

CYBER SECURITY

Newsletter

FERPA

Problem

The Family Educational Rights and Privacy Act, known as FERPA, is a Federal law that protects the privacy of student education records. Since all school faculty, staff, contractors, and student employees are considered school officials, you are required by FERPA and school policy to maintain the confidentiality of student educational records. The purpose of this newsletter is to explain what student education records are and the rules we must follow to protect them.

Solutions

Educational records are official records directly related to a student that are maintained by our school or by a party acting for the school. This includes grades, Social Security Number, or account balances. In addition, FERPA applies to any student record, regardless if the information is in oral, written, or digital format.

1. Legitimate Educational Interest

All school officials must have a legitimate educational interest in order to access a student's education record. You should not discuss student educational information with other faculty or staff members unless their official responsibilities identify a legitimate educational interest. Neither curiosity nor personal interest is a "legitimate educational need to know".

For example, if a student asks you to write a letter of recommendation for them, you may review their records, as this is a legitimate educational interest. However, if a former student has applied for a position in your department, you may not view their education records, as this is for non-educational purposes. If you are not sure what constitutes a legitimate educational interest, please contact your supervisor.



Protecting Student Records

FERPA requires that we protect the privacy of all student records. In this newsletter, we explain what student records are and the steps you must take in handling and securing that information.

Idaho State
UNIVERSITY

This newsletter is published by
Idaho State University, for more
information please contact us at:

help@isu.edu

Student Record Examples

At times, you may be confused as to what constitutes a student record. A student record is any information that identifies a specific individual and contains sensitive, personal, or confidential educational information. Below is an example of a student record.

If you are not sure if information you are working with is a student education record, ask your supervisor. If you are not able to obtain an answer, a good rule of thumb is to assume the information is an official student education record and protect it according to FERPA guidelines. Notice how the information below identifies a specific individual and contains educational information that is not publicly released:

John A. Smith
SSN: 078-05-1120
GPA: 3.4
Tuition Owed: \$13,567
Home Address:
1060 W. Addison
Chicago, IL 60613

2. Parents

Students may have access to their own records. In addition, parents may have access to their children's education records, but only as long as the student is under the age of 18 and in high school or lower school levels. Once a student is 18 years of age or older, or once they enroll in a school above high school level, students are considered an eligible student. At this point, parents may no longer have access to their children's records; the student must give the school written consent for their parents to access their records.

3. Exceptions

There are several unique situations where school officials are authorized to release student education records without written student approval. If you are not sure if the information you are working with falls under one of these exceptions, ask your supervisor first:

1. School officials with legitimate educational interest;
2. Other schools to which a student is transferring;
3. Specified officials for audit or evaluation purposes;

4. Appropriate parties in connection with financial aid to a student;

5. Organizations conducting certain studies for or on behalf of the school;

6. Accrediting organizations;

7. To comply with a judicial order or lawfully issued subpoena;

8. Appropriate officials in cases of health and safety emergencies;

9. State and local authorities, within a juvenile justice system, pursuant to specific State law.

Finally, you may disclose without consent "directory" information which is not considered to be harmful or an invasion of privacy. Directory information is common information you would find in public resources, such as an annual year book, honor roll list, school play, or graduation list. Directory information can include student's name, address, honors and degrees, dates of attendance, and other related information.