

Dear Faculty and Staff:

FSW asks you to review principles of the Family Educational Rights and Privacy Act of 1974 (FERPA), also known as the Buckley Amendment. Take a few moments to review the following information to ensure you are familiar with the fundamental provisions of FERPA, as to not inadvertently violate this federal law.

What is FERPA?

FERPA is a federal law designed to protect the privacy of students' education records. Education records include any information or documentation that is recorded in any way, including records produced by handwriting, computer, email, audio, and video, among others. Educational records contain information directly related to a student and are maintained by the College or any party acting on its behalf.

Who is protected under FERPA?

When a student reaches the age of 18 or begins attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student.

Can I discuss a student's academic performance under FERPA?

A student's academic performance is part of his/her education record, and discussing the student's performance with anyone other than the student (or another school official with a "legitimate educational interest") is a violation of FERPA; an exception to this is that FSW staff, faculty, and administrators may discuss a student's education record with an outside school official with a "LEI," but these cases are rare. Refrain from discussing the academic performance, grades, or other parts of a student's education record with anyone other than the student.

How do I handle a parent's request for information under FERPA?

At the postsecondary level, parents have no inherent rights to inspect their student's education records. The right to access is limited solely to the student. Records may be released to parents under certain conditions. Therefore, all faculty and staff should refer such requests to the Office of the Registrar.

If parents do request such information, explain that you cannot discuss the student's academic performance without the written permission of the student. Grades, classroom performance, quiz and test scores, and exams are all part of the student's education record and require written permission to disclose to parents. Students may provide such permission by completing the FERPA authorization form available at the Office of the Registrar.

Can I write student recommendation letters under FERPA?

Recommendation letters on behalf of a student that contain specific information from the student's educational record, such as grades or a student's GPA, violate FERPA unless you have received prior written permission from the student to disclose that information.

When you receive requests for letters of recommendation from the student, have the student sign a written authorization enabling you to disclose specific and relevant information in the letter. If the letter of recommendation may be nonspecific and not include information contained in the student's education record and merely include your observations, for example, written consent from the student is not required. The content of the letter should not contain information from the student's education record as described above.

Returning assignments, papers, or exams under FERPA

It is a violation of FERPA to leave any graded assignments, papers, or exams unattended for students to pick up where students could view the work of others. A best practice is for a staff member to keep such student work and return it to students upon verification of the student's identity.

Helpful hints to avoid FERPA violations

To avoid violations of FERPA, DO NOT:

- Provide anyone with student schedules or assist anyone other than FSW employees in finding a student on campus.
- Leave your computer screen on and visible when you are away from your desk.
- Leave graded tests in a stack for students to pick up by sorting through the papers of all students.
- Discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
- Circulate a printed class list that includes student name and identification numbers as an attendance roster.
- Provide anyone with lists of students enrolled in your class for any commercial purpose.
- Email social security numbers.
- Give the student ID number to callers on the telephone.

Where can I find more information regarding FERPA?

- [U.S Department of Education- Family Educational Rights and Privacy Act \(FERPA\)](#)
- Complete the FERPA Training module available in the “Compliance Training” course via Canvas.
- Review relevant information outlined on the Office of the Registrar's webpage, <http://www.fsw.edu/registrar/ferpa>.

Thank you for your attention to this important matter. If you have any questions, or if I can be of assistance, call 239.489.9056 or extension 11056.

Have a wonderful day,



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