

# Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is a Federal law designed to protect the privacy of education records.

The Act grants students the right to:

- Inspect and review their education records
- Request a correction to those education records
- Control the disclosure of certain aspects of their education records
- File a complaint with the U.S. Department of Education

## What is an Education Record?

As defined by FERPA, an education record is information about a student that is maintained by the University as part of the educational process. Education records include files, documents, and materials in any medium such as, emails, computer files, computer screens, printouts, tapes, disks, film, and microfilm/microfiche. Education records do NOT include private notes of instructors or staff members (sole possession records), campus police records, medical records, or aggregate (statistical) data that contains no personally identifiable information about any students.

## What is Directory Information?

Under the terms of FERPA, the University is permitted to disclose "Directory Information" without the student's consent.

Western Illinois University has established the following as Directory Information:

- The student's name
- School and home addresses
- WIU email address
- Telephone number
- Major field of study
- Dates of attendance
- Full- or part-time status
- Classification
- Degrees, honors, and awards received (including Dean's List) and date granted
- Anticipated graduation date
- Most recent previous educational agency or institution attended
- Participation in officially recognized activities and sports
- For members of athletic teams, weight and height

Information **not** included in the list above is considered confidential and **may not be released to anyone**, including parents of the student, without written consent from the student. University staff may only have access to this information if they have a legitimate need to use it in the fulfillment of their professional responsibilities.

**FERPA permits students to inform WIU that Directory Information is not to be released.** A student may restrict the release of Directory Information by submitting the Exclusion of Directory Information Form to the Office of the Registrar. A copy of this form can be printed from the Registrar's website at [www.wiu.edu/Registrar/forms](http://www.wiu.edu/Registrar/forms).

If the student restricts the release of Directory Information, a privacy warning message will display on the University's student information system, and class rosters that are emailed to faculty will have the word "INVOKED" under the "PRIVACY" heading.

No information can be released on that student without written consent of that student. The University will respond to inquiries regarding students who have requested exclusion of Directory Information as follows:

**"We have no information to release on that individual. Please contact the person directly."**

## To whom and under what conditions can the University disclose non-directory, personally identifiable information without the written consent of the student?

- School officials with legitimate educational interests (i.e., need to know to fulfill their professional responsibilities)
- A person or company with whom the University has officially contracted
- A person serving on the Board of Trustees
- Officials of another school in which a student seeks or intends to enroll
- In the event of a health or safety emergency, to appropriate persons as required to protect the safety of students

## Can parents have access to children's education records?

At the postsecondary level, parents have no inherent right to inspect the education records of their sons or daughters. Western provides students with the ability to give online access to their records through STARS Parent and Guest Access. Otherwise, University policy requires that students provide written authorization in order for parents to access their education records. With appropriate documentation, the University may disclose education records to parents of students who are claimed as dependents for federal income tax purposes without the student's written authorization.

## What are some specific examples of FERPA violations?

- Publicly posting grades by student name or any part of the WIU ID number without the student's written permission
- Leaving graded tests or papers in a stack for students to pick up by sorting through the papers of all students
- Circulating a printed class roster with names and any part of the WIU ID, SSN, or grades as an attendance sheet
- Discussing the student's progress or records with anyone other than the student (including parents) without the student's written consent, with the exception of University officials who have a legitimate educational interest in order to fulfill their professional responsibilities
- Sending a letter of recommendation that includes information from a student's record, such as grades, GPA, or course attendance, without explicit written permission of the student to release that information
- Sending a letter of recommendation for a student employee, graduate assistant, or teaching assistant that provides details about that student's employment (i.e., wages, dates of employment) without written permission of the student
- Providing lists of students enrolled in class to a third party for any commercial purpose
- Providing student schedules or assisting anyone other than University employees in finding a student on campus
- Permitting unauthorized use of any information in the files maintained, stored, or processed by the office in which you are employed. This includes copies of permission, registration, or add/drop forms
- Releasing confidential student information to another student, University Organization, or outside entities
- Distributing a student's transcripts. Transcript requests must be submitted to the Registrar's Office
- Leaving reports or computer screens with student information in view of others or leaving your terminal unattended
- Allowing another person to access student records because you permit him or her to use your access code
- Inappropriately disposing of paperwork containing confidential student information (i.e., WIU ID number, gpa, or grades) by placing it in the trash or recycle bin, rather than shredding the information
- Giving out Directory Information if the student has submitted the Exclusion of Directory Information Form (i.e., has a privacy warning message displayed on the University's student information system).

Any knowledge of a violation must be immediately reported to a supervisor.

## What are my responsibilities as a University employee?

As an employee of Western Illinois University, you may have access to student records. Their confidentiality, use, and release are governed by FERPA. You have a responsibility to protect all education records in your possession. These include records relating to students who have business with your department, any documents from the Registrar's Office, computer printouts in your office, name lists, and official course or grade rosters. Your job places you in a position of trust and you are an integral part in ensuring that student information is handled properly.

In general, all student information must be treated as confidential. Even public or Directory Information is subject to restriction on an individual basis.

## What happens if the University does not comply with FERPA?

The Department of Education may issue a notice to cease the practice complained of and ultimately could withhold student aid funding. Depending on the type of record and the nature of the disclosure, other penalties could be imposed.

## Where can I find out more information about FERPA?

[www.wiu.edu/registrar/ferpa](http://www.wiu.edu/registrar/ferpa)

Office of the Registrar, Sherman Hall 110, [298-1891](tel:298-1891)