What is FERPA

- •Family Educational Rights and Privacy Act of 1974
- •Also known as the Buckley Amendment

Who Must Comply with FERPA

Any educational institution or educational agency that receives funds under any program administered by the United States Secretary of Education

What does FERPA Require for Colleges to be in Compliance

- Protect the privacy of education records;
- •Notify students annually of their FERPA rights;
- •Ensure students' rights to inspect and review their records;
- •Ensure students' rights to request to amend their education records;
- •Ensure students' rights to limit disclosure of personally identifiable information in education records;
- •Maintain records of requests for and disclosures of student education records

Who is Protected Under FERPA?

- Currently and formerly enrolled students of a postsecondary institution
- •Students in attendance: applies to all students including continuing education students, students auditing a class, distance education students, videoconferencing, Internet, and any other technology where students are not physically present in the classroom
- •Students who are officially registered for at least one class and that class has begun
- •FERPA rights continue after the student leaves the institution and are only terminated upon the death of the student

Who is not Protected under FERPA?

Applicants who are denied admission or accepted applicants who never attended Loyola

What are Education Records under FERPA

Education Records are defined as records:

- •Directly relating to the student and are maintained by the educational agency or institution or by a party acting for the agency or institution
- •In any form: handwritten, video or audio tape, print, film, computer media, microfilm and microfiche, etc.
- •Financial, including those of parents or spouse

What is not an Educational Record

- •Private notes that are kept in the sole possession of the maker, used as a memory aid, and are not accessible or revealed to any other person
- •Law enforcement records maintained by the law enforcement unit of an educational agency or institution, used solely for law enforcement purposes, and revealed only to law enforcement agencies (subject to provisions)
- •Medical records created by a health care professional used only for the medical/health treatment of the student
- •Grades on peer-graded papers before they are collected and recorded by the teacher

What is Legitimate Educational Interest

A school official has a "legitimate educational interest" if the official is:

- •Performing a task that is specified in his or her position description or by a contract agreement
- •Performing a task related to the student's education
- •Performing a task related to the discipline of the student

Faculty Don'ts

- Use the SSN or Student Identification Number or any portion of these numbers, or other personally identifying information in a public posting of grades
- Leave graded tests, papers, or lab reports in a stack for students to pick up by sorting through the test or papers of all students
- Discuss the progress of any student with anyone other than the student (including parents/ guardians) without the written consent of the student, unless there is a "legitimate educational interest" on the part of the school official

Faculty Don'ts cont.

- •Provide anyone with student schedules or assist anyone other than appropriate University employees in locating a student on campus
- •Provide anyone outside the University with any student information
- •Provide anyone with student directory information for students enrolled in your classes for any commercial use or for solicitation of any product

What are Parent's Rights Under FERPA

When a student reaches the age of 18 or begins attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student.

How can parents/legal guardians gain access to academic or financial information in their son or daughter's record?

- •Student is a dependent for federal income tax purposes and parent provided proof of son or daughter's dependency
- •Student provided written consent to release non-directory information to custodial or non-custodial parent
- •In the case of a divorce, custodial parent provides copy of divorce decree stating the non-custodial parent's rights to non-directory information

What is Directory Information

Directory information may be released by the appropriate school official without the written consent of the student. The following items are classified as directory information at Loyola University Maryland

- •Student Name
- Photo
- •E-mail address
- •Home, dorm, local address; mail stop
- •Home, dorm, local phone number; voice mailbox
- Class year
- Enrollment Status
- •Participation in officially recognized activities and sports; weight and height of members of athletic teams

How to Restrict Release of Directory Information

Every student has the right to file a written request with the University (Records Office) to restrict the listing of directory information in the University's address directory. The restriction remains in effect until the students submits a written request to cancel it.

If a student does not want Loyola to disclose directory information the student must:

•Notify the University annually, in writing within the first week of classes:

Records Office

Loyola University Maryland

Maryland Hall, Room 141

4501 North Charles Street

Baltimore, Maryland 21210

•Send an e-mail notification, through the student's loyola.edu account to transcripts@loyola.edu

When is Permission Required to Write Letters of Recommendation

When personally identifiable information obtained from a student's educational record is included in the recommendation (grades, GPA etc.), the writer must:

- •Obtain a signed release from the student which:
 - OSpecifies the records that may be disclosed
 - OStates the purpose of the disclosure
 - oldentifies the party or class of parties to whom the disclosure can be made

When is Permission NOT Required to Write Letters of Recommendation

Written release is not required from the student ONLY when:

•Statements made by the person writing a recommendation are made from that person's personal observations or knowledge