

Family Educational Rights and Privacy Act (FERPA)

A Kalamazoo Valley tutorial
for faculty and staff

Welcome to the FERPA tutorial

- This training session is designed to provide you with basic information regarding federal confidentiality laws and how they affect you as a KVCC employee. It is essential both you and the College remain in compliance with FERPA.
- This is not an extensive evaluation of the act, but simply an overview of key information. Examples of situations that may occur when addressing requests for student information are presented as questions to help reinforce what you will learn in the tutorial.
- Watch for **key points** that provide a simple rule of thumb to follow.

What is FERPA?

- The Family Educational Rights and Privacy Act is a federal law designed to:
 - protect the privacy of education records;
 - establish the right of students to inspect and review their education records;
 - provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings.

How does FERPA apply to KVCC?

- KVCC strives to fully comply with FERPA by:
 - notifying students of their rights under FERPA
 - protecting the privacy of student records
 - judiciously evaluating requests for release of information
 - making employees aware of their responsibility to uphold the law
- Maintaining confidentiality of student records is everyone's responsibility.

How does FERPA apply to me?

- Take a look around your work area.
- What information do you have which may need to be handled in a secure way?

For example:

- Student forms
- Advising information
- Course work
- Grades
- Student's financial information
- Student information displayed on your computer screen

How does FERPA apply to me?

- You have a legal responsibility under FERPA to keep confidential all student education records you have access to or have in your possession in order to perform your job duties.
- Students expect us to maintain the security and confidentiality of information about them.

Protect student data as if it were your own.

What do I need to know about FERPA?

- The rights FERPA has granted to every student.
- What information is protected and what can be freely shared.
- Who information can and cannot be shared with.
- When information can be released.

What rights does FERPA grant to students?

- The right to know what KVCC has designated as public/directory information and to limit the release of that information.
- The right to provide written consent before KVCC discloses personally identifiable information from their education records, except to the extent that FERPA authorizes disclosure without consent.
- The right to know school officials may access their records and the criteria for determining that the school official has a legitimate educational interest in the information.

What rights does FERPA grant to students?

- The right to inspect and review nearly all the information the College maintains on them. The two exceptions being their parent's financial information maintained by the Financial Aid office and any letters of recommendation they have waived their right to review.
- The right to request an amendment to their record if they believe it contains inaccurate or misleading information, or is a violation of privacy rights.
- The final decision to amend the record resides with the institution.
- Students also have the right to include an explanation with their record if it is not amended.

What rights does FERPA grant to students?

- Students can file a complaint with the U.S. Department of Education's Family Policy Compliance Office (FPCO) if they believe information has been disclosed without their consent or withheld from review.
- The complaint will be investigated and when necessary the institution will be informed of the steps to follow to come into compliance. If the College fails to comply, the FPCO can terminate eligibility to receive federal funding under any applicable program.
- If it is determined the College has a policy or practice of providing access to or releasing personally identifiable information outside of the authorizations allowed under FERPA, no funding will be made available under any applicable program.

What information is protected and what can be freely shared?

FERPA groups data into the three categories listed below which will be further defined in the following slides.

- **Educational records**
 - Cannot be shared without proper authorization

- **Sole possession records**
 - Cannot be shared

- **Directory information**
 - Can be shared as long as the student has not requested confidentiality.

Educational Records

- A student's "Education Record" includes any information or data:
 - which is directly related to a student or in which a student is personally identifiable;
 - is maintained by the College or by a person acting for the College;
 - that is recorded in any medium, including but not limited to, handwriting, print, electronic database, tapes, film, e-mail, microfilm, and microfiche.
- "Personally identifiable" means the information would make the student's identity easily traceable. Examples include: the student's name, the student's parent or other family member's name; the address of the student or student's family; or a personal identifier, such as the student's birth date, Valley Number or social security number.

