



FERPA in the Real World: *Protecting Student Privacy*

This foundational training is designed to equip Admissions and Registrar teams with the foundational knowledge and practical skills to navigate FERPA compliance—ensuring the privacy, security, and integrity of student educational records at every stage of the student lifecycle.

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Quick Poll: Your FERPA Confidence

Before we dive in, let's gauge our collective understanding. On a scale of 1 to 4, with 4 being highly confident, how do you feel about navigating FERPA regulations in your daily roles?

- "FERPA...what? Who?" (1)
- "I've heard of FERPA in the general sense" (2)
- "I'm no FERPA expert but I know privacy rights" (3)
- "I could be Leroy Rooker's right hand" (4)

(Please indicate your confidence level in the chat)



What is FERPA?

Family Educational Rights & Privacy Act

Federal Law

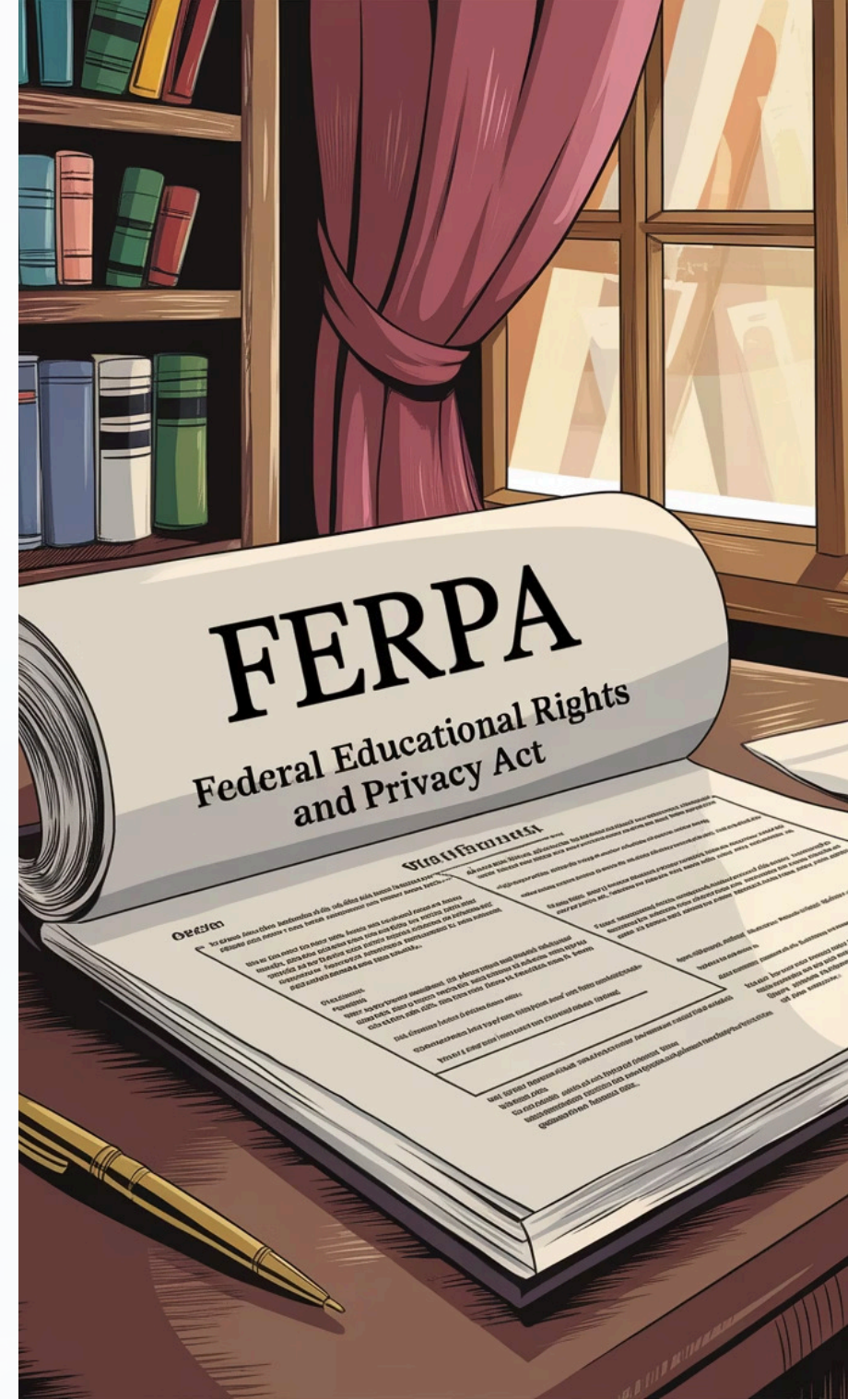
Passed in 1974, FERPA is a federal law that applies to all educational institutions that receive funding from the U.S. Department of Education.

