

FERPA 101



Student Records: Institutional Responsibility and Student Rights

What Every University Employee Should Know

MICHIGAN STATE
UNIVERSITY

Prepared by the Office of the Registrar



What is FERPA?

- The Family Educational Rights and Privacy Act affords students certain rights concerning their student educational records. The law is also known as FERPA and failure to follow it can result in loss of all federal funding.



Student Records and FERPA

- MSU complies fully with the Federal Family Educational Rights and Privacy Act (FERPA) which governs access to, and confidentiality of, student records.

As a means of complying with this act, the University has developed detailed guidelines titled Michigan State University Access to Student Information, available on the web at: <http://www.reg.msu.edu/ROInfo/Notices/PrivacyGuidelines.asp>

What are the Basic Rules?

- As a faculty or staff member you have access to information only for legitimate use in the completion of your responsibilities as a university employee. Need-to-know is the basic principle.
- Student educational records are confidential and may generally not be released without written consent of the student.
- You have a responsibility to protect educational records in your possession.
- Student information should only be kept as long as it is valid and useful – otherwise destroy responsibly.





What are the Basic Rules?

(continued)

Based on the potential need for the availability of student academic records as a guide for letters of recommendation, etc., recommended retention time periods are: 5 years (Undergraduate files) and 10 years (Graduate files).

Shorter retention time periods are also listed in the following documents, but the five- and ten-year model is the best practice.

For more information, please refer to the Retention and Disposition of Student Academic Records Memorandum, dated August 16, 1991 and Guidelines - Student Academic Records, Advisor's and Dean's Folders (<http://www.reg.msu.edu/read/RetentionSched.pdf>); and MSU Archives and Historical Collections - General Schedules (<http://www.msu.edu/unit/msuarhc/general.htm>).

Student Rights Relating to Educational Records

Students have a right to expect that information in their educational records (including computerized records) will be kept confidential and disclosed only with their permission or as allowed by law.

For example:

- Grades
- Enrollment records
- Schedules
- Class Lists
- PID (personal identification number)
- SSN (social security number)
- Student employment and payroll information





Directory Information

FERPA identifies a category of information as “directory information,” which institutions may usually release without student permission.

For example:

- student’s name, addresses, and telephone numbers
- current enrollment status or dates of attendance
- program level, class level, major
- candidacy for degree and/or teacher certification
- employment status as a graduate teaching or research assistant, office address and office phone number
- MSU awards, degrees, and honors achievements
- weight and height of athletic team members



Directory Information

(continued)

- A student wishing to restrict release of any or all “directory information” must complete a Directory Information Restriction Request in Room 150 Administration or at www.reg.msu.edu/StuForms/DirRestrict/DirRestrict.asp
- Users who are authorized to access the Student Information System (SIS) can identify students who have restricted their directory information. CONFID INFO will appear on every SIS screen.



Disclosures Without Consent

FERPA permits the release of some information without student permission. For example:

- To school officials with legitimate educational interests – must have a need-to-know
- To comply with a judicial order or lawfully issued subpoena (after appropriate notice to the student)
- To appropriate parties in a health or safety emergency, such as parents, Department of Police and Public Safety (DPPS), Olin Health Center
- To officials of another school, in which a student seeks or intends to enroll (MSU's practice is to release transcripts based on student request.)



Disclosures Without Consent

(continued)

- In connection with financial aid for which the student has applied or received if the information is necessary to determine eligibility for aid, the amount of the aid, the conditions for the aid, or enforce the terms and conditions of the aid
- To certain government officials in connection with state or federally-supported education programs
- To accrediting organizations
- To attorneys representing MSU
- To organizations conducting certain studies for or on behalf of the University (with certain conditions)



Some Guidelines for Faculty and Staff

DO:

- Use randomly assigned numbers or codes to display scores or grades.
- Keep any personal notes relating to individual students separate from educational records.
- Keep only those individual student records necessary for fulfillment of your responsibilities.
- Refer information requests to the proper educational record custodian. When in doubt, contact the Office of the Registrar or the Office of the General Counsel.

Some Guidelines for Faculty and Staff

(continued)

DO NOT:

- Display student scores, grades, Social Security Numbers, or PID'S (personal identification number) **publicly**
- Put papers, projects, graded exams, or reports in publicly accessible places



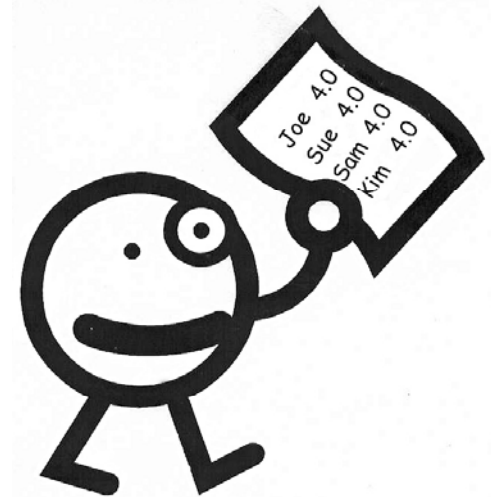


Some Guidelines for Faculty and Staff

(continued)

DO NOT:

- Share student information, including grades or GPA's, with other faculty or staff unless their responsibilities warrant a need-to-know
- Discuss a student's progress with anyone (including parents) without written consent of the student
- Provide anyone with lists of students enrolled in your classes for any commercial purpose



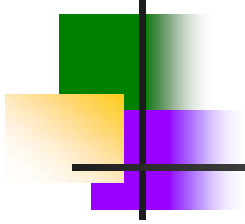


When In Doubt

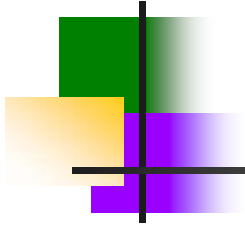
Err on the side of caution and do not release student educational information. Contact the Office of the Registrar or the Office of General Counsel for guidance or see MSU's web site at

[http://www.reg.msu.edu/ROInfo/Notices/
PrivacyGuidelines.asp](http://www.reg.msu.edu/ROInfo/Notices/PrivacyGuidelines.asp)

and click on "Michigan State University Access to Student Information."



Important note: This presentation is intended to give viewers general information about FERPA and to acquaint faculty and staff with some of the privacy issues surrounding students' educational records. It is not intended as nor is it a substitute for legal advice on any particular issue.



For additional information on FERPA, see the Office of the Registrar's website at:



<http://www.reg.msu.edu/ROInfo/Notices/PrivacyGuidelines.asp>

To schedule a FERPA presentation contact Traci Gulick at 353-3881 or gulickt2@msu.edu.