Educational Records

- Examples of an Education Record include:
 - Admissions information for students who are accepted and enrolled;
 - Biographical information including date of birth, gender, nationality, information about race and ethnicity, and identification photographs, Valley Number, social security number;
 - Grades, test scores, evaluations, courses taken, academic specialization and activities, and official communications regarding a student's status;
 - Course work collected and recorded by faculty, class schedules, as well as written, email or recorded communications that are part of the academic process;

Educational Records

- Examples of an Education Record include: (continued)
 - Documentation collected by the College becomes part of an education record when used for educational purposes such as establishing qualification for program entry, special services, or exceptions such as refund, financial aid and grade change appeals. For example, medical records become education records because they are not being used for treatment of a student but rather to prove the existence of special circumstances in order to qualify the student for services or assistance.
 - Disciplinary records;
 - Students' financial and financial aid records;
 - Internship program records.

Educational Records

- What are not considered education records?
 - Aggregate data containing no personally identifiable information.
 - "Sole possession records" of faculty and staff which are never shared with anyone else and are only for the personal use of the maker.
 - Public Safety records used solely for law enforcement purposes.
 - Health records maintained by KVCC if the records are used only for medical treatment of a student and made available only to those persons providing the treatment (e.g., Dental Hygiene Clinic records and Medical Assistant lab records).
 - Alumni records which do not relate to or contain information about the person as a student (e.g., information collected by the College pertaining to alumni accomplishments).
 - Employee records of an individual whose employment is not contingent on the fact that he or she is a student (e.g. work-study), provided the record is used only in relation to the individual's employment at KVCC.

Educational Records

Almost all of the information the College maintains on students is considered a part of their education record and is therefore protected by FERPA.

Remember that even if a record is not protected by FERPA, it does not mean that the record can be freely released. There may be other laws that apply or other reasons to maintain a student's privacy.

Sole Possession Records

- By definition, sole possession records are not revealed or made accessible to any other person. They are kept by the maker to be used only as a personal memory aid or reference tool. They are not made in conjunction with a student or other school official, or used to make decisions about a student.
- Examples:
 - Sole Possession Record: An advisor meets with a student to discuss the upcoming semester. After the student leaves, the advisor documents the discussion to reference before the student's next visit and files the note in his or her own file drawer. Because it was not made in the presence of others and as long as it is never shared with others it is not subject to FERPA.
 - Education Record: Personal notes from a committee meeting recommending students for a particular program become an education record if they are used to make a decision about the students.

Directory Information

- FERPA allows, but does not require, institutions to release personally identifiable information about a student that would not be considered harmful or an invasion of privacy if disclosed without their consent. This category is known as “Directory Information.”
- This allows schools to streamline some processes which include, the publication of honors lists and graduation programs; the reporting of eligibility for athletes; and allows potential employers to confirm a student's attendance or degrees awarded, among other things.

Directory Information

- The college must inform students of the items designated as Directory Information and give the student the option to withhold the release of their Directory Information. The student must complete a non-disclosure form and submit it to the Admissions, Registration and Records office. Once filed, the request remains in effect until cancelled in writing by the student.
- Students who have requested a confidential hold on their records are identified at the top of Banner forms and on every class roster.

Directory Information

- Directory Information at KVCC:
 - Student's name, address, telephone numbers, date of birth
 - Major field of study and class level
 - Dates of enrollment
 - Full or part time status
 - Degree, awards, honors conferred and dates received
 - Previous educational institutions attended
 - Participation in officially recognized sports and activities
 - Weight and height of members of athletic teams

- Only designated members of the Admissions, Registration and Records office staff may disclose directory information. Other campus employees should not disclose this information unless granted an exception by the Director of Admissions, Registration and Records.

