

# FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

## What is FERPA?

The Family Educational Rights and Privacy Act of 1974, (FERPA) as amended establishes requirements regarding the privacy of student records. FERPA governs:

- the release of educational records maintained by the College
- access to educational records

The College must notify students annually of their rights to:

- inspect and review their education records
- request to amend their education records
- limit disclosure of personally identifiable information contained in education records
- file a complaint with the Department of Education concerning an alleged failure by the College to comply with FERPA

## Directory Information

The following is considered public "Directory Information" at Keene State College unless the student notifies the Registrar's Office in writing (Privacy Hold Request form).

- Name
- Mailing, local, and campus addresses and telephone numbers
- KSC e-mail address
- Place & Date of birth
- Major(s)
- Dates of attendance
- Degree(s) and Awards conferred

## Parental Access to Student's Educational Record

When a student reaches the age of 18 or is attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student. Parents of Keene State College students may not receive non-directory information.

In general, you (faculty and staff) must not discuss the student with their parent and advise the parent that the student is responsible for providing appropriate information to the parent(s). Direct related questions to the Registrar's Office.

Students may designate up to three different individuals who can contact Keene State College on their behalf. Individuals should be prepared to answer the security question chosen by the student at the time the FERPA Release form was filled out. To fill out a FERPA release or correct a previous submission, students should go to the FERPA Release form page **Please note:** Once a student's matriculated status has ended with the college (the student is withdrawn or graduated), the FERPA release is no longer valid.

Student Records (Privacy) Policy

## What is an Educational Record?

Any record, with certain exceptions, maintained by the College in any medium that is directly related to a student, or information from which an

individual student can be personally identified is considered an education record. Examples include personal (non-Directory information), social security number, grades, and GPA and class rosters/semester schedules.

## Violations of Confidentiality

Potential violations of confidentiality can be avoided if you (faculty and staff) DO NOT:

- use the Social Security Number or DID of a student in a public posting of grades
- link the name of a student with that student's social security number or DID in any public manner
- leave graded tests or other graded papers in a stack for students to pick up by sorting through the papers of all students
- circulate a printed class list with student name and social security number/DID or grades as an attendance roster
- discuss the progress of any student with anyone other than the student (including parents) without the consent of the student
- provide anyone with lists of students enrolled in your classes for any commercial purpose
- provide anyone with student schedules or assist anyone other than College employees in finding a student on campus

Keene State College provides secure web applications for students (Canvas and MyKSC) to view course specific information, semester grades and full academic record. Students should be routinely advised to use these tools to view personal information.

Notification of grades via e-mail is not recommended as there can be no guarantee of confidentiality.

## Legitimate Educational Interest

In accordance with FERPA, a school official has a legitimate educational interest if the official requires access to an education record in order to fulfill their professional responsibility. This includes such purposes as:

- performing appropriate tasks that are specified in their position description or by a contract agreement
- performing a task related to a student's education;
- performing a task related to the discipline of a student;
- providing services for the student or the student's family, such as health care, counseling, job placement, or financial aid.

Legitimate educational interest does not convey inherent rights to any and all student information. The law discriminates between educational interest, and personal or private interest; determinations are made on a case-by-case basis. Educational interest does not constitute authority to disclose information to a third party without the student's written permission.

## The Media

FERPA does not allow the College to discuss a student's educational record publicly - even if a lawsuit has made the information a matter of public record. The official spokesperson for the College is the Campus Spokesperson in the College and Media Relations Office.

## Penalties for Violating FERPA Regulations

The Family Policy Compliance Office reviews and investigates complaints of violations of FERPA. If the Office finds that there has been a failure to comply with FERPA, it will notify the institution about the corrections that need to be made to bring the institution into compliance. The Office

will establish a reasonable period of time for the institution to voluntarily accomplish the specified changes.

If the Secretary of Education finds, after this reasonable period of time that an institution has failed to comply with FERPA and determines that compliance cannot be secured by any means, they can, among other options direct that no federal funds under his or her administrative control (financial aid, education grants, etc.) be made available to that institution.

To submit a FERPA Release form, click [here](#). Instructions for the form (as well as the link to the form) can be found on our [FAQ page](#).

**Resource:** The AACRAO 2012 FERPA Guide