
What you need to know about FERPA

February 2018

A solid green horizontal bar at the bottom of the slide.

FERPA

Family Educational Rights and Privacy Act, 1974

Defined students' rights

- Inspect and review educational record
- Consent to disclosures of information
- Request amendment to educational record
- File a complaint with U.S Department of Education

Student educational records are all around us

- Academic, disciplinary, JA letters, references, email messages, etc.
- Any format including electronic

Presentation focuses on disclosure of information

Disclosure of Information

University may not have policy or practice of disclosing education records or personally identifiable information about students contained in education records, without written permission of the student unless such action is covered by exceptions contained in FERPA

Results of violations

- US Department of Education investigation
- Loss of Federal funding
- Reputation

What's Not Covered?

Certain student records are not considered education records under FERPA

- Medical treatment records
- Police reports / records
- Employment records (except related to employment dependent upon student status)
- Alumni records (post graduation)
- Notes in the “sole possession” used as a personal memory aid, and not accessible or revealed to any other person (i.e., notes taken during a phone call)
- Records “not maintained” by institution (i.e., peer grading)
- Non-matriculated applicant admissions records

Permissible Disclosures

Disclosure of FERPA-protected information is permitted without consent:

- School officials with legitimate educational interest to fulfill professional responsibility
 - Employee – administrative, supervisory, academic, research, support staff
 - Member of Board of Trustees
 - Student on official committee
 - Third parties with whom university has a contract (i.e., outsourced service)
- Officials of another school in which a student seeks or intends to enroll
- Health or safety emergency when there is a risk to student or others
- Legally mandated

Parents and Guardians

Disclosure of FERPA-protected information to parents or guardians of students is permitted without consent:

- In best interest of students (dependent students only)
 - Approved by College Dean, Vice President of Student and Campus Life, or Dean of Students
- Released by the student (i.e., student participating in a phone conversation with their advisor and parent)
- Used by Financial Aid to determine eligibility for or amount of aid

Directory Information

Cornell defined directory information

- Name
- Local and cell phone
- Email address
- Photograph
- Academic level
- Major and college
- Dates of attendance
- Enrollment status
- Degrees and awards
- Graduate assistantship status

Can be released without consent unless student suppresses their directory information in PeopleSoft



Data is in PeopleSoft and student data mart

Some data is in WorkDay

Other data not in PeopleSoft

- Participation in activities and sports
- Height and weight (athletes only)

Some can be found in Cornell directory and in Outlook

Just because you can, doesn't mean you should

All Other Information

All other information related to a student is *restricted or confidential*

Unless disclosure is permitted under FERPA, you must have student's written consent before disclosing

Examples of student information

- Class enrollment
- Advisor or committee chair
- Transcripts
- Academic references
- Disciplinary actions
- Financial aid awards
- Bursar bill and payments
- Home address
- Resume
- Thesis or dissertation
- On and on and on...

What is Written?

Written consent

- Letter or fax
- Request forms

Electronic consent

- Email from Cornell email address (netID@cornell.edu)
- Requests via Student Center or other Cornell NetID and password protected site

FERPA and Applicants and Alumni

Admissions applicants

- Not students until “in attendance”
- Attendance is defined as first day of term for which the student was admitted OR first day of student’s classes, whichever is earliest
- Application material becomes educational record when retained as part of student record

Alumni

- FERPA applies for lifetime of the person
- Educational record only

Student Record Privacy Statement

Cornell's FERPA statement

- In Courses of Study, courses.cornell.edu
- Policy 4.5 Access to Student Information

Required annual notification in semester start-up email

Confidential Information

University policy defines confidential information

- Social security number
- Credit card number
- Drivers license number
- Bank account number
- Protected health information (as define by HIPAA)

Release of confidential information can result in significant cost to University and potentially an HR action

Policy 5.10 Information Security

Sharing Information

When in doubt, don't release anything

Sharing student information and data

- Use dropbox.cornell.edu to send sensitive files and documents
- Data files are for intended use – do not reuse

When communicating via email

- Only send to student's Cornell assigned email address (NetID@cornell.edu)
- Don't send protected information via email

FERPA vs Document Retention

- If you don't need it, don't keep it

Retention of Records

University Policy 4.7 Retention of University Records

- Defines departments and units as “official repositories”
- Defines retention period of university records
- OUR is official repository for student information related to
 - Academic actions
 - Degree recipients
 - Grade changes
 - Grade rosters
 - Grades
 - Name change authorizations
 - Transcripts
- Also class rosters, course offerings, enrollment changes, course catalogs, enrollment verification requests, NCAA eligibility certifications, transcript requests, VA benefit eligibility certifications

University Policies

University policies

- 4.5 Access to Student Information
- 4.7 Retention of University Records
- 5.10 Information Security
- Policy Office website
 - https://www.dfa.cornell.edu/tools-library?tab=policy_library

Please review!

Questions?

Cassie Dembosky, University Registrar

- ccd3@cornell.edu

Karen Del Plato, Associate Registrar for Compliance and Records

- kcu2@cornell.edu