FERPA

You want what?

What is this funny acronym?

- Public Law 93–380, the **F**amily **E**ducational **R**ights and **P**rivacy **A**ct of 1974
- FERPA provides education record privacy protection to students.
- This federal act gives students the right to:
- see the information the institution keeps on the student
- seek to amend those records
- consent to disclosure of his/her records
- file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with FERPA requirements.

Who is this man?

Mr. FERPA

Leroy Rooker

Mr. Rooker is the nation's leading authority on the Family Educational Rights and Privacy Act (FERPA), a comprehensive federal law that provides privacy protections for student education records. As the director of the Department of Education Family Policy Compliance Office (FPCO) for 21 years, he administered laws and policies designed to help protect the rights of America's 58 million students.

What FERPA means to you

As staff you may have access to a student's educational record, including demographic and academic information.

As employees of a school and education institution, you may have access to individual student records in performing your official duties. You are legally and ethically obliged to safeguard their confidentiality.

What am I protecting?

Education Records

The term "education records" is defined as all records, files, documents and other materials containing information directly related to a student; and maintained by the education agency or institution, or by a person acting for such agency or institution (34 CFR § 99.3). This includes all records regardless of medium, including, but not limited to, handwriting, videotape or audiotape, electronic or computer files, film, print, microfilm, and microfiche.

Can I disclose anything?

Directory Information: The term "directory information" is used for the portion of the education record that, if disclosed, would not generally be considered harmful or an invasion of privacy (34CFR § 99.3).

Directory Information at FSCJ

- name
- major field of study
- dates of attendance
- degrees, certificates or diplomas received
- honors received

Do I have to give out directory info?

No. You do not have to release any information to anyone.

If you receive an information request from a third party, you may release directory information unless there is a request to withhold information.

Third parties, such as a parent, spouse or outside agency, may contact you regarding a student's progress, grades or class schedule. This information is protected. Once the third party gives you protected information to find the student, FERPA has been violated.

The previous slide mentioned parents

Once students reach the age of 18 or are enrolled at a postsecondary institution, parents no longer have any rights to student information under this act unless students give written consent to release the information to their parents or the parents provide evidence that students are dependents of the parents as defined in section 152 of the Internal Revenue Code of 1954.

This includes dual enrolled students.

Withholding (not your taxes)

Students or parents (if eligible) must consent to the release of any student information other than directory information to any person or agency. This consent must be in writing, signed, dated and must specify the information to be released, the reason for release and the names of individuals to whom the information is to be released.

Individual students or parents (if eligible) have the right to submit a request in writing to the custodian of student records that all or part of the directory information NOT be released to anyone.

Financial Aid information

- The Student Financial Aid Office uses SSNs to coordinate and verify eligibility and disbursement requirements for federal, state, and institutional aid programs. The Federal Department of Education requires students to submit their SSN when completing the federal application for student aid. The student's SSN is then used by the College to match applicant's records, verify eligibility, and coordinate benefits with other programs.
- The College reports to various state and federal agencies SSNs for students receiving benefits from aid programs. Agencies include but are not limited to the National Student Loan Clearinghouse, the Veteran Affairs Administration and the Florida State Department of Education.
- In performing the duties required to administer these programs, Florida State College at Jacksonville shares the student's SSN with vendors contracted by the College to assist with compliance of federal and state requirements. The vendors are authorized to use SSN to complete the tasks contractually required and are not authorized to use SSN for any other purpose. Currently, vendors include Federal Family Educational Loan providers, guarantors and servicers of federal loans and the College's bookstore provider.

Florida's Open Record Law

- **DIRECTIONS WHEN RESPONDING TO PUBLIC RECORDS REQUESTS**
- **December 17, 2012**
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- The College is subject to the Public Records laws set forth in chapter 119 of the Florida Statutes.
- *http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0100-0199/0119/0119ContentsIndex.html&StatuteYear=2012&Title=%2D%3E2012%2D%3EChapter%20119*
- Requests for public records do not need to be placed in writing.
- A requestor does not have to provide a reason for the request.
- A requestor does not have to provide his or her identity.
- A requestor may 'inspect' the records in the place they are kept in lieu of requesting copies.
- The College may charge $.15 per page for paper copies. There is generally no cost for digital copies sent by email.
- A reasonable service charge may be imposed for extensive public records requests under certain circumstances.
- Many College records contain confidential information that must be redacted before a document is provided to the requestor.
- Public Records Requests from a member of the Press must be coordinated through Michael Corby in Media Relations at 632-3310 or at Michael.Corby@fscj.edu
- **This information is an overview and is not comprehensive**.

Notification of SSN use

Admissions Collection and Use of Social Security Number-In compliance with Florida Statute 119.071(5), Florida State College at Jacksonville issues this notification regarding the purpose of the collection and use of Social Security numbers. Florida State College will collect Social Security Numbers (SSN) if specifically required by law to do so, or if necessary for the performance of the College's duties and responsibilities. The College takes appropriate measures to secure SSNs from unauthorized access and does not release SSNs to other parties, except as required to fulfill the College's duties and responsibilities. A student may refuse to disclose his or her SSN to the College, but the IRS is then authorized to fine the student $50. Additional information related to the use of social security numbers can be found in the Student Rights and Responsibilities section of the College catalog.

Questions and possibly answers

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If we have time, let's take a quiz. Yes, we can take a vote.

Thanks for attending the session today.

Have a great weekend.

References

- FSCJ 2012-2013 Catalog
- Educause - http://www.educause.edu/members/leroy-rooker
- FSCJ FERPA email notification
- National Forum on Education Statistics. (2006). *Forum Guide to the Privacy of Student Information: A Resource for Schools* (NFES 2006–805). U.S. Department of Education. Washington, DC: National Center for Education Statistics.