

FERPA

FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT

REGISTRAR'S OFFICE



FERPA is a federal law that protects the privacy of student educational records. The law applies to all schools, such as Augusta University, that receive funding from the U.S. Department of Education.

FERPA is written specifically for students and affords students these rights:

- right to inspect and review educational records
- right to amend educational records
- right to control the disclosure of information from educational records
- right to file a complaint

Right to inspect and review

Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The university official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the university official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

Right to request amendment

Students may ask the university to amend a record that they believe is inaccurate or misleading. They should write the uni-

versity official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the university decides not to amend the record as requested by the student, the university will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

Right to consent to disclosure of PII

Augusta University will disclose information from a student's education records only with the written consent of the student, except:

(a) To school officials with legitimate educational interests (a school official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position); a person or company with whom the university has contracted to perform required functions (such as an attorney, auditor, service provider, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the

official needs to review an educational record in order to fulfill his or her professional responsibility.

(b) To officials of other institutions in which the student seeks or intends to enroll provided that the student had previously requested a release of his/her record;

(c) To authorized representatives of the U.S. Department of Education, U.S. Department of Defense (Solomon Amendment), U.S. Attorney General, INS, the Comptroller General of the United States, state education authorities, organizations conducting studies for or on behalf of the university, and accrediting organizations;

(d) In connection with a student's application for, and receipt of, financial aid;

(e) To comply with a judicial order or lawfully issued subpoena;

(f) To parents of dependent students as defined by the Internal Revenue Code, Section 152;

(g) To appropriate parties in a health or safety emergency; or

(h) To the alleged victim of any crime of violence of the results of any disciplinary proceedings conducted by the university.

(i) The university may disclose the result of a disciplinary proceeding to a parent or guardian so long as the student is under the age of 21 at the time of the incident and the proceeding has resulted in a violation of university drug or alcohol policies, or any federal, state, or local law.

(j) To students currently registered in a particular class, the names and email addresses of others on the roster may be

disclosed in order to participate in class discussion.

Augusta University has designated the following items as Directory Information: a student's name, address, telephone numbers, email, photograph, program of study, dates of attendance, enrollment status (full- or part-time), classification (freshman, etc.), honors and awards and degree(s) awarded.

The university may disclose any of these items without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release directory information pertaining to them.

Right to file a complaint

The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

GLOSSARY

Agent- A person or business formally authorized to act on another's behalf.

Attendance- At AU, students are considered to be "in attendance" or "attending" when they first register for classes.

Dates of Attendance- Period of time during which a student attends or attended an education agency or institution. Examples include an academic year, a spring semester or a first quarter. The term does not include specific daily records or a student's attendance pattern at the institution.

Dependent Student- Generally refers to a student who receives more than half of his/her support from taxpayer.

Directory information- Information contained in an education record of a student that generally would not be considered harmful or an invasion of privacy if disclosed. AU has designated the following as directory information- name, address, telephone number, email, photograph,

program of study, dates of attendance, enrollment status (e.g. undergraduate or graduate; full-time or part-time), grade level, honors and awards and degree awarded.

Disclosure- To permit access to, or the release, transfer, or other communication of, personally identifiable information contained in education records to any part, by any means, including oral, written or electronic.

Educational records- Any record- in any medium, including handwriting and email- which is directly related to a student and maintained by the university, a school or college of the university, or party acting on behalf of the university.

Eligible student- A student who has reached 18 years of age or is attending an institution of post-secondary education.

Family Policy Compliance Office- The office within the U.S. Department of Education that is responsible for enforcing/administering the Family Educational Rights and Privacy Act. This

office has responsibility at all levels of education, K-12 and post-secondary.

Legitimate educational interest- A demonstrated "need to know" by officials of an institution who act in the student's educational interest, including faculty, administration, clerical and professional employees, and other persons, including student employees or agents, who manage student record information. A school official has a legitimate educational interest if that official is performing a task that is specified in his/her position description, by contract agreement, or is related to a student's education or to the discipline of a student. The official may also be providing service or benefit to the student or student's family, such as health care, counseling, job placement or financial aid.

Parent- Includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

Personally identifiable information- Any information, directory and non-directory, easily traced to the student. This may include the student's name, name of parents or family members, address, social security number or AU student number, a list of personal characteristics, or any other information that clearly distinguishes the student's identity.

School officials- Those members of an institution who act in the student's educational interest within the limitations of their "need to know". These may include faculty, administration, clerical and professional employees and other persons, including student employees or agents, who manage student education record information.

FACULTY: DOs

- DO** refer requests to the Registrar's Office when you are uncertain how to respond.
- DO** release a student's information to him or her when you can positively identify the student. Remember, telephone and emails are not reliable methods to make positive IDs.
- DO** check BANNER to verify student's consent prior to releasing information.
- DO** shred unneeded confidential documents.
- DO** hide confidential information on computer screens from unauthorized individuals.



FACULTY: DON'Ts

- DON'T** display student scores or grades publicly in association with names, student ID numbers (even the last 4 digits of the SSN) or other personal identifiers.

