


FERPA

FOR CARSON-NEWMAN
FACULTY



FERPA

***FAMILY EDUCATIONAL
RIGHTS AND PRIVACY
ACT***



IMPORTANT!

What are your responsibilities?

You are responsible for controlling access and protecting the student records you possess:

- Always be conscious and aware of other who may be able to overhear your conversation or see your computer screen.
- Do not provide anyone with student information, including schedules
- Keep confidential paper in file cabinets and shred rather than trash
- Keep your computer and portal password secure and screens hidden from unauthorized individuals
- Get signed confidentiality statements from staff, faculty, graduate assistants, and student workers who work with student educational records.
- Don't leave graded assignments together in a public place for students to pick up (and see the grades of others)
- Be sensitive to student privacy—don't inadvertently display confidential information on distributed class materials
- Don't volunteer confidential information in letters of recommendation (you must have a written request from student to do so.)

You are responsible for granting student access to records in your possession.

- Access to official student academic records may be obtained in the Registrar's Office
- Advisement records and grade records must be made available to a requesting student, in a reasonable amount of time.
- Be sure not to violate the confidentiality of other students.
- "Sole possession" records are not subject to FERPA, but any notes or written data about a student becomes an educational record as soon as they are shared with another individual, including the student.

You are responsible for understanding "need-to-know":

According to FERPA, a faculty member, staff member, or school official has a legitimate educational interest in accessing or reviewing a student's educational records without the student's written consent if, and only if, he or she needs to review an educational record in order to fulfill his or her professional responsibility.

More about laws, litigation, and liabilities:

- Although institutions can no longer be sued under FERPA, you could be the target of civil action for breach of confidentiality or invasion of privacy.
- The victims of identity theft crimes are now taking legal action against the institutions from which the identity thief obtains the victims' information.

Guidelines for Letter of Recommendation:

Statements written by a someone making a recommendation for a student from that person's own observations or knowledge do not require a written release from the that student. However, if personally identifiable information obtained from a student's education record is included in a letter of recommendation (grades, GPA, etc.), the writer is required to obtain a signed release from the student which:

1. Specifies the records that may be disclosed,
2. States the purpose of the disclosure, and
3. Identifies the party or class of parties to whom the disclosure can be made.

As letters of recommendation are part of the student's education record, the student has the right to read it – unless he/she has waived that right of access.

When in doubt, contact the Registrar's Office.