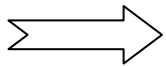


# FERPA Reference Sheet for Office Personnel

The Family Educational Rights and Privacy Act of 1974, as Amended (**FERPA**) requires institutions accepting federal monies to protect the privacy of student information. In addition, FERPA affords students the right to review their education records, to request correction of inaccurate records, and to limit information disclosure from those records. An institution's failure to comply with FERPA may result in the Department of Education withdrawal of federal funds.

**All UC personnel are obliged to comply with FERPA regulations.**



As a University service provider, you need to know the difference between **Directory Information** and **Personally Identifiable Information** or **Education Records**.

## **DIRECTORY INFORMATION**

These items *may* be disclosed, **unless** the student has placed a "block" on Directory Information release. *Check UniverSIS or consult the Registrar's Office*

- Name
- Student Identifier (non-SSN),
- Current mailing address
- Current telephone number
- E-mail address (BOL)
- College
- Class
- Major
- Dates of attendance
- Enrollment status (full/part-time)
- Degrees/honors/awards received (including dates received)

## **PERSONALLY IDENTIFIABLE INFORMATION** (any identifying data other than "Directory Information")

*Including, but not limited to:*

- Social Security Number
- Date of birth
- Residency status
- Gender/race/ethnicity
- Religious preference

## **EDUCATION RECORDS**

*Including, but not limited to:*

- Class schedule
- Grades/GPA and academic standing
- Test scores
- Academic transcripts

**May have access to personally identifiable information or education records without the student's prior written consent** (this is not a comprehensive list):

- University Personnel with "legitimate educational interest" (consult the Registrar's Office)
- Certain government officials (refer to the Registrar's Office)
- In compliance with a judicial order or subpoena (refer such to the General Counsel's Office)
- Respondents to a health or safety emergency (first contact Registrar's Office **and** University Police)

## **ANYONE ELSE MUST PROVIDE THE STUDENT'S PRIOR WRITTEN AND SIGNED CONSENT**

*Parents (in most cases) and spouses must present the student's written and signed consent before the University may release personally identifiable information. Refer **all** such requests to the Registrar's Office.*

**Consent from the student must include:**

- ✓ **Records(s) to be released**
- ✓ **Purpose of the disclosure**
- ✓ **Party/parties to whom disclosure may be made**
- ✓ **Signature of the student and date signed**

You must maintain a record of all requests for access to personally identifiable information and/or educational records, whether the requests have been honored or not.

**STUDENT REQUESTS FOR RECORDS INFORMATION**

Prior to discussing personally identifiable information or education records with a student you are required to make a “reasonable” effort to confirm the student’s identity. When working with the student in-person, require that the student first present photo-identification. If contacted by telephone, require the student to correctly provide more than one piece of identifying information (e.g., DOB, address, major, classes currently enrolled). Regarding e-mail, the Department of Education’s Family Policy Compliance Office (which interprets FERPA) recommends that you avoid including personally identifiable information (e.g., the Social Security Number) or specific education records. That office contends that despite the issuance of a student e-mail account such as Bearcat Online, institutions cannot be absolutely certain that the student in fact is the receiving party.

**PARENT REQUESTS FOR STUDENT RECORDS**

FERPA rights transfer to the student at age 18 or once he or she attends a post-secondary institution, regardless of age. Parents or legal guardians *may* obtain their student’s education records at the discretion of the institution **only if:** a) they can establish that the student is a financial dependent; **or** b) by obtaining the student’s written consent. The student is considered “financially dependent” if either parent or the legal guardian claimed the student upon his or her most recent Federal income tax return. *All parent requests should be referred to the Registrar’s Office for review.* The Registrar’s Office will require that the parent(s) or legal guardian provide a copy of the filed tax return or the student’s written consent before it releases the requested information.

**RECORDS ACCESS BY UNIVERSITY PERSONNEL**

As University personnel, you *may* be allowed access to a student’s educational records **if** you can establish *legitimate educational interest* for the request, meaning that you need the information to fulfill a specific UC-assigned professional responsibility.

The following is a list of information items that **are not** considered educational records and therefore are not subject to a student’s request for review:

- Law-enforcement records; medical treatment records; alumni records;
- Records maintained exclusively for individuals in their capacity as employees. Records of those who are employed as a result of their status as students (work-study, student workers, etc.), however, **are** considered educational records;
- Sole-source/Sole-possession documents: these are notes (memory joggers—**not** grade or GPA related) created and maintained by you, meant for your personal use exclusively. So long as no one else ever sees these notes they remain private and are not subject to FERPA. If you share them with someone, these notes no longer are considered “sole source.” They become part of the student’s educational record and are subject to FERPA.



**FOR MORE INFORMATION**

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