Protecting Student Privacy

FERPA safeguards student educational records from unauthorized disclosure. This act ensures that students have control over their personal information.

Rights and Responsibilities

FERPA outlines the rights of students to access and amend their educational records, and it defines the responsibilities of educational institutions in protecting those records.



When Does FERPA Apply? The Student Lifecycle

Understanding when FERPA protections begin and transfer is critical for both Admissions and Registrar staff.



Applicant Stage

FERPA does **not** cover prospective students or applicants. Records of denied applicants, or those admitted who do not enroll, are not covered by FERPA.



Admitted & Enrolled

FERPA protections attach once a student is admitted, enrolls and the semester begins.




Age of Majority

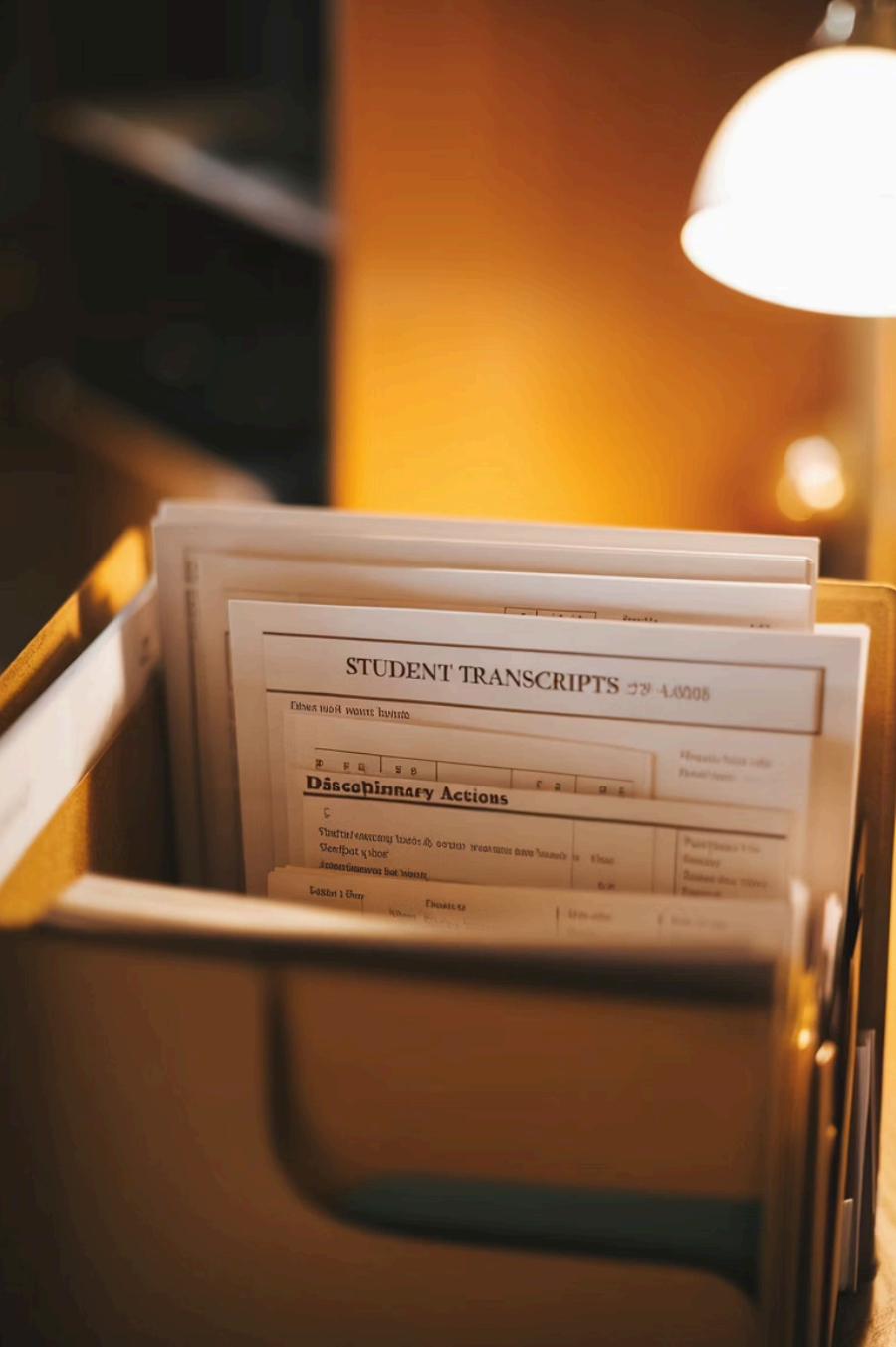
When a student turns **18** & attends a postsecondary institution, FERPA rights transfer from parent to student. Students under 18 attending college are still under the rights of their parent.



