

# Understanding FERPA at University Of Rhode Island

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# What is FERPA?

- Family Educational Rights and Privacy Act (1974), also known as the Buckley Amendment.
- Federal legislation that requires institutions of higher education to protect the confidentiality of student records.
- Applies to all institutions that receive federal aid from the Dept. of Education (DOE).

# Who is protected under FERPA?

- Students, who are currently or formerly enrolled, regardless of their age or status.
- Students that have applied to URI, but have not attended do not fall under FERPA guidelines.
- Deceased students are also excluded.

# Educational Records

- An educational record is any record (1) from which a student can be personally identified, and (2) maintained by the University.
- They include any records in whatever medium (handwriting, email, video, etc.) that are in the possession of any school official.

# Directory Information

- Information that is generally not considered harmful or an invasion of privacy if disclosed.
- URI has established the following as directory information:
  - Name
  - Admission status

# Directory Info. Cont'd

- Dates of attendance
- Full/Part-time status
- Classification
- Major/minor fields of study
- Degree earned/Awards received
- Participation in officially recognized activities
- Weight/Height of member of athletic teams

# Legitimate Educational Interest

Found in 34 CFR 99.31

- An educational institution may disclose personally identifiable information without the consent of a student if:
  - The disclosure is to other school officials
  - The institution has determined those individuals to have legitimate educational interest



# What Does It Mean?

- FERPA permits a “school official” to release non-directory info to other school officials as long as there is a “legitimate educational interest”.
- Before information is released there needs to be a specific reason as to what they intend to do with that information---if not then that's a violation of FERPA



# Parental Access

- Parents have no inherent right to inspect a student's education record.
- The right to inspect is limited solely to the student.
- Records may only be released to parents ONLY under the following circumstances:

# Parental Access Cont'd

- Through written consent of the student.
- In compliance with a subpoena.
- By producing a copy of the most recent Federal Income Tax form showing that the student was claimed as a dependent.

# HOWEVER!!!

- FERPA states that each student has the right to withhold any or all of their information.
- Student must complete a “Request to Prevent Disclosure of Directory Information” form.
- Once restricted, that information cannot be released without the written consent of the student .