

# Norwalk Community College

## FERPA

### For Faculty, Staff, and Students

### Family Educational Rights and Privacy Act (formerly the Buckley Amendment) for Student Records

**The purpose of FERPA is to protect the privacy of educational records.** An educational record is any record that contains personally identifiable information about a student who is or was enrolled at the College. Students have the right to review their own educational records.

Students have the right to have personally identifiable information contained in education records kept private unless they consent in writing to disclosure. Students have the right to refuse to permit the disclosure of directory information except to school officials. FERPA provides students with certain rights with regard to their education records.

**FERPA permits disclosure of Directory information.** The following has been designated as "Directory Information" by the Connecticut Community College System. The College reserves the right not to disclose "Directory Information" to third parties not associated with the College unless, in the judgment of appropriate College officials, it is appropriate to do so. Students who do not desire their "Directory Information" to be disclosed must notify the Record's Office in writing. Forms for this purpose are available in the Record's Office (Room E102).

**Directory Information:**

- Student name
- Address
- Full vs. Part-time
- Major/program of study
- Dates of attendance
- Honors, Awards
- Graduation date

**In the case of military recruiters FERPA also allows disclosure of:**

- Major/program of study
- Age
- Level of education
- Telephone

All other information is non-directory information and requires written consent of the student for release of information to a third party.

Neither the PATRIOT Act nor the Solomon Amendment (military recruiters) requires that military recruiters be provided directory information for students who have directed the College not to disclose their directory information.

**Personally Identifiable Information:**

Personally identifiable information is defined to include (34 CFR 99.3), but not limited to:

- = The student's name
- = The name of the student's parent or other family member
- = The address of the student or student's family
- = A personal identifier, such as a student's social security number or student number
- = A list of personal characteristics that would make the student's identity easily traceable
- = Other information that would make the student's identity easily traceable

**Legitimate Educational Interest:**

In accordance with FERPA, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. This includes such purposes as:

- = Performing appropriate tasks that are specified in her/his 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 such as 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.

**FERPA allows** disclosure of educational records without consent in connection with, but not limited to:

- Compliance with a court order or lawfully issued subpoena
- To appropriate parties in a health or safety emergency
- To officials of another school, upon request, in which the student seeks to enroll
- In connection with a student's request to receive financial aid, as necessary to determine eligibility, or to enforce the terms and conditions of aid
- To officials of the U.S. Department of Education, the Comptroller General, and state and local authorities in connection with state and federal education programs
- To accrediting organizations carrying out their functions
- To certain organizations carrying on their studies on behalf of the College

- The results of an institutional disciplinary proceeding against the alleged perpetrator of a crime of violence to the alleged victim of that crime with respect to that crime

**Educational Records Are:**

Any information provided by the student to the College for use in the educational process

- Personal information
- Enrollment records
- Grades
- Schedules

**Student Educational Records May Be:**

- A file/ document
- A computer printout in your office
- A class list
- A computer display screen
- Notes taken during an advisement session
- E-mails

**Posting of Grades:**

**NCC and the Community College system provides a secure portal, the WEB for Student product, for students to view their academic record, and a secure WEB for Faculty product for submitting grades.**

Any public posting of grades or distribution of grades by any means other than a secure means is in violation of FERPA. This includes posting of grades using student I.D. numbers, social security numbers, or name. The posting of grades to a class website and the public posting of grades for students taking distance education courses is in violation of FERPA. The recommendation is that no grades be posted.

Notification of grades by postcard is a violation of FERPA. Grades must be in a sealed envelope with security precautions.

Notification of grades by e-mail is not recommended. The institution would be responsible if any third party gained access, in any manner, to a student's educational record through any electronic transmission method.

**Special "DO NOTS" for Faculty:**

To avoid violation of FERPA rules:

- = DO NOT at any time use the student's social security number or BANNER I.D. number in any public posting, including the classroom. (Example: Do not pass around your class roster for students to sign, initial, etc.)
- = DO NOT ever link the name of a student with that student's social security or BANNER I.D. number in any public manner.
- = DO NOT leave graded tests in a stack for students to pick up by sorting through the papers of all students. Place each one in a separate envelope.
- = DO NOT circulate a printed class list with student name, BANNER I.D., or any other non-directory information or grades as an attendance roster.

- = DO NOT discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
- = DO NOT provide anyone with lists of students enrolled in your classes for any commercial or other purpose.
- = DO NOT provide anyone with student schedules or assist anyone other than College employees in finding a student on campus. Refer individuals to the College Security Desk.

**E-Mail Addresses:**

An e-mail address is personally identifiable student information that must not be disclosed without the signed written consent of the student.

**Letters of Recommendation and Verbal Commendations**

Statements made by a person making a recommendation do not require a written release from the student. However, if personally identifiable information obtained from a student's record is included in the letter of recommendation the writer is required to obtain a signed release from the student.

**Parental Access:**

When a student reaches the age of 18 or begins attending a post-secondary institution, regardless of age, FERPA rights transfer from the parent to the student. The College will obtain an observed signed consent form from the student that authorizes the parent to receive non-directory information and/or attend a meeting regarding the student's academic record. The consent form will be kept on file in the office where the meeting was held. Should a parent contact you regarding their child, you must check for this authorization prior to releasing any information. If the authorization does not exist, do not discuss the student with the parent and advise the parent that the child must give written observed authorization before you are allowed to do so.

**The Media:**

Nothing in FERPA allows an institution to discuss a student's educational record publicly – even if a lawsuit has made the information a matter of public record. A school official may not assume that a student's public discussion of a matter constitutes implied consent for the school official to disclose anything other than directory information in reply. Additionally, College employees should follow College policy regarding the release of information to the media.

**Best Practice:**

Best practice is to limit disclosure from and access to personally identifiable student information to those at the College who have an articulatable and legitimate need to know in order to perform the duties of their job. Best practice is not to disclose or provide access to personally identifiable student information to anyone outside of the College without either the student's signed and specific written consent or a clear basis under FERPA.

**The Federal Office that Administers FERPA:**

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

NCC thanks Antonio L. Veloso, Director, Enrollment and Research Services of Quinebaug Valley Community College, for the preparation of this FERPA document for faculty/staff reference and distribution.

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Resource: Board of Trustees of Community-Technical Colleges, Board Policy 5.7.

Resource: The AACRAO 2001 FERPA Guide; Loyola University; Regis-L elist

Revised for Norwalk Community College by: Danita Brown, Registrar

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