Directory Information

- Releasing personally identifiable information with other items from the approved list of Directory Information is allowable. However, once the personally identifiable information is combined with confidential data it becomes an education record that cannot be released without the student's written permission.
- Examples:
 - Directory Information: An insurance company calls to confirm a student's enrollment in the current semester. They provide the student's name and birth date as identification. Although personally identifiable, all of the data involved is directory information and can be released, unless the student has requested confidentiality.
 - Education Record: Before paying for their employees tuition, a company would like to confirm the employee is taking approved courses. The employer provides the student's name and birth date as identification when they request a copy of the student's class schedule. Because a student's schedule is confidential we cannot release this education record without the student's written permission.

What student information is considered private?

- Never disclose the following non-directory student information:
 - Social Security Number
 - Valley Number
 - Ethnicity
 - Marital Status
 - Residency Status
 - Current Class Schedule
 - Courses Completed
 - Grades
 - Grade Point Average

Question

- A student has received a number of citations for parking in restricted areas and wants to review his records in the Public Safety office. According to FERPA, the student has a right to review and inspect these records.
- **True or false?**

Correct Answer

- **False.** Records created and maintained by Public Safety, for a law enforcement purpose, are not considered educational records subject to FERPA. The rights granted to students by FERPA cannot be used to authorize this type of inspection.
- Whether or not the student can see their traffic citations would be determined by Public Safety based on the policies and laws applicable to law enforcement records.

Question

- One of your advisees wants to review all of your notes and the papers contained in your advisor file. According to the law, the contents of your file on the student must be made available for review and inspection.
- **True or false?**

Correct Answer

- **It Depends.** Only documents that meet the criteria of an "educational record" may be reviewed by the student. Documents that are "sole possession records," that contain information about another student, that are their parent's financial records, or are confidential letters they have waived their right to review are exempt. The file should first be evaluated for content, and then only appropriate documents should be shared with the student.

You do not have to respond immediately to an inspection request. The College must reply in a reasonable amount of time within a maximum of 45 days.

Question

- To be an "educational record," information must be:
 - A.** Personally identifiable to the student.
 - B.** Maintained by the institution.
 - C.** Kept in the Records office.
 - D.** Made available to law enforcement.
 - E.** A and B only.
 - F.** All of the above.

Correct Answer

- **E (A and B).** Among other things, an educational record is personally identifiable to the student and is maintained by the institution. All educational records are not necessarily kept in the Records office, and educational records are not made available to law enforcement without a proper court order.

Question

- A counselor from a local high school wants to know how the high school's graduates are doing at college. KVCC cannot release individual GPAs but could provide aggregate information.
- **True or false?**

Correct Answer

- **True.** Aggregate information which does not provide personally identifiable information is permitted under FERPA.

Question

- An unauthorized person retrieves confidential information from a computer screen that was left unattended. Under FERPA, is the institution responsible?
- **Yes or No?**

Correct Answer

- **Yes.** The medium in which information is held is unimportant. No information should be left accessible or unattended, including computer displays.

Always secure confidential data before leaving a work area unattended, or when it is accessible to unauthorized individuals.

- **Clean off your desk before inviting a student into your office.**
- **Turn over or hide papers if a student approaches your counter.**

Question

- What are the implications of a student restricting his or her directory information?
 - A.** All inquiries about the student will be answered with the statement, "I have no information to provide about that individual."
 - B.** The student will no longer receive electronic junk mail.
 - C.** The student will have to provide a written release of information in order to give others access to any portion of their record including directory information.
 - D.** All of the above
 - E.** A and C only

Correct Answer

- **E (A and C).** Students who restrict their directory information should understand that all third parties will be denied access to their directory information unless the student has provided express written permission.
- The appropriate response to an inquiry is "I have no information for an individual by that name." You cannot say "information about that student is confidential" or "I have no information about that student" because use of the term "student" implies enrollment and informs the third party that the individual in question is in fact a student at KVCC. This would be a violation of the students request for confidentiality.

Question

- An institution must release to anyone, upon request, any information identified as directory information by the institution.
- **True or False?**

Correct Answer

- **False.** FERPA only says that an institution MAY release directory information, but there is no obligation to do so. One reason not to release information is if there is a confidential hold. Should you decide to disclose the information, it does not have to be supplied “upon request,” but within a reasonable amount of time not to exceed 45 days.

