

FERPA Basics

What is FERPA?

FERPA is the Family Educational Rights and Privacy Act. This is a federal law that protects the privacy of student educational records. This law affords students the following rights:

- To inspect and review their education record
- To request an amendment to their education records when they believe the records are inaccurate or misleading
- To consent to disclosures of personally identifiable information, with the exception of directory information as defined by Providence College
- To file a complaint with the United States Department of Education if the College has failed to comply with FERPA

Who must comply with FERPA?

The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Faculty, staff, graduate assistants, and any other member of the Providence College community with access to student records are required to comply with all FERPA regulations. Failure to comply could result in a loss of federal funding.

What is an Educational Record?

An education record is any record that is directly related to a student that is maintained by the College or by a party acting on behalf of the College. This includes information recorded in any medium such as handwriting, computer media, video or audio tape, film, microfilm and microfiche.

What is NOT an Educational Record?

- Sole possession records or private notes held by a school official that are not accessible or released to other personnel, except individuals serving as a temporary substitute for the school official
- Campus security or law enforcement records that are held by a school official that are not accessible by or released to other personnel except in emergency situations
- Records relating to individuals who are employed by the institution, unless the employment is contingent on their status as a student (e.g., work-study students)
- Records of an institution that contain information about an individual obtained only after that person is no longer a student at that institution (e.g., alumni records)

Directory Information

Directory information is defined as information which would not generally be considered harmful or an invasion of privacy if disclosed. This includes:

- Student's name
- Address
- Phone number
- College email address
- Date and place of birth
- Major field of study
- Class year
- Participation in activities/sports
- Height & weight of members of athletic teams
- Enrollment status
- Dates of attendance
- Degrees, honors, and awards received
- Photographs
- Previous education institutions attended

Confidentiality

- Students have the right to request that their names not appear in the online campus directory
- Students also have the right to request confidentiality
- Any student making this request should contact the Office of the Registrar and formally submit the request in writing

In general, all requests for student information should be managed by the Office of the Registrar.

Granting FERPA Access

While students can request confidentiality to withhold their information from directory requests, students can also grant FERPA access to their academic and/or financial information to specified individuals, such as their parents or legal guardians. Students can elect this option on CyberFriar and determine exactly what information they will allow to be shared.

As a faculty member, assigned advisor, department chair, administrative assistant, etc., you can check a student's Cyberfriar Advising Gateway profile to see if they have granted such access.

Select "FERPA Authorizations" from the side menu of the student's profile. Here you will be able to view the names of the individuals to which the student has granted access, as well as the type(s) of information they are allowed to view/discuss (academic information-AI, financial information-FI, or ALL).

Legitimate Educational Interest

The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests.

A school official is a person whether volunteering for or employed by Providence College in an administrative, supervisory, academic, or support staff position; a person or company with whom the College has contracted; a person serving on the Board of Trustees; or a student serving on an official committee.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Do I have access to FERPA protected information?

If you have a job function such as:

- Leading or supporting course instruction
- Reporting for student related compliance or decision making
- Assisting with student success or well-being
- Working with students on financial aid or billing
- Marketing and communications

And/or if you have access to systems such as:

- Canvas
- Banner
- ARC, AIR, or other academic reporting tools
- Slate, or other admission tools
- Degree Works, Advising Gateway or other advising systems
- Unit specific systems that include student data

...then you are accessing and working with FERPA Protected Data.

Best Practices

When accessing student data, be sure to:

- Use it only for the purpose of performing your duties.
- Do not share it with other staff members unless you are working together on a project or task that requires you to discuss or handle the data.
- Do not leave reports out in open areas where others could see it, especially if you work in an area where there is student traffic.
- Do not load student data onto a laptop or a thumb drive and cart it around with you.
- Do not email reports, spreadsheets, or other lists of student data to others. If you do need to share something via email that includes protected student information (i.e. SSNs, full student ID numbers, etc.), be sure to put [PC-Encrypt] into the subject line.
- If asked to provide a report or list, always ask for exactly what information is needed and only provide that data. Be sure to review your report before passing it on to the requestor to ensure the correct information is there – nothing more, nothing less.

*If you are unsure about whether you can share a certain piece of information,
contact the Registrar's Office!*

Test your FERPA Knowledge

Scenario 1:

A parent calls and wants to know their student's class schedule. Can you share this?

NO. A student's class schedule cannot be shared with their parent without written consent allowing them to have access to their educational record.

However, if the student is claimed as a dependent on their parent's most recent tax forms, educational information may be shared. A tax return validating that information must be shared with the Registrar before releasing any information if the student has not already provided consent.

Test your FERPA Knowledge

Scenario 2:

You receive an email from someone stating they are performing a background check on a student. They are requesting information regarding their major, degree, grades, and GPA. Can you give out this information?

NO. Without written consent from the student, you cannot relay any information from their educational record including grades or GPA. However, directory information, such as major, degree, or dates of attendance, can be disclosed as long as the student does not have a FERPA block on their record.

PLEASE NOTE: Requests like these typically must be received in writing and should be referred to the Office of the Registrar.

Test your FERPA Knowledge

Scenario 3:

You receive a call from the local police department. They are in the middle of an investigation and must determine if a particular student was scheduled for a class at a specific day and time. Can you share the student's schedule?

NO. This information cannot be shared without a subpoena or court order. Requests like these should be forwarded to the Office of the Registrar, along with any supporting documentation.

Test your FERPA Knowledge

Scenario 4:

A faculty member has recently graded a test and posted all grades on a single sheet to be passed around the class so students can see their scores. Student names are not on the sheet, only ID numbers with the corresponding grade. Is this a FERPA violation?

YES. Under FERPA, student ID numbers and grades are not considered directory information and cannot be freely shared with those that do not have a legitimate educational interest. It does not matter that the student names are not on the list, this is still considered a violation.

Test your FERPA Knowledge

Scenario 5:

You receive a frantic phone call from an individual who says that he is a student's father and must get in touch with them immediately because of a family emergency. Can you tell him when and where the student's next class is?

NO. You may offer to send the student a message and ask that they contact their parents, but you cannot share any part of the student's class schedule.

Test your FERPA Knowledge

Scenario 6:

Your office is contacted by an alum with a successful business and is a strong supporter of the school. They ask for a list of the student names, emails, and phone numbers of the top 5% of your graduating class so they can be contacted about possible employment. This appears to be a great opportunity for upcoming graduates – can you share this information?

NO. Because this information is directly related to GPA and class rank, you cannot release it without prior consent from the students.

However, degrees and awards received are considered directory information, so names and contact information of those that have won awards may be able to be released as long as students have not made a formal request to withhold directory information.

Test your FERPA Knowledge

Scenario 7:

A parent emails a faculty member asking how their student is doing in their class. Can the faculty share this information?

NO. Unless the student has given written consent allowing their parent access to their academic records, faculty cannot discuss specifics of any student's situation within their class. Faculty can however discuss grading philosophy in general terms, as presented in the course syllabus.

Faculty, assigned advisors, and department chairs can check a student's FERPA permissions on CyberFriar.