

FERPA for Faculty and Staff

This document is designed for individuals employed by Umpqua Community College in administrative, supervisory, academic, research, or support staff positions.

FERPA

The Family Educational Rights and Privacy Act (FERPA) also known as the Buckley Amendment, passed by Congress in 1974, grants four specific *rights to students*:

- The right to inspect and review their educational records
- The right to request the amendment of inaccurate or otherwise inappropriate records
- The right to consent to disclosure of his or her public records
- The right to file a complaint concerning alleged failure by Umpqua Community College to comply with the requirements of FERPA with the Family Compliance Office in the United States' Department of Education.

FERPA applies to students attending any educational program at Umpqua Community College. Students are granted rights under FERPA if they are currently attending the Umpqua Community College or have been in attendance, regardless whether in a credit, no-credit, degree or non-degree credit program. FERPA does not apply to applicants of Umpqua Community College who have been admitted but who have not actually been in attendance.

Education Records

An education record is any information recorded in any form that is directly related to a student and maintained by a college or university and by agents acting directly for the college or university. Records are treated the same no matter what medium is used to store the information. Education records include:

- Personal information
- Grades
- Class schedules
- Printed class lists
- Graded test papers with personally identifiable information related to the individual student

There are seven exceptions that are not considered Education Records:

- Personal notes of Umpqua Community College faculty and staff.
- Employment records
- Medical and counseling records used solely for treatment
- Records in Security
- Financial records of a parent or spouse

All external requests for student data under this policy will be coordinated through the Office of the Registrar.

The Administrator's Role

College employees or "Officials" are to act in accordance with FERPA regulations whenever representing the college. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position; a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. Employees may only access and use education records as necessary to conduct official college business. A College official exercises "legitimate educational interest" (interests essential to the general process of higher education, including teaching, research, public service, and directly supportive activities such as academic advising, general counseling, therapeutic counseling, discipline, vocational counseling and job placement, financial assistance and advisement, medical services, academic assistance activities, and co-curricular activities including varsity and intramural sports, social fraternities, specific interest clubs, and student government), if the official needs to review an education record in order to perform his or her professional responsibilities.

You are responsible for protecting the student information in your possession. These are guidelines to follow when acting as a College Official:

- Individual directory information may be released without written consent, except when the student has filled a "Withhold Directory Information Request" document. Directory information includes:

Name

Dates of attendance

Degrees and awards received

Participation in officially recognized activities and sports

Height and weight of members of athletic teams

Most recent previous educational agency or institution attended

Under the Solomon Amendment names and addresses will be released to the branches of the US Armed Forces upon request

In compliance with the Hope Scholarship and Lifelong Learning Tax reform, information will be released to the IRS.

Students are entitled to restrict the release of directory information. To avoid publication of any or all of this information, a request must be to the Office of the Registrar. **A request to restrict directory information will remain in effect until revoked by the student in writing.**

- College Officials (VP of Student Development, Registrar, President) may release non-directory information to a third party in the case of an emergency when knowledge of information is necessary to protect the health or safety of students or other persons.
- Information must not be released to third parties outside of the College, including parents of students, without the student's written consent.

- College Officials may release information without a student’s prior written consent to the following groups:
 - Umpqua Community College faculty and staff with legitimate educational interest.
 - Representatives of agencies or organizations from which the student has received financial aid, including banks and other lending agencies.
 - Officials from other educational institutions in which a student intends to enroll.
 - Individuals or groups specifically exempted from the prior consent requirement.
 - Federal and state officials, organizations conducting studies on behalf of Umpqua Community College and accrediting organizations.

- **Adopt the rule “When in Doubt Don’t Give it Out!” If you are unsure who is entitled to access certain student information, or other records questions please contact the Office of the Registrar at (541)440-4617 or via email at Brenna.Hobbs@umpqua.edu.**

Parental Rights

The rights under FERPA transfer from the parents to the student, once the student turns 18 years old **or enters a postsecondary institution at any age**. The right to inspect is limited solely to the student. The institution may disclose information to parents/legal guardians of a student under the following conditions:

- The student has signed a consent form.
- There is an emergency situation, and knowledge of information is necessary to protect the health or safety of students or other persons. (Refer these requests to the VP of Student Development or the Registrar.)
- All requests for student record information for deceased students must go through the Office of the Registrar.