When in doubt, do not release information.

What else do I need to know about FERPA?

- Who information can be shared with
 - College officials with legitimate educational interest
 - Third parties depending on information requested and authorizations provided
 - Law Enforcement officials depending on information requested and possession of a court order or subpoena
(Note: Arrest warrants do not authorize law enforcement access to information.)

- When information can be released
 - After obtaining the student's written permission when it is required
 - Upon request or within a reasonable amount of time not to exceed 45 days

College Official

- A college official is:
 - A person employed by the College in an administrative, supervisory, academic, research, or support staff position;
 - A person or company with whom the College has contracted as its agent to provide a service instead of using KVCC employees or officials;
 - A person serving on the Board of Trustees;
 - A student serving on an official committee or assisting another school official in performing his or her tasks.

Legitimate Educational Interest

- Legitimate educational interest is defined as a college official's need to review an education record in order to carry out his or her job responsibilities. In addition to service related duties, these responsibilities would include performing an administrative, supervisory or instructional task directly related to a student.

Third Party

- You may not release information from a student record to a third party without written permission from the student.
- Who is a third party? Parents, spouses, relatives, friends, insurance companies, employers, loan officers, law enforcement, military personnel and government officials; essentially anyone who is not the student themselves. Even another KVCC employee does not have third party access unless they have a legitimate educational interest.
- Because their identity cannot be confirmed, all people contacting you via telephone or e-mail are to be treated as a third party, even if it is the student. You may convey general information but must refrain from sharing confidential information.

Eligible Student

- An Eligible Student is someone who has reached 18 years of age or who is attending an institution of post-secondary education.
- At KVCC, FERPA rights for students begin the day the student first is admitted and enrolls in a class at KVCC (regardless of age). FERPA rights do not apply to prospects or students who have been admitted, but have not enrolled at KVCC.
- This means that the FERPA right's a parent was granted for their underage child at the K-12 level transfer to the child once they enroll in a course at KVCC.
- A student's FERPA rights do not end when they stop attending KVCC. We must comply with FERPA regulations when responding to inquiries regarding former students.

Question

- The Director of Student Activities requests the grade history of a student. As a "college official" according to FERPA, the staff member is entitled to the student's education records.
- **True or false?**

Correct Answer

- **False.** It is true, the staff member is a "college official" under our FERPA policy, but missing in this example is a clearly and explicitly identified "legitimate educational interest" in the grade history of the student. The student's educational record can only be shared if you are provided with a reason demonstrating the college official's legitimate educational interest.

Question

- Dan is a 15 year old student enrolled in your course. His parent is concerned about how their minor child is handling college and calls to ask how Dan is doing in class. Can you give out that information?
- **Yes or No?**

Correct Answer

- **No.** Since Dan is enrolled at KVCC, he is, under FERPA, an "eligible student". FERPA recognizes students in secondary education as adults, regardless of age. That means that Dan is the only person who has the right to access his education records. He may, if he chooses, sign a release to authorize KVCC to disclose his educational information to his parents.

Question

- A faculty member asks for the names of all of the graduates with a B average in his program since its beginning. Which of the following statements is true?
 - A.** The faculty member may legally obtain this information under FERPA, as long as he has written permission from the dean (or designee).
 - B.** The faculty member may not legally obtain this information, since it is excluded from FERPA.
 - C.** The faculty member must provide a valid reason for obtaining the information.
 - D.** The faculty member is not entitled to all of the information, since FERPA does not permit release of this information on students not currently attending the institution.

Correct Answer

- **C.** Faculty members may access student academic records if their normal job duties specifically require access and/or they have a legitimate educational interest.

