

FERPA 101

What you need to know

OFFICE OF THE REGISTRAR

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What is FERPA?

The **Family Educational Rights and Privacy Act** (FERPA) affords eligible students certain rights regarding their education records. FERPA applies to all educational agencies and institutions that receive funding under most programs administered by the Secretary of Education.

- An **"eligible student"** under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.
- An **"education record"** is any record in any medium maintained by the institution and directly related to a student. If it contains the student's name or other identifying information such as image or UA ID, then it is an education record

It is our Responsibility

As faculty and staff members, you have a legal responsibility under FERPA to protect the confidentiality of student education records in your possession. You have access to student information only for legitimate use in the completion of the duties of your position; this is called **"Need to Know"**. The only exception is **"sole possession records"** which an individual keeps and is not available to any staff or faculty. These records are potentially discoverable with a legal subpoena, but they are not subject to review under FERPA.

Student's Rights Under FERPA

- The right to inspect and review your education records
- The right to request an amendment of your education record if you believe it is inaccurate or misleading
- The right to have some control over the disclosure of information from their education records
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA

Directory information can be disclosed without the student's consent

- UA defines **"Directory information"** as name, email address, hometown (city and state), dates of attendance, enrollment status, major field of study, degrees and certificates received, including dates; participation in officially recognized university activities; academic and co-curricular awards; and weight and height of students on athletic teams.

However, if a student has a confidentiality or privacy flag in Banner or UAOnline, they have requested that UA withhold directory information. This means that no information - directory or otherwise - can be released without their written permission. Please refer any requests to release information to the Office of the Registrar.

When a student attends a postsecondary institution, regardless of age, all rights under FERPA transfer from the parent/guardian to the student. The student must provide written consent before anyone at UA can release any non-directory information to parents, spouses, or other family members. The student may elect to release certain kinds of information (e.g., financial) without releasing others (e.g., academic).

FAQS

Can I disclose education records to ANY employee without student consent?

No, you may not disclose education records to any employee without the student's consent, unless they are on a need-to-know basis

Can I release information to a student's parent if they're a minor?

No, once a student is matriculated, regardless of age, all rights under FERPA transfers from the parent to the student

An institution can only disclose personally identifiable information from students' education records without consent to school officials within the same institution who have a legitimate educational interests or "need to know".

A legitimate educational interest means the school official needs to review the education record to fulfill the duties of their position.

ANNUAL TRAINING

- Employees should review their FERPA training annually to ensure they remain up to date with any changes or best practices.
- Employees can complete their training through myua.alaska.edu.
- Staying current with FERPA training reinforces our commitment to safeguarding student information

COMMUNICATING VIA EMAIL

Faculty and staff are required to use their @alaska.edu account when communicating to or about students; personal email use is prohibited. This ensures the security and integrity of university communications and student information.

Employees may email the student's email marked "preferred" in our systems. Students are informed it is their responsibility to check, and/or set up forwarding from their @alaska.edu account.

Important!!!

1. **University ID Numbers:** Never use a student's UA ID # in public posting of grades or any other information
2. **Separate names & UA ID numbers:** Do not link the name of a student with their UA ID number in any public manner
3. **Graded Materials:** Do not leave graded materials in a stack for students to sort through, as this can expose other students' information.
4. **Group Grading:** In group grading situations, do not hand back graded information to the group as a whole
5. **Student Progress:** Only share a student's progress with the student themselves or those who have a "need to know" unless you have their written consent
6. **Enrollment Lists:** Do not provide enrollment lists or files of students to third-party requests, such as honor societies. Refer requests to the Office of the Registrar
7. **Assisting campus visitors:** Do not provide course schedules or assist anyone other than university employees in locating a student on campus. Refer requests to the Office of the Registrar
8. **Accessing Students' Records:** Never access student records for personal reasons.
9. **Storing Confidential Records:** Only store confidential information on secure computers if necessary, and ensure it is protected from intrusion
10. **Letters of Recommendation:** Do not include a student's grades, GPA, classes, etc., in a letter of recommendation without the student's written consent.

These practices help ensure the integrity and privacy of student information, fostering a safe and respectful academic environment.