

KEY TERMS?

1. **Eligible Student**—any student who is or has been enrolled at VTCSOM.
2. **Educational Record**— (a) Any record or materials which contain information where a student can be personally identified AND (b) Are maintained by any office, employee or agent of VTCSOM.

* Electronic—An archived email about a student is an educational record & subject to FERPA

* Printed

* Hand written notes

* Video conference, internet, other electronic data

* Tests, quizzes, instructors' grade books

EXCEPTION—Sole Possession Notes

* Kept in the sole possession of the person who created them

* Notes an instructor or staff member keeps (never shared and no one else involved when creating the notes)

* Once shared with someone or placed in an area where may be accessed by others they become educational records—and subject to FERPA and to subpoena

BEST ADVICE—If you don't want it reviewed, DON'T WRITE IT DOWN

3. **School Official**—is a person employed by VTC in an administrative, supervisory, academic or research, or support staff position (including security personnel and health staff); a person or company with whom VTCSOM has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Directors; or a student serving on an official committee, such as the MSPPC, 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 a student record in order to fulfill his or her professional responsibility.

ADDITIONAL TIPS

1. Keep graded work confidential.
2. Do not discuss a student's academic record via email.
3. Never release academic information to a spouse (without written permission).
4. OK to speak about observations.
5. NOT OK to discuss anything derived from an academic record with someone who does not have an educational need to know!
6. **In an emergency FERPA allows schools to disclose information to appropriate parties without the students consent (ex. Law enforcement, medical personnel) when protecting the health or safety of the student or others.**

WHERE DO I GO FOR GUIDANCE?

FERPA issues are sometimes confusing and the correct course of action is not always clear. Please feel free to contact the Registrar's Office at any time for guidance or FERPA issues you encounter.

FERPA is administered by:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-5920

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>



FERPA QUICK GUIDE:



FERPA OVERVIEW FOR VTC FACULTY & STAFF

Family Education Rights and
Privacy Act of 1974
Protecting the privacy of
Educational Records



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FERPA: WHAT YOU NEED TO KNOW

WHAT IS IT AND WHERE ARE THE RULES?

FERPA STANDS FOR THE Family Educational Rights and Privacy Act of 1974.

FERPA was enacted to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data.

FERPA affords students certain rights with respect to their educational records.

Everyone on campus with access to student records shares the responsibility of FERPA!



WHAT DOES IT MEAN FOR STUDENTS?

1. **The right to inspect and review** the student's education records within 45 days of the day the school receives a request for access.
2. **The right to request the amendment** of the student's education records that the student believes is inaccurate or misleading, or otherwise in violation of the student's privacy rights under FERPA.

3. **The right to consent to disclosures of personally identifiable information** contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. **The right to file a complaint with the U.S. Department of Education** concerning alleged failures by Virginia Tech to comply with the requirements of FERPA.

WHAT DOES IT MEAN FOR FACULTY & STAFF?

1. **ONLY access those educational records you need to access AS PART OF YOUR JOB.** Ask yourself, "Is this a legitimate educational need?"
2. **DO NOT POST GRADES PUBLICLY!** The public posting of grades either by the student's name, student number, or social security number without the student's written permission is a violation of FERPA.
3. **DO NOT EMAIL GRADE INFORMATION (including TEST SCORES).** There is no guarantee of confidentiality on the Internet.
4. **Do not release without written authorization** any of the following:
 - * Student ID number
 - * Grades/Exams scores
 - * Academic Standing
 - * Social Security Number
 - * Detail of Registration Information (i.e., course times)
 - * Race, Ethnicity or Nationality

- * Gender
- * Date of Birth
- * Total/Number of Credits
- * Emergency Contact



UNDERSTANDING DIRECTORY RELEASE

1. **If the student has not restricted access** to directory (or public) information you may release the following:
 - * Student name
 - * Student Address
 - * Telephone Number
 - * Email Address
 - * Whether a student is currently enrolled
 - * Classification (M1, M2, etc.)
2. **If a student has blocked the release of directory information, YOU MAY NOT RELEASE ANY INFORMATION** about that student. We recommend you say, "I have no information about that individual." Don't even confirm that they are a student.
3. **Departments MAY NOT release** non-directory or personally identifiable information to a third party without the student's written authorization.