Question

- A student is currently attending KVCC. Their parent is a KVCC employee and desires to know how their child is doing in class. The employee calls an academic advisor and asks for the student's grades. How should the advisor respond to the parent's request?
 - A.** Tell them as much information as possible regarding their child's progress in school. After all, they are an employee and therefore have a legitimate educational interest.
 - B.** Inform the parent that you cannot release any non-directory information regarding the student because it is not based on a legitimate educational interest under FERPA.
 - C.** Tell them the information requested once you have verified their identity.

Correct Answer

- **B.** All College employees must have a legitimate educational interest for requesting student information. In this case, the person is asking as a parent and not as an employee. Written permission must be obtained from the student before releasing the requested information. In fact, the best response is to always refer parental inquiries first to their son or daughter and if questions still remain to the Admissions, Registration and Records office.

Remember, curiosity, even legitimate parental curiosity, is not the same as legitimate educational interest under the law.

Question

- A colleague in your department tells you that one of his current students has requested accommodations on the final exam due to a learning disability. The colleague wants to know what, if any, accommodations were granted to that student in your class last semester. Under FERPA, which of the following responses would be ideal?
 - A.** You offer to check your files and get back to the colleague.
 - B.** You refer your colleague to the Counselor of Special Populations in the Special Services office to have the question answered.
 - C.** You confirm or deny that the student received accommodations.

Correct Answer

- **B.** You refer the colleague to the Counselor of Special Populations in the Special Services office.
- The information you may have about a student's accommodation is protected information under FERPA. In addition, it may not be relevant to the question at hand, and the colleague may not have a legitimate need to know about past accommodations the student has received. Decisions about reasonable accommodations are made by the Counselor of Special Populations.

Release of Information

- Most responses, whether releasing information or denying access, should be given in a reasonable amount of time. KVCC has 45 days in which to respond to a request for information. However, this is a maximum time frame to be used only when special circumstances require additional time.
- Unless you are releasing confidential information to a college official who has a legitimate educational interest, you must maintain a record of the information released, the date, the purpose and to whom it was provided. This record may be the written authorization provided by the student or an access log you create for situations where the student's authorization is not required by FERPA.

Release of Information

- Before releasing directory information, you must check to see if the student has placed a restriction on the release of his/her directory information.
- A person may be given permission by the student to access their records, but this does not mean that the person may act on the student's behalf.
 - For example, a parent may be given access to a student's class schedule, but does not have the right to withdraw a student from those classes.
 - Certain exceptions may be made by the Director of Admissions, Registration and Records in emergency situations.

Release of Information

- If non-directory information is needed to resolve a college crisis or emergency situation, an education institution may release that information if the institution determines that the information is "necessary to protect the health or safety of the student or other individuals."
- Factors to be considered or questions to be asked in making a decision to release such information in these situations are:
 - (1) the severity of the threat to the health or safety of those involved;
 - (2) the need for the information;
 - (3) the time required to deal with the emergency;
 - (4) the ability of the parties to whom the information is to be given to deal with the emergency.
- This type of release must be narrowly construed and the decision should only be made by approved College officials.

Question

- You receive a call from a recruiting firm asking for names and addresses of students with a GPA of 3.0 or better. They say they have good job opportunities for these students. Can you help these students get jobs by giving out this information?
- **Yes or No?**

Correct Answer

- **No.** While we all want to help students to get good jobs, GPA information is confidential and cannot be released without the student's written consent.
- In this case the request could be forwarded to Student Employment Services. Information about the recruiting firm could then be provided to students on the KVCC employment website.

Question

- It is permissible for a faculty member to include a student's grades and GPA in a letter of recommendation without obtaining the student's written permission since the student provided them with a resume containing this information when making the request.
- **True or false?**

Correct Answer

- **False.** The faculty member must have the written permission of the student if any information included in the recommendation is an "education record" (grades, attendance, GPA, and other non-directory information).

KVCC employees must obtain written consent from students before disclosing any personally identifiable information from their education records to third parties.

