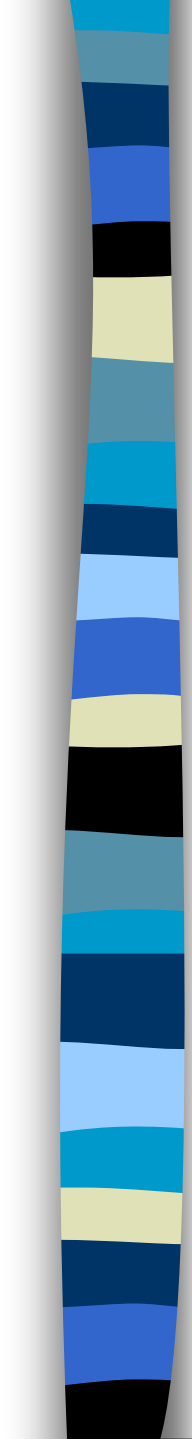


- 
- What is FERPA?
 - Who must comply with FERPA?
 - Applying the law in higher education institutions



Family Educational Rights and Privacy Act of 1974

- A federal law designed to protect the privacy of student records.
- The Family Policy Compliance Office is an agency within the Department of Education.



The Essence of FERPA.....

- College students must be permitted to inspect their educational records
- School officials may not disclose personally identifiable information about students nor permit inspection of their records without written permission



Who Must Comply with FERPA?

- Any educational institution that receives funds under any program administered by the U.S. Secretary of Education
- FERPA rights begin for a student as soon as they enroll at North Seattle College.



Why is FERPA compliance important...

- We need to protect the privacy of student records.
- We need to protect the student.
- We need to protect the college.
- We need to protect ourselves.



What is Required for a College to be in Compliance with FERPA?

Colleges need to annually notify students of their right to...

- inspect and review their educational records.
- request to amend their educational record
- have some control over the disclosure of their records
- file a complaint with the U.S. Department of Education



College requirements to be in compliance with FERPA (*cont.*)

- Ensure that 3rd parties do not redisclose personally identifiable information
- Keep records of requests for and disclosures of student educational records



What is an “education record”?

- Records recorded in any way and related to a student and maintained by the college or party acting for the college
- Examples of educational records: print; handwritten notes; e-mail; microfilm; audio or video tape; computer media



Exceptions to Education Records Under FERPA

- Records maintained by a college official and not revealed to anyone else
- Medical records
- Employment records

Records in Sole Possession

- Made by one person as an observation
- Kept in possession of the maker
- Once notes are shared with others they become educational records
- Don't write it down if you don't want it reviewed





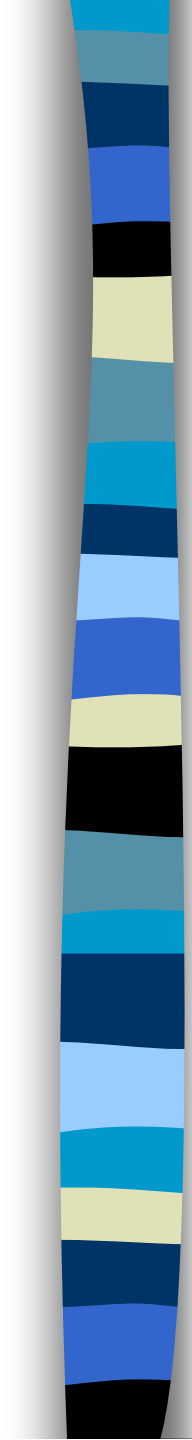
Releasing Information to Third Parties

- College staff may release personally identifiable information if they have a written release from the student
- Releases obtained by faculty or staff should be forwarded to the North Seattle College (NSC) Records Department.



A written consent must ...

- Be signed and dated by the student
- State parties to whom the records may be disclosed to
- Be specific as to which records can be disclosed
- Indicate the purpose of the disclosure (letter of recommendation, funding source)



What are exceptions when written release is not required from a student?

- Emergencies/crisis/health or safety situations
- If the student is deceased
- To school officials (faculty, staff) with a *legitimate educational interest*
- When the college is responding to a legally issued subpoena
- When responding to Solomon Amendment requests (military recruiters); Patriot Act requests; National Student Clearinghouse; and third party agencies in a contractual relationship with the college



Health and/or Safety Concerns

- FERPA allows school officials to disclose information to protect the health or safety of students or other individuals.
- Concerns regarding health or safety should be brought forward to the Safety and Security Director or the Vice President and Dean of Student Development Services immediately.



What is Directory Information?

- Information that is generally not considered harmful or an invasion of privacy if disclosed-which can be released without student consent.
- The FERPA Compliance Office publishes a list of info that *may* be designated by a college as directory information.



Directory Information (*cont.*)

- From this list, a college decides if they want to designate all, or part of the information as “directory information” at their college
- The directory information items identified by the college and are approved by the Seattle Colleges (SC) Board.



Directory Information

- College publishes their list of directory information in an annual notice to students via web, mail, catalog, student handbook
- Students who do not want directory information released complete a form in the registration office- their records are flagged in the SMS system



What is Directory Information for Seattle Colleges District?

- student's name
- e-mail address
- enrollment status in college- part/full-time
- dates of enrollment
- area of study
- awards granted by the college
- participation in official sports activities, and
- weight and height of athletic team members



What is **not** Directory Information

- The following information can ***never*** be directory information:

Race, Gender, SSN, Grades, GPA,
Country of Citizenship, Religion



Student's FERPA Rights

- Inspect and review their educational records
- Request amendment to their records
- Request a hearing if the request for amendment is unsatisfactory
- Request that college not release directory information
- File a complaint with the Department of Education



What rights does FERPA afford parents?

- When a student reaches 18 years of age, *or* begins attending a postsecondary institution (regardless of age), FERPA rights transfer from the parent to the student
- Parents can obtain non-directory information with a written consent from the student *or* at the discretion of the college if the child is their legal dependent. (Claimed on recent tax return)



Confidentiality and the Student Management System (SMS)

- Access levels must be approved by administration
- Access only the minimum information needed
- College may monitor access
- Protect screen access and printouts



Legitimate Educational Interest

- Seattle Colleges District (SCD) Policies permit school officials (faculty and staff, student hourly staff) to access student records providing they have a “legitimate educational interest” (information is necessary to perform a task that is part of their job description)



Protect Student Records

- When in doubt- don't release
- Protect Computer Screen records (log off, keep screen viewing private)
- Shred college reports with confidential information
- Train and monitor other department staff, faculty and work-study students



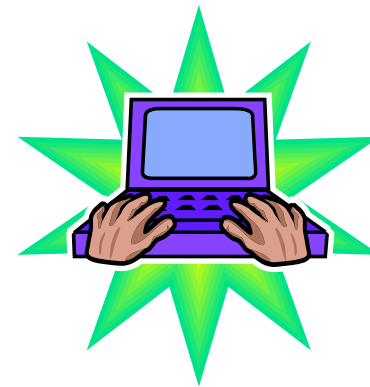
Solomon Amendment

- Military recruiters can have access to student records for the purpose of contacting student for recruiting

Name, addresses, telephone number, birth date and place, level of education, degrees received

High Tech Issues and FERPA

- E-mail
- Posting Grades
- e-Learning
- E-signatures
- PINs



FERPA rules apply to e-Learning delivery methods.

The Authoritative Source

- Family Compliance Office
Department of Education

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

