

## **FERPA TIPS FOR FACULTY & STAFF**

### **INTRODUCTION**

The Family Educational Rights & Privacy Act (FERPA) is a 1974 federal law designed to protect the privacy of students. FERPA protects the privacy of students' education records by setting forth strict limitations governing the release of information about students. Although FERPA contains exceptions for the release of "directory information" without a student's prior written consent, students have the right to request that even such directory information not be disclosed.

In very general terms then, FERPA gives students the rights to:

1. Control the disclosure of their "education records" to others; and
2. Inspect and review their own "education records"; and
3. Challenge the content of their "education records".

FERPA rights belong to the student, and not to the student's parents or legal guardians, regardless of the student's age. The term "education records" includes almost all information we maintain about our students including course schedules, grade reports, bursar's bill, student financial aid, academic information and disciplinary records. Medical information is also protected by federal and state law and cannot be obtained without the student's express written consent.

### **POSTING GRADES**

Posting grades by name, social security number or Banner ID# violates FERPA. The only acceptable method for posting grades is to assign the students in your class a random, unique, confidential number or code for the purpose of posting grades. When posting grades you must ensure that such codes and postings are not alphabetic. It is acceptable to use Blackboard's gradebook feature.

Mailing grades to students is permitted if the information is enclosed in a sealed envelope. Mailing grades via postcards violates a student's right to privacy. It is not appropriate to reveal grades over the telephone or to send grades via e-mail to any address other than the student's official muohio.edu address.

### **TALKING TO PARENTS AND OTHERS**

A student's academic performance is considered part of his/her education record and discussing the student's performance with anyone other than the student or another school official with a "legitimate educational interest" is a violation of FERPA. At Miami, a faculty or staff member is deemed to have a "legitimate educational interest" if the person needs to review the record in order to fulfill his or her responsibilities.

Do not discuss a student's academic performance, grades, or other information from a student's education record with anyone other than the student or school official with a "legitimate educational interest" unless:

1. The student provides you with written consent to release the information to the person by signing a FERPA Release Form; or
2. The parents or guardians provide you with proof that the student is claimed as a dependent for federal income tax purposes by providing a written notarized statement stating the student is claimed as their dependent for federal income tax purposes or by providing a copy of the first page of the IRS tax return for the current year showing the student is claimed as the dependent. **(Note: Parents often maintain proof of dependency with the Office of the Registrar-please feel free to rely on that proof after confirming that it is on file with the Office of the Registrar)**

### **Letters of Recommendation**

Letters of recommendation that contain information from the student's education record, such as course grades, grade point average, or student employment information require the written consent of the student. When you receive a request for a letter of recommendation from the student, you should have the student sign the FERPA Recommendation Release.

### **Returning Assignments, Papers, or Exams**

Do not leave any graded assignments, papers, or exams unattended (in hallways, outside office doors, etc.) for students to pick up where students could view the work and grades of other students.