten, print, magnetic tape, film, diskette, student data information system, etc.) that are in the possession of any school official.

Educational records are not:

- Sole possession records or private notes held by school officials that are not accessible or released to other personnel;
- Law enforcement or campus security records that are solely for law enforcement purposes and are maintained solely by the law enforcement unit;
- Records maintained by Student Health Services and Psychological Services if the records are used only for treatment of a student and made available only to those persons providing treatment;
- Records relating to individuals who are employed by the institution which are made and maintained in the normal course of business, and relate exclusively to individuals in their capacity as employees and are not available for other purposes; and
- Records maintained by the Alumni Office when the information about an individual is obtained after the person is no longer a student at Bucknell.

The law does allow the university to designate personally identifiable information contained in a student's educational record as "**Directory Information**". This information may be disclosed, at the University's discretion, without a student's prior consent. Information

designated by Bucknell as Directory Information includes:

- Student's name;
- Address (permanent and local address);
- Telephone listing;
- University email address;
- Major field(s) of study;
- Dates of attendance;
- Degree status, academic honors or awards;
- Enrollment status (e.g., full-time or part-time);
- Student's Level of Study (e.g., freshman, sophomore, etc.);
- Participation in officially recognized activities and sports;
- Weight and height of members of athletic teams; and
- Photograph.

Information not included in the above list is confidential student information and **may not** be released outside the university without the student's written permission.

A student may request, in writing, that their directory information be suppressed.

Faculty or staff members receiving a request for student educational information (directory or otherwise) **will refer** the request to the Registrars Office.

Guidelines for Faculty and Staff

- DO NOT** publicly display student scores or grades in association with names, Social Security Numbers, or other personal identifiers.
- DO NOT** use the Social Security Number or any portion of the SSN or student ID number in a public posting of any information.
- DO NOT** leave graded tests, papers, materials for students to pick up in a stack that requires sorting through the papers by the students.
- DO NOT** share student educational record information, including grades or grade point averages, with other faculty or staff members of the university.
- DO NOT** share student educational record information with anyone outside the institution (**including parents**) without the signed, dated and written consent of the student. **This includes letters of recommendations for current and former students.**
- DO NOT** provide anyone with lists or files of students enrolled in your classes for any commercial purposes.
- DO NOT** access the records of any student for any reason other than to perform your official responsibilities with the need for "legitimate educational interest" in that information.

It's Your Responsibility

As a faculty or staff member, you have a legal responsibility under FERPA to protect the confidentiality of student educational records in your possession. Access to the records is for legitimate educational interest only for the purposes of completing your responsibilities as an official of the institution acting in the student's educational interest.

When in Doubt

When in doubt, contact the Office of the Registrar for guidance (577-1201).