NOTE- Randomly assigned numbers or code words that only the instructor and the student know can be used to post grades and are not a violation of FERPA. However, the posting order should NOT be in alphabetical order.
- DON'T** put exam papers containing student names and grades in publicly accessible places. Students should not have access to the scores and grades of the other students in the class.
- DON'T** share student education record information with other campus officials unless there is "legitimate educational need" for that information.
- DON'T** share by phone or email information from student education records, with parents or others outside the institution, without written permission of the student.
- DON'T** circulate a class roster and/or grade roll with students' names and IDs.
- DON'T** view education records for personal reasons.

RELEASE OF STUDENT INFORMATION

How do i know if a student has requested that directory information not be released?

In BANNER, when accessing a student's record that has been flagged confidential, a pop-up window will appear. If a student has requested that directory information not be released, no information about that student should be shared with any third party. Departments should require that the student appear in person with a picture ID to conduct business. Business should not be conducted over the telephone. If any third party should request any information about the student, faculty and staff should state "there is no information available for that individual". Inquiries can be directed to the Registrar's Office.

How do i know if a student has released educational records to a third party such as a parent?

Students' information releases are recorded in Banner by the Registrar's Office. Banner users may view release information on SGASTDN form on the Comments tab. The information included shows the specific type of information that may be released and the party to whom the information may be released.

Educational records should never be shared with any third party (including parents) if a release is not in place.

DISCLOSURE PROVISIONS

Under exceptions for FERPA's general consent rule, schools may disclose PII without consent-

- To school officials with a legitimate educational interest;
- To schools which a student seeks or intends to enroll;
- To authorized representatives of federal, state and local educational authorities conducting an audit, evaluation or enforcement of federally or state-supported education programs;
- In connection with financial aid for which the student has applied or which the student has received;
- To a victim of an alleged perpetrator of a crime of violence or non-forcible sex offense;
- To anyone if the disclosure is in connection with a disciplinary proceeding in which the institution discloses the final results of the proceeding in which the student was found to be an alleged perpetrator of a crime of violence or non-forcible sex offense;
- To organizations conducting studies to improve instruction, administer student aid programs, or develop, validate or administer predictive tests on behalf of schools;
- To accrediting organizations;
- To parents of a dependent student;
- To comply with judicial order or subpoena, after a reasonable effort to notify the student, unless the subpoena is a federal grand jury subpoena or any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence of the contents of the subpoena or the information furnished not be disclosed;
- In a health or safety emergency; and
- Directory information



FERPA GUIDELINES

- When in doubt, don't give it out.
- Refer requests for student academic information to the Registrar's Office.
- Check student's consent in BANNER before releasing any student education records information.
- Information on a computer should be treated with the same confidentiality as a paper copy.
- Do not leave confidential information displayed on an unattended computer or in view of others.
- Cover or put away papers that contain confidential information if you are going to step away from your desk or when viewable by others.

FREQUENTLY ASKED QUESTIONS

Can a professor obtain a copy of a student's records without the student's written permission?

A school official (which includes professors) may obtain a copy of a student's records without the consent of the student only when the school official has a legitimate educational interest (or a legal right to know).

How does FERPA apply to student workers?

Students who perform work for the university may be designated as "school officials" with a "legitimate educational interest" for specific purposes. The same requirements and responsibilities for full-time faculty and staff exist for student workers. Student workers must be trained on FERPA just as if they were faculty or staff.

What are the limits in working with parents?

When a student reaches 18 years of age or is attending an institution of post-secondary education, FERPA rights transfer from parent to student. Therefore, at the postsecondary level, parents have no inherent rights to access their son's or daughter's education records.

Information such as a student's enrollment in a course, class attendance, or progress/grades in a course is personally identifiable information that constitutes part of the student's education record that is protected under FERPA. Students may grant a parent or other individual access to specific records by completing an Authorization to Release Information form.

If a student has provided such consent to discuss records, faculty members may release information to parents, provided the identity of the parent(s) has been authenticated. Parents of a dependent student may challenge denial of access to educational records by providing to the Registrar's Office evidence that they declare the student as a dependent on their most recent Federal Income Tax form.

In this case, faculty/staff members may release information to parents, provided the identity of the parent(s) has been authenticated. Even if no specific information can be released about a student, faculty/staff members may be able to assist parents by providing general information that does not violate FERPA, such as course requirements, a copy of the course syllabus, and other similar information.

What happens during crisis situations and emergencies?

If non-directory information is needed to resolve a crisis or emergency situation, an education institution may release that info if the institution determines that the info is necessary to protect the health or safety of the student or other individuals.

ADDITIONAL RESOURCES

Office of the Registrar
2500 Walton Way, Rains Hall
Augusta, GA 30904
registrar@augusta.edu
706.446.1430
augusta.edu/registrar/ferpa

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920
1.800.872.5327

[Augusta University's Annual FERPA notification](#)

[Student Authorization to Release Information Form](#)

