

FERPA: What faculty and staff members need to know

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. 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 **not** 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 294-1840.

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 postsecondary 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 Iowa State 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 ISU (published in the ISU Directory)

- Name and in-session address
- Telephone number
- Campus e-mail address
- 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
- Hometown
- Dates of attendance at ISU
- Expected date of graduation
- Name(s) of adviser(s)
- Awards and academic honors
- Iowa State 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 Iowa State 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 can request to withhold directory/public information through the Address Change link on Access Plus. A "no release" statement will appear on all screens for students who elect to withhold information.

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) **or** if the parent claims the student as a dependent for Federal income tax purposes. A student who wants to release grades or other personal information to parents through AccessPlus may set up third party access account(s). Third party accounts do **not** permit direct release of information by university faculty or staff to parents. A student who would like to have a copy of his/her final grades sent to parent(s) should submit a *Student Request for Mailing Grade Report* form to the Office of the Registrar once per academic year.

A parent who wants to request grades or other academic information for a dependent student should submit a written request to the Registrar, 214 Enrollment Services Center, along with a copy of the parent's most recent federal income tax return (section with dependents listed.) Access is granted to both the parent who claims the student as well as the parent who is not claiming the student. 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 Office of University Counsel for review. It can be faxed to 294-1799. The original subpoena should be retained in the office that received it unless the Office of University Counsel requests it be sent to them. You should also send the Office of University Counsel a short description of how and when the subpoena was received. The Office of University Counsel will determine whether and how 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, see the Social Security Number Protection Policy at <http://policy.iastate.edu/policy/ssn/>

For more information . . .

Contact the Office of the Registrar, 294-1840. The ISU Confidential Information Policies for student records is available at the following URL: <http://catalog.iastate.edu/registrar/#publicinformationtext>

DO NOT!

- 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.
- 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.