

FERPA

Family Educational Rights and Privacy Act of 1974

What does it do? Protects a student from the indiscriminate collection, maintenance, disclosure and release of personal information—especially information about status, academic performance, and grades.

Who is covered? Any student now or previously enrolled at the School of Mines whether student attended via distance education or as a student participating in a coop, internship, field camp, etc.

How can scores or grades be posted to protect the student's right to privacy? A method that uses a code that *completely disguises* identity—NOT social security numbers or student ID numbers. Hardcopies of tests, quizzes, homework, etc. cannot be returned in any manner that gives students knowledge of other students' performance. *Under no circumstances is performance information to be shared with more than one student via email, texts, or social media.*

Can I cite or refer to Directory information? At the School of Mines “directory information” includes the following: student's name; grade level or academic status (undergraduate, graduate or professional school); graduation date; diploma or degree; major field of study; and dates of attendance. This data can be disclosed unless a student has evoked privacy (see below)

Check Colleague to see if the student has an “E” (for privacy EVOKED) in the “privacy field” of the BIO screen. You can also check the privacy column in the “student list” sent out by RAS or just remember that any line entirely in RED PRINT means that the student has evoked privacy.

What access do parents or guardians have to education records? Records are released only under the following circumstances: 1) student signs consent form, 2) to comply with a court subpoena, 3) if the parent or guardian proves the student is a dependent by providing a current Federal Income Tax return and requests access to records. “Releasing records” includes discussing a student's performance on the phone, in person, or via any media.

What about FERPA and student workers? Student workers are held to the same standards as university employees. Make sure any student worker understands FERPA basics and signs a form (available online and through RAS) to indicate understanding and acceptance of FERPA protections.

More information about FERPA is located at these sites:

<http://www.sdsmt.edu/Academics/Registrar/FERPA/FERPA-Rights---Privacy/>

<http://www.sdsmt.edu/Academics/Registrar/FERPA/FERPA-Q-and-A/>

Disclosure of Information from Education Records to Parents of Postsecondary Students

<http://www2.ed.gov/policy/gen/guid/fpco/hottopics/ht-parents-postsecstudents.html>

Family Policy Compliance Office (FPCO)

<https://www2.ed.gov/policy/gen/guid/fpc/index.html>

Balancing Student Privacy and School Safety: A Guide to the *Family Educational Rights and Privacy Act* for Colleges and Universities

<https://www2.ed.gov/policy/gen/guid/fpc/brochures/postsec.html>