

# Elizabethtown College

## FERPA: Family Educational Rights and Privacy Act

FERPA gives students certain rights with respect to their educational records. These include the right to inspect the information in the record, the right to challenge pieces of information that might be inaccurate, and the right to designate whether information in the record can be disclosed to someone else.

The ***Educational Record*** includes a variety of information pertaining to a student and this information is generally organized into two categories.

1. One category consists of fairly general information that might normally be found in some published form, such as a directory. Schools can define what information falls into this category of **Directory Information** and this information can be released at the school's discretion as long as the student has not indicated that they want this directory information **blocked**.

**Directory Information**, as defined by Elizabethtown College, includes:

name; enrollment status (e.g., undergraduate or graduate; part-time or full-time); campus box; campus e-mail address; local and home address; local and home telephone; date and place of birth; dates of attendance; class (e.g., sophomore, junior); field of study; degree; date of graduation; participation in college-sponsored activities; honors; awards; participation in officially recognized sports and activities (including weights and heights of athletes); photographs; and most recently attended institution

If students block the release of Directory Information, then we would not be able to, for example, verify with an employer that they had obtained a degree, nor would they be recognized in their local paper if they attained Dean's List or some other honors.

2. The second category of information consists of **NON-Directory Information**: files and documents directly related to the student and maintained by Elizabethtown College that would not be released. **NON-Directory Information** includes everything that has not been specifically defined as Directory Information.

**None of the non-directory information in the Educational Record can be released to an outside person (including a parent or guardian) or organization without a student's written consent.** Students must complete the FERPA release form in order to grant a parent access to their Educational Record.

**Note that even if a FERPA release is signed, some information (e.g., counseling and health records) is further protected by other laws (e.g., HIPPA).**

## What Does FERPA Mean for Faculty and Advisors?

FERPA permits disclosure of non-directory information to faculty and advisors who have a **legitimate educational interest** in the information. Schools must use “reasonable methods” to determine that an official is given access to only those education records in which the official has a legitimate interest and need. Thus, just being a school official does not give that person the right to access all records; only those parts and those records that they need in order to perform their assigned duties.

Be aware that any **notes** you make regarding a meeting with a student are considered part of the education record of that student and are subject to review by the student. The only exception to this are **sole possession notes**, which are notes kept in the sole possession of the maker, used only as a personal memory aid, and are not accessible or revealed to any other person. Any notes made *in conjunction with the student* are not sole possession.

**Talking with parents** about information in their son’s or daughter’s academic record can only be done after confirming that the student signed a FERPA release naming that parent. Even if a student has signed a FERPA release, school officials are **not required to divulge information** to a parent. This is an example of where FERPA uses the term “may” rather than “must.”

All school officials, including faculty and advisors, must take **precautions to protect information** in students’ educational records. This means:

- Do not put papers, tests, quizzes, lab reports, etc. anywhere where others could potentially view them (e.g., in a box outside your office door for students to collect).
- Do not post grades anywhere with personally identifiable information (e.g., ID #s, birthdates, initials, etc.).
- Do not leave information on your desk or your computer and leave your office unattended.

When writing **letters of recommendation**, advisors/instructors cannot reveal any personally identifiable information from students’ education records without getting written release from the student. This includes grades that students obtain in the instructor’s classes or in major classes and their GPA. Good practice is to ask students to sign a release form when they ask you to write a letter of recommendation for them. The release needs to specify the information that you may disclose in a letter of recommendation (e.g., final grades in specific classes), the purpose of the disclosure (e.g., for a letter of recommendation for graduate school), and the party to whom the release can be made (e.g., the name of the graduate school).

All employees are expected to annually review FERPA policy and follow best practices for complying with FERPA guidelines. A [training module on FERPA](#) policy and practices is available for review and should be completed by all employees.