

TCCU®



Family Educational Rights and Privacy Act *FERPA*

Registrar's Office

Sadler Hall, Room 1006

TCU Box 297004

817-257-7825

<http://www.reg.tcu.edu/>



Family Educational Rights and Privacy Act of 1974

- **FERPA** is a federal law, passed by Congress in 1974, that governs the privacy of educational records.
- **FERPA** applies to institutions that receive funds under any program administered by the Secretary of Education.
- **FERPA** is enforced by the Family Policy Compliance Office, United States Department of Education, Washington, D.C.



Family Educational Rights and Privacy Act of 1974

FERPA affords eligible students the following rights:

- Annual notification to students of their rights under FERPA.
- The right to inspect and review their education records.
- The right to request to amend their education records.
- The right to control disclosure of personally identifiable information contained in their education records.
- The right to file a complaint with the United States Department of Education alleging failure by the university to comply with their rights under FERPA.



Key Concepts

- Annual Notification
- Education Records
- Directory (Public) Information
- Non-directory (Private) Information
- Privacy of Student Records in PeopleSoft
- Release of Student Information
- Best Practices for Faculty & Staff



Annual Notification

The University informs students of their rights under FERPA and the Department of Education's FERPA regulation by placing a detailed notice on the Registrar's Office website. To access the Student Privacy/FERPA guidelines, please refer to the Student Handbook or click on the following link: <http://www.reg.tcu.edu/ferpa.asp>



Education Records

Education records are directly related to a student and maintained by an institution or its agent for all enrolled students.

Education records include:

- Transcripts
- Exams
- Graded papers
- Notes from a conversation with or about a student that are placed in a student's file for others in the department to view

Education records *DO NOT* include:

- Peer-graded papers before the instructor has collected them
- Law enforcement unit records
- Alumni records
- Medical treatment records, including those maintained by physicians, psychiatrists and psychologists
- Sole possession records (i.e., note in sole possession of the maker and not revealed or accessible to any other individual)



Directory (Public) Information

At its discretion, the institution may provide directory information in accordance with the provisions of FERPA to include the following:

- Name
- Home address
- Home telephone number
- Email address
- Major field(s) of study
- Dates of attendance
- Degrees and awards received (including Dean's List)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

**Under the regulations defined by FERPA, a student can choose to restrict the information listed above from release.*




Non-directory (Private) Information

Non-directory (private/personally identifiable) information is information contained in a student's education record that generally would be considered an invasion of privacy or sensitive if disclosed. Examples of private information include:

- Social Security number
- Grades
- Grade point average (GPA)
- Current class schedule
- Hours completed
- Race/Ethnicity
- Country of citizenship
- Religious affiliation
- Date of Birth
- Gender
- Parent name and address



Privacy of Student Records in PeopleSoft

Students have the right to request that their records be kept private. Within PeopleSoft, a student's record is marked as private by displaying a FERPA button at the top of the window. When you see this icon  on any page, it indicates that the student has filed a restriction on the release of specific information to third parties.



In general, the student, and only the student, can have access to the student's academic record. Within the TCU community, only those members, individually or collectively, acting in the student's "educational interest" are allowed access to student education records. These members may include TCU personnel such as University Police, faculty, advisors, administrative staff, clerical staff and student employees within the limitations of their need to know.



Release of Student Information

Students have a right to know:

- What information from education records university officials within the institution can obtain without obtaining prior written consent from the student;
- What constitutes a “legitimate educational interest”;
- What criteria are utilized for determining who will be considered a university official under FERPA;
- What information the institution has designated as directory (public) information;
- What recordkeeping requirements exist concerning requests for access to and each disclosure from an education record;



Best practices for Faculty & Staff

Student education records are considered confidential and may not be released to third parties (including parents) without written consent from the student. As a faculty, administrator or staff member you have a responsibility to protect all items contained in an education record of a student.

- If a question arises as to the dependency status of a student, please contact the office of the Registrar for clarification.
- Do not send restricted student information or data via email.
- When sending a mass email to all students in your course, use the blind copy (Bcc) function rather than the carbon copy (Cc) function, as student some students may have FERPA restrictions on their information .
- You may discuss a student's personal information only with (a) the student, or (b) the University officials who have a legitimate educational interest in having that information. A university official has a legitimate educational interest if the official needs to review a student education record in order to fulfill his or her professional responsibility on behalf of the university, such as when the official is:
 - Performing a task related to a student's education;
 - Performing a task related to the discipline of a student; or
 - Providing a service relating to the student or the student's family (i.e., financial aid, job placement, counseling)

Access to education records does not authorize unrestricted use



FERPA Resources

FERPA information from the Registrar's Office:

<http://www.reg.tcu.edu/privacy.asp>

FERPA for Faculty & Staff listed within the Handbook:

<http://www.tcu.edu/files/Faculty-Staff-Handbook.pdf>

Training and resources for users with access to student records data:

<http://it.tcu.edu/training-center/peoplesoft-training/>

Department of Education FERPA website:

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the university to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC, 20202-4605



Contact Information

Failure to adhere to the regulations contained in FERPA may result in both institutional and individual liability. Individuals who fail to follow FERPA will be subject to discipline and possible termination.

Questions?

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