FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

"A federal law designed to protect the privacy of education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings."

THE ESSENCE OF THE ACT

Gives students an opportunity to inspect their own record and also gives them a protection of privacy.

College students must be permitted to inspect their own education records. School officials may not disclose personally identifiable information about students, nor permit inspection of their records without written permission unless such action is covered by certain exceptions permitted by the act.

WHAT IS AN EDUCATION RECORD?

- Directly related to a student, and
- Maintained by an education institution.

WHAT ABOUT PARENTS?

All at BYU are enrolled in a “post secondary institution” so parents have no rights to access the record under FERPA. There is an exception that we may release information to a parent if they claimed the student on last year’s income taxes. They must provide a copy of their tax forms proving this and then we must keep a permanent record of what we released to them, the date, and why. The other way they can get access it to get a signed consent form from the student.

SIGNED CONSENT – WHAT MUST BE INCLUDED:

1. Specify the records to be released
2. State the purpose of the disclosure
3. Identify the party or parties to whom disclosure may be made
4. Be signed and dated by the student.

RECORDS OF RELEASE

1. All institutions are required to maintain records of requests and disclosures of personally identifiable information. These records will include the names and addresses of the requestor and his/her indicated interest in the records. These records of requests and disclosures are part of the student’s education records and must be retained as long as the education records to which they refer are maintained by the institution.

2. Records of requests and disclosures do not have to be kept for:
   A. Requests from students for their own use.
   B. Disclosures in response to written requests from students.
   C. Requests made by school officials.
   D. Those specified as directory information.
RETURNING HOMEWORK OR TESTS
It is a violation of FERPA to put homework or tests in an open area for students to look through and retrieve. Ways to avoid violating FERPA include:

1- Have students pick their work up from an employee who sees ID before releasing the papers.

2- Have students submit a labeled envelope with their work that the instructor can seal the confidential information inside. Only the name would be publicly visible, all confidential grade information will be protected in the sealed envelope.

3- Have students sign a form at the beginning of the semester requesting their homework or tests be returned to them in the common box. This would authorize the instructor to return the work that way. Any students who opt not to have their work put in a public place would need another process to receive their work and feedback.

4- Assign a random number to the student for that class that semester, which only you and the student know, and have the student use that number, rather than name or other identifier for submitting homework and tests. The numbers must be assigned in such a way that others cannot determine who any student is from the number or pattern of display.

DIRECTORY INFORMATION AT BYU - listed in Catalog and Class Schedule and Records Office web pages. If it isn’t on the list we publish, it cannot be released without consent.

Name
Addresses and telephone numbers
Email address
Month, day and place of birth
Names of parents or spouse
Major and minor fields of study
Participation in officially recognized activities and sports
Weight and height of members of athletic teams
Pictures
Dates of attendance (current and past)
Number of months/semester enrolled
Enrollment status (full-time, part-time, less than half-time)
Degrees and awards received
Previous educational institutions attended
Dates of employment and job title for student employment positions
Class standing (freshman, sophomore, etc.)
Anticipated future enrollments
Course registrations prior to the beginning of a semester or term
Expected date of graduation
Deferred registration eligibility

Any questions, please contact the Registrar’s Office - (801) 422-1196

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