

## FERPA Guidelines for Faculty and Staff

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. It affords students certain rights with respect to their education records, including:

- The right to inspect their education records
- The right to request an amendment of the records that the student believes are inaccurate
- The right to control disclosures of their records except to the extent that FERPA authorizes
- The law applies regardless of the medium of storage of the data (electronic, hard copy, scanned, microfiche, etc.)

### Guidelines for Release of Directory Information

One of those exceptions permitted by FERPA is the release of *Directory Information* to parties outside the institution. *Directory Information* is defined as information which would not generally be considered harmful or an invasion of privacy if disclosed. The following *Directory Information* may be released by the university without the student's written permission:

- Student name. If provided, a preferred name will be used when there is not a documented business or legal reason to provide a student's primary name. Students may select a diploma name for graduation and commencement materials.
- Campus email address, subject to the limitation described below.
- Dates of attendance
- Previous educational institutions attended
- School/college or division of enrollment
- Majors, minors and field of study
- Classification level (e.g., freshman, sophomore, graduate student)
- University-recognized honors and awards
- Degree status (e.g., expected graduation date and/or conferral dates/terms)
- Enrollment status
- Employment related to student status (e.g., teaching assistant, resident assistant or work-study) and dates positions held.
- Participation in officially recognized activities/sports, including height and weight of athletes
- Photos and videos taken or maintained by the university

Although these items are designated by UCCS as directory information, only a limited amount of this information is routinely disclosed by UCCS officials, and the University retains the discretion to refuse to disclose directory information if it believes such disclosure would be an infringement of your privacy rights. **Just because you can release the information doesn't mean that you must.**

Students may also ask the university not to publicly disclose directory information – students can choose full privacy or limited privacy. Full privacy students are identified in CU-SIS with a **PRIVATE** flag on student data screens and on class/grade/advisee rosters. If information is requested by third parties for students who have the **PRIVATE** flag, no information can be given. The proper response is: "Due to data privacy policies, we are unable to respond to your request." **EXCEPTION:** UCCS email is the official means of communication (UCCS Policy 700-001). You may conduct university business with **PRIVATE** students through their UCCS email account.

### What is Legitimate Educational Interest?

A school official may access an educational record if:

- Performing a task related to the student's education
- Performing a task related to the discipline of the student
- Providing a service to benefit the student
- Performing a task that is specific to the official's position description or contract agreement

### What about Parents/Guardians?

In post-secondary institutions, once a student registers for a class, regardless of age, the rights to the educational record transfer to the student. However, FERPA does not prohibit release of information to parents of dependent students. In general, the university requires a student's signature in order to release educational records (grades, class schedule, disciplinary status, etc.) to parents.

### What can I do to uphold FERPA?

- Never use your access to student records to go beyond your "legitimate educational interest."
- Be aware that access does not automatically equate to a "legitimate educational interest."
- Never release student education records to a third party without the student's signed and dated consent.
- When asked for directory information, check FERPA consent in student records database or contact the Registrar.
- Complete FERPA training. Supervisors should ensure that all employees are also educated regarding FERPA.
- Close out or log out of student records whenever leaving your work or when third parties are present.
- Position your computer screen so that third parties cannot view student information.
- Ensure that printers, copiers, and fax machines are in secure areas; if not, arrange to secure.
- When discussing educational record information with a student, go to a private office or area so that the conversation cannot be overheard.