

FERPA: What faculty and staff members need to know

As a faculty or staff member, you have a legal responsibility under FERPA to protect the confidentiality of student educational records in your possession. You have access to student information only for legitimate use in the completion of your responsibilities as a college employee.

Your access to student information is based on your faculty or staff role within the college. You may not release lists or files with student information to any third party outside the college or departmental unit.

Student educational records are considered confidential and may not be released without written consent of the student. Student information stored in electronic format must be secure and available only to those entitled to access the information.

If you're in doubt about a request for student information, contact the Registrar's Office at 380-2240, or at registrar@shc.edu.

It's the Law

FERPA (Family Educational Rights and Privacy Act), also known as the Buckley Amendment, was passed by Congress in 1974. It grants four specific rights to post-secondary students:

- ⇒ To see the information that the institution is keeping on the student.
- ⇒ To seek amendment to those records and in certain cases append a statement to a record.
- ⇒ To consent to disclosure of his/her records.
- ⇒ To file a complaint with the FERPA Office in Washington.

FERPA applies to all educational agencies or institutions, including Spring Hill College, that receive funds under any program administered by the Secretary of Education. FERPA governs what may be released but does not require that any information be released.

LECTURE CAPTURE AUDIO/VIDEO RECORDING POLICY

Any live or recorded classroom activity that depicts students or that allows for the identification of a student is protected under the Family Educational Rights and Privacy Act (FERPA), the federal student privacy law. **In such situations, individuals who are not University officials and are not registered for a specific class may not view class recordings or live sessions.** Sharing recordings with students in the class is not a violation of FERPA and no additional student consent is required for this use of the educational record.

If a recording includes only the instructor, it is not a student record and FERPA does not limit its use. However, you may include language in your syllabus regarding expectations that students not share classroom recordings with anyone not enrolled in the course.

If access is restricted to students enrolled in the course, many privacy concerns are eliminated. Student comments and material used in class remain in the classroom community, just like a course that is not recorded.

FERPA FAQs

What are parental rights under FERPA?

FERPA allows parental access to student's educational records if the student requests that academic information be released to the parent(s) or if the parent claims the student as a dependent for Federal income tax purposes. A student who wants to release grades or other personal information to parents must give them access to the records via the Parent Portal on BadgerWeb. Faculty/Staff receiving a request from a parent to discuss grades or the performance of a student should first contact the Registrar's Office to confirm the parent has been given access to this information by the student.

What must I do if I receive a subpoena concerning student educational records?

A copy of any incoming subpoena should be sent immediately to the Director of Risk Management. The original subpoena should be retained in the office that received it unless requested by the Director. You should also send the Director a short description of how and when the subpoena was received. The Director will determine whether and how to comply with the subpoena, and will also determine whether the student notification of compliance with the subpoena is required.

What should I do if I'm concerned about a student's health or safety, or the health or safety of those around the student?

You should speak with your department chair, director, or The Wellness Center anytime you have a health or safety concern. FERPA allows you to make disclosures of education records to others within the College who have legitimate educational interests in the information, which interests include the performance of services to students, the effective functioning of the College, and the safety and security of the campus. FERPA also permits disclosures of information in a health or safety emergency, if in light of the circumstances and information available at the time, knowledge of the information is necessary to protect the health or safety of a student or other individuals. So, if you have a concern about a student, first and foremost, report it.

FERPA DANGER ZONES!!!!

- ◆ Using the Student ID number of a student in a public posting of grades or any other information
- ◆ Linking the name of a student with that student's Student ID number in any public manner
- ◆ Leaving graded tests, papers, or other student materials for students to pick up in a stack that requires sorting through the papers of all students
- ◆ Circulating a printed class list with student name and Student ID number, photo, or grades as an attendance roster
- ◆ Discussing the progress of any student with anyone other than the student (*including parents*) without the consent of the student. *First contact the Registrar's Office to confirm that the student has given Parent Portal Access*
- ◆ Providing anyone with lists or files of students enrolled in your classes for any commercial purpose
- ◆ Providing anyone with student schedules or assist anyone other than college employees in finding a student on campus
- ◆ Accessing the records of **any** student for personal reasons
- ◆ Storing confidential student information on any computer unless that information is required and secure from intrusion.

****Contact the Registrar's Office if you have any questions related to FERPA (251.380.2240 or registrar@shc.edu).****