

Family Educational Rights and Privacy Act (FERPA)

What is FERPA?

- The Family Educational Rights & Privacy Act (FERPA), a federal law enacted in 1974, is a law that protects the privacy of student education records.
- FERPA affords students the right to inspect and review their education records, request the amendment of their records (if proven inaccurate or misleading), limit disclosure of personally identifiable information contained in their education record, and file a complaint with the U.S. Department of Education concerning alleged failures of the institution to comply with the law.
- FERPA authorizes the release of "Directory Information" without the student's prior consent under certain conditions which are set forth in the Act.

How does FERPA apply to faculty and staff?

- Faculty and staff (including advisors) who have a *need to know* are permitted access to a student's records in the course of their duties as school officials.
- The law requires employees to act in a legally specified manner as described below.

What are education records?

- Records directly related to a current or former student,
- Maintained in any format,
- By an educational agency or institution or by a party acting for the agency or institution.

What is Directory Information?

- Directory information is educational record information that would not generally be considered harmful or an invasion of privacy if disclosed.
- Clayton State may designate any of the following as Directory Information:
 - Name
 - Mailing address
 - Clayton State Student email address
 - Telephone number
 - Major
 - Dates of Attendance
 - Degree Awarded
 - Honors and Awards
 - Participation in Recognized Activities and Sports
 - Date and Place of Birth
 - Weight and Height of Athletic Participants

Can students control disclosure of Directory Information?

- Yes, students are notified of their right to control the disclosure of Directory Information in the Annual Notification of Rights under FERPA.
- Students must submit a written request to the Registrar's Office.
- If a student elects to control disclosure, no information will be released unless specifically authorized by the student in writing to the Registrar's Office.

How can I grant permission for a university official (professor, advisor, administrator, etc.) to discuss my academic information with another individual?

You may at your discretion, grant Clayton State University permission to release information about your student records to a third party by completing a [FERPA release form](#). **This is a one-time release and is valid only the date appearing on the form.** Clayton State University does not utilize open ended/blanket releases for our students. You will need to complete an authorization form each time you want your academic/educational information released to a third party.

How does FERPA apply to the following items?

- **Grades**
Students' scores or grades should not be displayed publicly. Even with names obscured, numeric student identifiers are considered personally identifiable information and must not be used. Grades, transcripts or degree audits distributed for purposes of advisement should not be placed in plain view in open mail boxes located in public places.
- **Papers**
Graded papers or tests should not be left unattended on a desk in plain view in a public area nor should students sort through them in order to retrieve their own work.
- **Class rosters/grades sheets**
These and other reports should be handled in a confidential manner and the information contained on them should not be re-disclosed to third parties.
- **Parents**
Parents, spouses and other relatives do NOT have a right to information contained in a student's education record. (Rights provided in FERPA transfer from parents to the student when he or she reaches the age of 18 or attends a school beyond the high school level.)
- **BANNER and DUCK**
Access to student information in BANNER and DUCK is not tantamount to authorization to view the data. Faculty and staff are deemed to be "school officials" and can access data if they have a "legitimate educational interest." A legitimate educational interest exists if the faculty or staff member needs to view the education record in order to fulfill his or her professional responsibility. Neither curiosity nor personal interest qualifies under the legitimate educational *need to know* specification.