

FERPA

Fundamentals

Your Role in Safeguarding Student Records

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.

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.

What is an Education 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.

Under FERPA, students have the right to inspect and review their education record.

What is NOT an Education 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)

**If a sole possession record is shared with any other college official, it becomes a part of the student's record and is then considered an education record protected by FERPA.*

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

Non-disclosure of Directory Information (Confidentiality)

Students have the right to request the non-disclosure of their directory information. They can do this by indicating on the online FERPA Authorization form that they would prefer their record to be kept **confidential**.

If a student has chosen to make their record confidential, then we cannot disclose or confirm ANYTHING about the student to any parties unaffiliated with Providence College. This includes prospective employers, military recruiters, sports/activity programs, and the general public. Students who are listed as confidential also do not have their name printed in the commencement program, honors list, Dean's List, and/or awards lists.

The exception to this rule are those persons who have been granted FERPA permissions by the student. If a parent/guardian or other individual is listed as having FERPA authorization, then you may communicate with them regardless of the student's confidential status.

Viewing FERPA Authorizations

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.

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.

While on the student's profile, click on their name (underneath their photo). 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 only = AI, financial information only = FI, or both = ALL). A student's confidential status will also be visible on their Advising Gateway profile, and on their professors' course rosters.

Remember to always check a student's FERPA permissions and Confidential status in CyberFriar prior to communicating with ANY third parties about the student!

Legitimate Educational Interest

Students have the right to consent to disclosures of personally identifiable information contained in their 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 interest.

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 their professional responsibility.

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!*