

FERPA: What instructors need to know

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 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 Family Policy Compliance Office in Washington, D.C.

FERPA governs what may be released but does not require that any information be released.

Student Information Types

Student education records

include information directly related to the student and maintained by Syracuse University such as:

- personal information (name, address, SUID, gender, etc.)
- enrollment records
- students' exams or papers
- grades
- class schedules
- disciplinary files
- financial aid information
- student employment records

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.)

SU publishes in the online directory the following:

- Name
- SU e-mail address
- College, class/level

Although not published, the following is also considered directory information:

- Current and permanent address and telephone number
- Dates of attendance at SU
- Full- or part-time status
- Majors/degree programs
- Academic awards and honors
- Syracuse degree(s) and date(s) awarded
- Prior post-secondary institutions attended
- Athletic participation

Although directory information may be released without the student's written permission, the student may opt to keep this information confidential. Because you may not know if a student has made such a request, **please direct all requests from third parties for directory information to the Registrar's Office:** (315) 443-2422 or crecords@syr.edu.

Information not included in the above list is not directory information and *may not be released*. Confidential information includes, but is not limited to:

- Social security number
- Student identification number
- Photograph
- Race
- Ethnicity
- Nationality
- Gender

It's your responsibility as an instructor to protect the confidentiality of student education records in your possession and to which you have access.

Education records may be created and stored in a variety of ways, including paper documents kept in folders, electronic documents stored in University records systems, information kept in local databases, class and grade rosters that you create or download to your desktop, notes kept from student advising sessions, etc. Student information stored in any format must be secure and available only to those entitled to access that information.

Need to know is the basic principle used to determine who has access to student educational record information. If you have been granted access, it is only for legitimate use in the completion of your responsibilities as a University employee.

You may not release individual information, lists, or files with student information to anyone inside the University who does not have a legitimate educational interest or to anyone outside the University without a student's written consent.

Sending confidential data to personal email accounts (i.e., outside the syr.edu domain) is risky and should be avoided. The Internet is not secure!

If you keep student data on a laptop or other portable storage device, confidential data should always be encrypted during transport, even if the devices are owned by the University. Visit <http://its.syr.edu/security> for more details.

If you're in doubt about appropriate use of or a request for student information, contact the Registrar's Office at 443-3535.

FAQ's

What student information may I share with other students?

To enable routine class communications and interactions, contact information such as email addresses may be shared within a class without obtaining specific student consent, provided that access to the information is restricted to the class, e.g., through a BlackBoard® organization.

Although you have access to other information, including photos, via your class roster, non-directory information may be shared within a class only when voluntarily provided by a student or with his/her written permission.

May I post grades?

Instructors are responsible for protecting the identity of students and keeping student grades confidential. Grades or evaluations linked to personal identifiers (names, SUID numbers, or SSNs) may **not** be publicly displayed or disclosed without specific permission from the student. Without student permission grades or evaluations may be posted, whether on office doors or on websites, only by using randomly generated codes or numbers, known only to you and the individual students. Graded papers, exams, quizzes and other assignments are considered part of the student's education record, and must be returned to the student in a manner designed to maintain confidentiality.

Note that BlackBoard® provides a secure method for providing grade information to individual students.

When may I share information about a student's academic performance?

Within the University, information may be shared with persons with a legitimate educational interest, defined by SU as "an educationally-related purpose which has a directly identifiable relationship to the student involved and is consistent with the purposes for which the information is maintained."

You may discuss a student's academic performance with parents or other third parties with the student's written authorization. Students should be directed to their school/college undergraduate records office for consent forms and procedures. Alternatively, FERPA does permit parental access to a student's information when proof of dependency status has been provided (to the Registrar's Office). Although this is rarely done, you may contact the Registrar's Office (443-3535) to see if documentation has been submitted.

Do students have the right to view my records?

Students have a right to inspect and review any departmental or college records you maintain on them except for "sole possession records." A sole possession record is a record you never share with anyone else and that is maintained solely by you.

What else do I need to know?

Here are a few more don'ts:

Don't circulate an attendance roster that includes students' SUIDs.

Don't access the records of any student for personal reasons.

Don't provide anyone with lists or files of students enrolled in your classes for any commercial purpose.

Don't provide anyone with student schedules or assist anyone other than University employees in finding a student on campus. Direct non-employees to the Department of Public Safety.

For more information . . .

Contact Ann Corbett (443-3535) or Maureen Breed (443-1034) in the Registrar's Office. Additional information about student rights under FERPA is available at: <http://www.syr.edu/registrar/students/ferpa.html> and the U.S. Department of Education Family Compliance Office, <http://www2.ed.gov/policy/gen/guid/fpco/index.html>.
