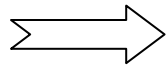


FERPA Reference Sheet for Staff

FERPA, the Family Educational Rights and Privacy Act of 1974, protects the privacy of student educational records. It gives students the right to review their educational records, the right to request amendment to records they believe to be inaccurate, and the right to limit disclosure from those records. An institution's failure to comply with FERPA can cause the withdrawal of federal funds by the Department of Education.



As a University support staff member, you need to know the difference between **Directory Information** and **Personally Identifiable Information** or **Education Records**

DIRECTORY INFORMATION

(May be disclosed, unless the student requests otherwise. Check the student records database.)

- Name
- Current Mailing Address
- Phone
- Email Address
- Date of Birth
- Major
- Dates of Attendance
- Enrollment Status (Full/ Part-time)
- Degrees/Honors/Awards Received
- Participation in Officially Recognized Activities and Sports
- Athletes' Weight/Height

PERSONALLY IDENTIFIABLE INFORMATION (Any data other than "Directory Information")

Including, but not limited to:

- Social Security Number
- PeopleSoft Emplid (student id)
- Residency Status
- Gender
- Religious Preference
- Race/Ethnicity

EDUCATION RECORDS

Including, but not limited to:

- Student's Class Schedule
- Grades/GPA
- Test Scores
- Academic Standing
- Academic Transcripts

Personally Identifiable Information may be accessed without prior written consent in some situations:

- By university personnel with a legitimate educational interest (consult Registrar's Office)
- By certain government officials (contact Registrar's Office)
- In compliance with a judicial order or subpoena (contact Vice President for A & F)
- In a health or safety emergency (contact Registrar's Office **and** DPS)

Anyone else must provide the prior written and signed consent of the student—
Parents and spouses must present the student's written and signed consent before personally identifiable information may be released to them.

- **The consent from the student must state:**
- ✓ **Records(s) to be released**
- ✓ **Purpose of the disclosure**
- ✓ **Party/parties to whom disclosure may be made**
- ✓ **Signature of the student and date signed**

The staff member who receives such a request must maintain a record of all requests for access to Personally Identifiable Information, whether those requests are honored or not.

PARENT REQUESTS FOR STUDENT RECORDS

FERPA rights transfer to the student at age 18 or once he or she attends a post-secondary institution, regardless of age. Parents or legal guardians may obtain personally identifiable information at the discretion of the institution only if they can establish that the student is a financial dependent or by obtaining the student’s written consent. The student is considered “financially dependent” if either parent or the legal guardian claimed the student upon his or her most recent Federal income tax return. The Registrar’s Office will require that the parent(s) or legal guardian provide a copy of the filed tax return before it releases the requested information.

RECORDS ACCESS BY GALLAUDET UNIVERSITY PERSONNEL

As a university support staff member you may be allowed access to a student’s educational records **if** you have a *legitimate educational interest* for the request, meaning that you need the information to fulfill a specific professional responsibility.

STUDENT REQUESTS FOR REVIEW

Students do not, under FERPA, have the right to review the following:

- Law-enforcement records;
- Records maintained exclusively for students in their capacity as employees. However, records of those who are employed as a result of their status as students (work-study, internships, student workers, etc.), are considered educational records;
- Medical treatment records;
- Alumni records;
- Sole-source/Sole-possession documents: these are notes (memory joggers—**not** grade or GPA related) created and maintained by staff, meant for their personal use exclusively. So long as no one else ever sees these notes they remain private and are not subject to FERPA. If you share your notes with someone, however, these notes no longer are considered “sole source.” They become part of the student’s educational record and are subject to FERPA.

FOR MORE INFORMATION

An official US government summary and phone numbers for assistance (including TTY) can be found at:

<http://ed.gov/policy/gen/guid/fpco/ferpa>

An excellent review for higher education staff and faculty is available at:

<http://www.bsc.edu/records/ferpa/sld001.htm>

A well-formatted copy of the legal text itself is can be printed from:

<http://www4.law.cornell.edu/uscode/20/1232g.html>