Question

- A concerned parent whose student is struggling with their math class requests information on the number of students who have dropped MATH 110 so far this semester. This is confidential information according to FERPA that cannot be released.
- **True or false?**

Correct Answer

- **False.** An aggregate number is not personally identifiable to specific students so this is not a question falling within the context of FERPA. However, this does not mean KVCC is required to provide the requested information.

There may be more than one law, regulation or policy that applies to any given situation. The best Practice is to always consult with the appropriate College official before releasing information.

Question

- A person comes to your office with a letter containing a signature that gives consent to release the transcript of a student. Do you give the transcript to them?
- **Yes or No?**

Correct Answer

- **No.** The person may be eligible to receive a copy of the transcript under FERPA based on the signed authorization. However, transcripts and record information are available only through the Admissions, Registration and Records Office or the Student Service Center on either campus. You should direct the person to one of these offices for assistance.

Question

- You receive a phone call from the local police department indicating that they are trying to determine whether a particular student was in attendance on a specific day. Since they are in the middle of an investigation are you allowed to give them this information?
- **Yes or No?**

Correct Answer

- **No.** The police should be directed to the Admissions, Registration and Records office. Information about whether or not a student was enrolled in a particular semester is directory information, and can be obtained without additional authorization. If the police require more information, a subpoena is almost always required. Additionally, FERPA requires the College to notify the student about the release of information before releasing it, unless it is specifically stated on the subpoena that the student must not be notified.
- Even an arrest warrant does not give the police access to a student's record. They must have a subpoena specifically authorizing access to educational records.

Question

- You get a frantic phone call from an individual who says that he is a student's father and must get in touch with her immediately because of a family emergency. Can you tell him when and where her next class is today?
- **Yes or No?**

Correct Answer

- **No.** For the safety of the student you cannot tell another person where a student is at any time. A student's class schedule is not part of directory information at KVCC and therefore is confidential. If it is in fact an emergency, Public Safety may be able to notify the student for them if the student can be located on campus.

Question

- A medical school admissions office wants to confirm that a former student graduated from KVCC and earned a 3.95 GPA. According to FERPA, KVCC may confirm both facts.
- **True or false?**

Correct Answer

- **False.** Honors conferred is designated as directory information and may be released to a third party. Grade point average could not be released without the student's written consent.

Question

- You receive a phone call from Sarah Student. She's in another state for the summer and is applying for scholarships. Sarah states that she really needs to find out what her grades were from the previous semester in order to complete several scholarship forms that are due the next day. You tell her that she can access her grades on MyValley. Sarah says she's forgotten her password and cannot access her grades. She desperately needs this information and begs you to provide it over the phone. She is willing to provide whatever information you need to prove her identity, including her Valley number.

Question (cont.)

- How would you respond to Sarah in this situation, based on FERPA guidelines and College policies and procedures?
 - A. Inform student of her options for how she can gain access to the information because her grades cannot be shared over the telephone.
 - B. Tell the student her grades over the phone only after she has accurately provided you with information that verifies her identity.
 - C. Tell the student her grades over the phone without any further information.

Correct Answer

- **A.** Under FERPA guidelines, you cannot release this protected information without properly identifying the person and their right to access. At KVCC, all callers are treated as a third party to whom you cannot release confidential information.
- Remember, students are our customers and we should provide them with additional assistance to help them resolve their situation and not just say "no". Sarah should be informed of how to obtain her password to access grades online, or how to obtain her grades another way such as by a signed request that is faxed or scanned and e-mailed to us.

FERPA Tips for Faculty

- Keep only those individual student records necessary for the fulfillment of your job responsibilities.
- Properly shred any reports or delete computer files containing student information that you no longer need.
- Forward all judicial orders, subpoenas or other written requests for student records to the Admissions, Registration and Records office.
- Refer requests for information from the educational record of a student to the appropriate record custodian. Only the record custodian may release information about a student's educational record to a third party outside the College.
- Help prevent the unauthorized use of student email addresses. KVCC has not designated student email addresses as "directory" information. When sending email messages to more than one student always use the Blind Copy option so that the students cannot see each others email addresses.