FACULTY REMINDERS

To avoid violations of FERPA rules, **DO NOT**:

- at any time use any part of the Social Security Number or Student ID in a public posting of grades
- ever link the name of a student with that student's social security number or Student ID in any public manner
- leave graded tests in a stack for students to pick up by sorting through the papers of all students
- circulate a printed class list with the student name, social security number, student ID, 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 of students enrolled in your classes for any commercial purpose

- provide anyone with student schedules or assist anyone other than college employees in finding a student on campus.

Some faculty commonly asked questions:

- **What if a student asks me for a letter of recommendation?**
"Statements made by a recommender which are made from the recommender's personal observation or knowledge do not require a written release from the student who is the subject of the recommendation. However, if personally identifiable information from the student's educational record is included in a letter of recommendation (grades, GPA, etc.), the writer is required to obtain a signed release from the students 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."
- **Are grades on peer-graded papers considered part of an education record?**
No, grades on peer-grade papers are not considered part of an education record until they are collected and recorded by the instructor.
- **Does FERPA give students the right to be anonymous in the classroom?**
No, although FERPA grants students the right to request non-disclosure of directory information (which includes student names), this does not allow students to be anonymous in the classroom, as this would be disruptive to the normal course of instruction. Therefore, instructors may continue to refer to students by name in the classroom or in an online forum.
- **Is it permissible to announce the names of students who scored 100% or otherwise excelled on an assignment?**
Although students aren't likely to object to such recognition, individual results of exams or assignments are protected and should not be shared with the whole class.

Technology Use and FERPA

In our current educational environment where the use of technologies is wide spread, it is important that we continue to work in accordance with FERPA regulations to the fullest extent. With new technologies however, additional issues arise about secure transmission of confidential information.

- Faxed requests for transcripts, including the student's signature, or a scanned document attached to an e-mail message authorizing release of a transcript, are acceptable methods of providing the written permission required to release such information.
- Faculty or staff utilizing e-mail correspondence with more than one student are responsible for restricting access to a student's e-mail address if the student has requested non-disclosure of directory information. Students participating in such classes should be notified of this, and a resolution should be arranged. An example of when this might be of concern to administrators is when mass mailings are sent to students by e-mail, and student's have access to other recipients addresses.
 - E-mail correspondence to students using our secure site (i.e. River Hawk web where the student uses his/her ID and password to access) containing educational records may be used.

- Passwords allowing access to non-directory student information should not be shared and must be protected from unauthorized disclosure.
- Electronic student records must be protected from unauthorized access.
- Disposal of electronic or paper records should be done in a secure manner.

Verification Questions

FERPA does not preclude an institution from disclosing non-directory information from a student's record to the student over the phone. Umpqua Community College is however, responsible for implementing the necessary procedures to verify the individual's identity before any information is released. Below is a list of sample questions that can be asked in any combination by college officials to verify a student's identity, prior to releasing any information to a student over the phone:

- student identification number
- full name, including middle name
- date of birth
- high school
- program of study
- recent courses taken
- current enrollment
- year of first attendance
- address

You do not need to ask all of these questions to verify the student's identity. A random selection of questions from a pool of questions makes it more difficult for an imposter. If you have any doubt of a caller's identity as the student, you may ask for a written request from the student. Never release information if you doubt the identity of the caller.

Non-directory information may not be released without student consent. If information is needed to help resolve an emergency situation please refer these cases to the Registrar's Office.

More Information

If you have questions regarding the provisions of the Family Educational Rights and Privacy Act you may contact: Office of the Registrar (541) 440-4617 Brenna.Hobbs@umpqua.edu or US Department of Education <http://www.ed.gov/offices/OM/fpc/>