

The Essence

- Federal law designed to protect the privacy of education records. It also provides guidelines for appropriately using and releasing student education records.
- It is intended that students' rights be broadly defined and applied. Therefore, consider the student as the "owner" of the information in his or her education record, and the institution as the "custodian" of that record.

Key Terms/Definitions

EDUCATION RECORDS - Includes any record maintained by the institution that contains information that is *personally identifiable* to a student (in whatever format or medium) with some narrowly defined exceptions.

- These records include: files, documents, and materials in whatever medium (handwriting, print, tapes, disks, film, microfilm, microfiche) which contain information directly related to students and from which students can be personally (individually) identified.

DIRECTORY INFORMATION - Those data items that are generally not considered harmful or an invasion of privacy if publicly available. **Cannot be released if student has a "no release" on his or her record.** Each institution establishes what it considers to be directory information. **While FERPA allows for the release of Directory Information, it does not require that the institution must release this information.**

Nazareth limits Directory Information to:

- Name, date of attendance, enrollment status, previous school attended, class, major field(s) of study, graduation honors, and degrees conferred (including dates).
- Directory Information cannot include: race, gender, SSN (or part of an SSN), grades, GPA, country of citizenship, or religion.
 - Every student must be given the opportunity to have directory information suppressed from public release.
 - It is important to understand, that a "no release" does not mean that a school official within the institution who has a demonstrated legitimate educational interest (e.g., faculty member teaching the student in class) is precluded from using the information to perform that official's job duties.

PARENT - With reference to FERPA, the term "parent" refers to either parent (including custodial and non-custodial, if divorced).

Basic Rights of Students under the Act

Annual Notification - Every institution must notify students of their FERPA rights at least annually.

- At Nazareth this is done by posting FERPA notice in the catalog, on the web and in email to all students.

Inspection and Review

Students have the right to see everything in their "education record," except:

- Information about other students.
- Financial records of parents.
- Confidential letters of recommendation if they waived their right of access.

Right to Consent to Disclosure

Start with the premise that the student has the right to control to whom his or her education record is released. A student can authorize release of educational records by submitting signed consent. There are several exceptions when that permission is not required. Contact Alison Teeter, Registrar, with questions about when written consent is or is not required.