FERPA Tips for Faculty

- Never use any part of a student's Social Security Number or Valley Number in a public posting.
- Never circulate a printed class list with student names and Valley Numbers, or grades as an attendance roster.
- Never discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
- Never provide anyone with lists of students enrolled in your classes for any commercial purpose.
- Never provide anyone with student schedules or assist anyone other than College employees with a legitimate educational interest in finding a student on campus.

Posting of Student Grades

- The public posting of grades, in any medium, using personally identifiable information (student's name, or any part of a Social Security Number or Valley Number) violates FERPA.
- Faculty can use code words or randomly assigned numbers that only the instructor and individual student know. Even then, the posting of grades should not be in alphabetical order.
- Assignments and papers that contain "personally identifiable" information should not be distributed to the student in a way that would allow other students to view the information.
- Students should be directed to MyValley to view final course grades.

Question

- A faculty member has posted the grades of all the students in a class on the wall outside of their office. This is a violation of FERPA.
- **True or False?**

Correct Answer

- **It depends.** The answer depends on how the faculty member posted the grades.
- If the grades are posted by name, Valley number, with a partial social security number but still in alphabetical order, or something that can be fairly easily interpreted by a third party, then "yes" it's violation of FERPA.
- If the grades are posted by a unique "code" known only to the student and the instructor and posted in random order, then "no" it is not a violation of FERPA.

Question

- Should professors leave exams, papers, etc. outside their office for students to pick up at their convenience?
- **Yes or No?**

Correct Answer

- **No.** That is a violation of the privacy rule because it is inappropriate for students to have access to other students' information.

Employees cannot leave personally identifiable materials in a public place.

Question

- Under FERPA, which of the following would not be acceptable?
 - A.** The release of the title of a congressman's degree to the local papers.
 - B.** A faculty member allowing his or her students to pick up their graded term papers from the chair outside the office.
 - C.** The vice-president having access to all students' educational records if a specific job-related need arises.
 - D.** Notifying students of their FERPA rights in the student handbook.

Correct Answer

- **B.** Faculty members may not leave graded papers outside of their offices as they contain personally identifiable information; under FERPA, faculty members must protect the privacy of students' graded assignments.

Question

- Your spouse is currently taking a course at KVCC and is able to check their grade on the class website. With their permission, you watch them log in and are amazed to see all of the students' names and grades posted. As an informed College employee, you realize this is a violation of FERPA laws. What should you do?
 - A.** Notify the Director of Admissions, Registration and Records, appropriate Dean or the Vice President of Instruction.
 - B.** Confront the instructor directly and inform them about FERPA.
 - C.** Do nothing since it is not your responsibility to report FERPA violations and it does not affect you.

Correct Answer

- **A.** Notifying appropriate College officials is the best option for resolving the situation. They will explain the options available to the instructor for posting grades online without violating FERPA guidelines.

Remember, protecting confidential student records is everyone's responsibility.

Final FERPA Thoughts

- Students, parents, or third parties may not be aware of FERPA or understand how it affects the release of information from student records. You may need to explain why you cannot answer their question or why you are referring them to the Admissions, Registration and Records office.
- The Admissions, Registration and Records office is always available to provide you with information about current FERPA law. Until you have spoken with them, it is best to err on the side of caution and never release non-directory information.

Information available to students online

- The following information and forms are available to students on our website:
 - Notification of Student Rights Under FERPA
<https://www.kvcc.edu/admissions/registration/recordsmiscinfo.htm>
 - Release of Student Information policy
<https://www.kvcc.edu/admissions/registration/recordsmiscinfo.htm>
 - Request to Prevent Release of Directory Information
<https://www.kvcc.edu/admissions/registration/ConfidentialHold.pdf>
 - Authorization for Release of Information
<https://www.kvcc.edu/admissions/registration/AuthReleaseInfo.pdf>

Who can you contact for assistance with FERPA?

- Sarah Hubbell
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