



PRESENTS:

# FERPA

*Family Educational Rights and Privacy Act of 1974*



# Preliminary Information

- o FERPA protects the privacy of a student's educational records.
- o As an employee at a non-profit that is also an accredited university that receives Title IV funding, it is important you understand some basic information about FERPA and how to protect student information, should you have or gain access to it.



# FERPA at-a-glance

- o Students at postsecondary institutions must be permitted to inspect and review their education records
- o School officials may not disclose personally identifiable information from a student's education record without the student's permission
- o Institutions are responsible for ensuring that all of its school officials comply with FERPA



# FERPA Specifics

A student's primary rights under FERPA are:

1. to view the educational records an institution is keeping on the student.
2. to seek to amend those records and in certain cases append a statement to those records.
3. to consent to and control the disclosure of their educational records to others.
4. to file a complaint with the Family Policy and Compliance office in Washington, D.C.



# FERPA Specifics

A student's primary rights under FERPA are:

**to consent to and control the disclosure of their educational records to others.**



This is likely the only item of FERPA that could directly impact you



**Students have the right to consent to and control the disclosure of their educational records to others.**

What does this mean and how might it effect you?



**Students have the right to consent to and control the disclosure of their educational records to others.**

Simply put, it means that students have the right to control what is given out and to whom it is given out with respect to any information we have on them. You can think about the information we have on a student as falling into two categories:



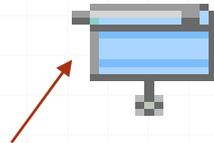
# Student Information

### Personally Identifiable Information (PII; think: *sensitive and private*)

- o Student ID number
- o Enrollment records
- o Student's exams or papers
- o Grades
- o Class schedules
- o Disability accommodation records
- o Disciplinary records
- o Faculty/staff emails to, from or about a student
- o Financial aid and account records
- o Student employment records
- o Gender/Ethnicity/Citizenship
- o GPA
- o Photographs
- o Social Security Number
- o Religious preference
- o Anything else that is not considered "Directory Info"

### MBI Directory Information\* (DI; think: *public and accessible*)

- o Name
- o Date of birth
- o Marital Status
- o Student's Photo/video/film
- o Job history or other info posted on an MBI job board
- o Addresses & telephone information
- o Email addresses
- o Dates of attendance
- o Participation in officially recognized sports and activities
- o Weight and height of members of athletic teams
- o Enrollment status
- o Classification (freshman, soph..., grad student, etc)
- o Degree major or program
- o Degrees earned
- o Academic honors and awards
- o Graduation date



\* Students are able to remove these options from directory informational choices as indicated by accessing the above icon in the student's services center.



**Students have the right to consent to and control the disclosure of their educational records to others.**

School officials *must never* disclose personally identifiable information from a student's education record (anything from the previous slide) without written permission from the student.

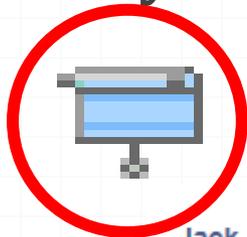


**Students have the right to consent to and control the disclosure of their educational records to others.**

School officials *may* disclose *directory information*. However, MBI must allow students the opportunity to restrict even directory information from release. If the student has opted out of directory information, the “FERPA Shade” will appear -



### If you use Campus Solutions, it looks like this:



Jack Student

ID: 2169794



[student center](#)

[general info](#)

[admissions](#)

[transfer credit](#)

[academics](#)

[finances](#)

[financial aid](#)

#### Jack(2169794)'s Student Center

##### Academics

[My Class Schedule](#)

[Shopping Cart](#)

[My Planner](#)

other academic... ▾



##### Finances



You are not enrolled in classes.

SEARCH

##### Holds

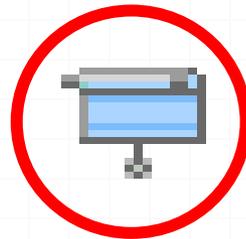
Probation

##### To Do

[FA Eligible](#)



**Students have the right to consent to and control the disclosure of their educational records to others.**



If the FERPA shade appears, you must use extreme caution when releasing this information. If someone is inquiring about a student's directory information and the student has the FERPA shade, refer the requestor to the office of Academic Records on Culby 2. Our office will sort through what can and cannot be released.



## Cutting to the chase...

What does this mean for you?

If you have or gain access to other sources of student education records as a part of your regular job duties at Moody, this information is protected under FERPA (this could include the student's physical file, Solheim usage/Athletics, library usage, donations, campus schedule, photograph, dorm information, CPO information, etc.).



## Cutting to the chase...

What does this mean for you?

If you work with student employees occupying student-only positions, any information about them as a student may be covered under FERPA. This could impact your ability to be a job reference for another employer on the student's behalf.



## Cutting to the chase...

What does this mean for you?

If you, for some reason, gain digital or physical access to student information, it is your obligation to comply with FERPA by not sharing, downloading, or copying this information. Also, you are not allowed to store any of this information on an unapproved storage device (such as a Google drive or your personal device; see the ITS data storage policies [here](#)).



## Remember:

FERPA never requires the release of information. It is a “may” not a “must.” The only times a school official *must* release information is when a student is requesting the release of their own record or when Moody is complying with a court-ordered subpoena or warrant.

In any other situation, you are not required to release the information, even if they show you a badge, say they are writing a story for the *Chicago Tribune*, or even if it is a faculty/staff member from another office.



## Cutting to the chase...

What does this mean for you?

If you are asked by anyone about anything on a student's educational record, please refer these requests to the office of Academic Records on Culby 2.



## Cutting to the chase...

What does this mean for you?

*It is both illegal and ethically wrong to discuss private educational records with anyone other than a school official who has a legitimate educational interest in the information.*

*Take great care with the information that is available to you.*



### **! One final important note: !**

FERPA permits the disclosure of PII and Directory Information in the case of a health and safety emergency. If, based on the information available to you, you believe there is a health or safety emergency, you are permitted to disclose pertinent PII to law enforcement or safety/security officials if you have reason to believe doing so will mitigate risk or harm to others.



## One final important note:

*For example:* If a law enforcement officer comes to you and indicates that a particular student may be an imminent threat to themselves or to others, you are able to disclose information about the student, such as their class schedule, their dormitory number, or where they usually sit in the SDR without violating FERPA.



Please contact the Office of Academic Records or Registrar at [arecords@moody.edu](mailto:arecords@moody.edu) or 312/329-4469 if...

- ❖ you are wondering whether or not one of your student workers has FERPA restrictions
- ❖ you want to know if some information to which you have gained access is covered under FERPA
- ❖ you believe a FERPA violation may have occurred
- ❖ your office would like to receive further training
- ❖ you have any other questions at all.

Additional information from the Family Policy and Compliance Office can be found at: <https://studentprivacy.ed.gov>

Title 34 Part 99 can be read in full at the ECFR site:

<https://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=34:1.1.1.1.33>