

Office of Student Affairs & Assessment

FERPA: What faculty and staff members need to know! What'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. You have access to student information only for legitimate use in the completion of your responsibilities as a university employee. **Need to know is the basic principle**.

Your access to student information, including directory information, is based on your faculty or staff role within the University. You may <u>NOT</u> release lists or files with student information to any third party outside your college or departmental unit.

Student educational records (other than directory information) are considered confidential and may **NOT** be released without written consent of the student. Student information stored in electronic format must be secure and available only to those entitled to access that information.

If you're in doubt about a request for student information, contact the Office of the Registrar at (304) 696-6410.

It's the Law

FERPA (Family Educational Rights and Privacy Act), also known as the Buckley Amendment, was passed by Congress in 1974. It grants four specific rights to a post-secondary student:

- to see the information that the institution is keeping on the student
- to seek amendment to those records and in certain cases append a statement to the record
- to consent to disclosure of his/her records
- to file a complaint with the FERPA Office in Washington

FERPA applies to all educational agencies or institutions, including Marshall University; that receive funds under any program administered by the Secretary of Education. FERPA governs what may be released but does not require that any information be released.

Student Information Types

Directory/Public Information and ISU Directory Information

"Directory information is . . . information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed." (FERPA Regulations, 34CFR, Part 99.3.)

Directory Information at MU (published in the MU Directory)

- Name and in-session address
- Telephone number
- Campus e-mail address
- Hometown
- College, curriculum, year in school
- Enrollment status (registered)

Directory Information is considered public and can be released without the student's written permission. However, the student may opt to keep this information confidential. Directory information can never include:

- Social Security number
- Student identification number

- Race
- Ethnicity
- Nationality
- Gender

Other Public Information

- Mailing address
- Date and place of birth
- Dates of attendance at MU
- Expected date of graduation
- Name(s) of adviser(s)
- · Awards and academic honors
- Marshall University degree(s) and date(s) awarded
- Previous educational institutions attended, degrees received, dates of attendance
- Full- or part-time status
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

Information not included in the list above is defined as confidential student information and may not be released. Student schedules, University ID numbers, and ID pictures are confidential information and therefore may not be released.

Student Educational Records

include information directly related to the student and maintained by Marshall University such as the following:

- personal information (name, etc.)
- enrollment records
- student's exam or paper
- grades
- class schedules
- disciplinary files
- financial aid information
- student employment records

Storage Media for an educational record may vary and can include one or more of the following:

- document in the registrar's office
- electronic document or e-mail
- computer printout in your office
- · class list on your desktop
- computer display screen
- notes from an advising session

Can student directory or public information always be released?	NO! Before releasing any information about a student, check for a "NO INFORMATION RELEASE" or other restriction on release of specific types of information. If the student has requested that directory information be withheld, no information can be released. If the student does not have a restriction on the release of directory information, directory/public information may be released. Note that FERPA does not require that directory information be released. University faculty and staff who have a need to know may obtain directory information for a student with a no information release restriction, but must not release this information to anyone.
How can a student withhold release of directory information?	Students may request that directory information be withheld by notifying the Office of the Registrar, Old Main, Room 106A. Requests to withhold directory information from the printed version of the MU directory should be made with the Office of the Registrar. Requests for withholding directory information from the Web version of the MU directory can be made at any time.
What are parental rights under FERPA?	FERPA allows parental access to student's educational records if the student requests that academic information be released to the parent(s). If a student would like to have a copy of his/her final grades sent to their parent(s) they should submit a written request to the Office of the Registrar each semester. The grades will be mailed to the student's permanent address on file with the University.
	FERPA does not allow parental access to post-secondary student educational records (without permission of the student) if neither parent claims the student as a dependent for Federal income tax purposes.
What must I do if I receive a subpoena concerning student educational records?	A copy of any incoming subpoena should be sent immediately to the General Counsel of the University for review. The original subpoena should be retained in the office that received it unless the General Counsel requests it be sent to them. You should also send the General Counsel a short description of how and when the subpoena was received. The General Counsel will determine how or whether to comply with the subpoena, and will also determine whether student notification of compliance with the subpoena is required.
Social Security Number Protection Policy	The University ID is the primary identifier used by the University. Therefore, any use of social security number must comply with the Social Security Number Protection Policy.
For more information	Contact the Office of Registrar at (304) 696-6410.
	• use the University ID number of a student in a public posting of grades or any other information.
	link the name of a student with that student's University ID number in any public manner.
	• leave graded tests, papers, or other student materials for students to pick up in a stack that requires sorting through the papers of all students.
DO NOT!	 circulate a printed class list with student name and University ID number, photo, or grades as an attendance roster.
	• discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
	• provide anyone with lists or files of students enrolled in your classes for any commercial purpose.
	• provide anyone with student schedules or assist anyone other than university employees in finding a student on campus.
	• access the records of any student for personal reasons.

• store confidential student information on any computer unless that information is required and secure

from intrusion.