Former Students

FERPA protections continue for **former students**. Records of individuals who previously attended remain protected after they leave the institution.

 **Note:** Application materials of students who are admitted and later matriculate become FERPA-protected education records. Students may request to view these records within 45 days of the institution receiving the request.



Educational Records Explained

Student educational records encompass any information directly related to a student's education. *This information is protected under FERPA and requires careful handling.*

Education records can exist in **any medium**—handwritten notes, email, computer files, printed documents, tapes, or digital files—and are maintained by the institution or a party acting on its behalf.

What Constitutes an Educational Record?

<u>Non-Directory Information</u>	<u>Directory Information</u>
Grades & GPA	Name, address, & phone number
Transcript/Academic History	Program major(s)/Concentrations & Minors
Student Schedule	Student Activities, Academic Awards & Scholarships (including Dean's List)
Class Attendance	Dates of Attendance
Gender & Race	Date(s) of Graduation & Degrees sought/conferred
Social Security Number	Full or Part-time status

Note: Personal and private notes that are not shared with anyone are not considered part of the educational record. Sole possession records kept only by the maker and not accessible to others are also excluded.

Empower Students: Access, Amendments & Limits



Access to Records

Students have the right to review and inspect their educational records, ensuring transparency and allowing them to understand their academic progress.

Request must be fulfilled within **45 days**.



Amendment Requests

If a student believes their records contain errors or inaccuracies, they have the right to request amendments to correct the information.

Students can file a complaint with the U.S. Department of Education if they believe their rights under FERPA have been violated.



Limit Disclosure of their Records

Students have the right to restrict who has access to their educational records. This includes the ability to limit some or all of their educational record.

FERPA Forms may be filed, modified, or withdrawn at any time.

Providing Consent: FERPA Forms & Waivers



FERPA Release Forms

- FERPA Release and Non-Disclosure Request Forms are typically located on the Registrar's website.
- Completed forms must be returned to the Office of the Registrar.
- Consider how your institution will house FERPA documentation for reference and safe keeping.



FERPA Proxy / "Waiver"

- FERPA allows students to designate a "proxy" (e.g., a parent, sibling, or friend).
- When a student "waives FERPA," the institution may treat the named proxy as if they were the student.
- If the named proxy presents a valid photo ID at the Registrar's Office, staff may share non-directory information.



Verify FERPA Documentation

- FERPA documentation is housed within the Office of the Registrar.
- Before releasing any information to a third party, always verify current FERPA authorization.
- When in doubt, contact the Registrar's Office for guidance.
- Electronic consent must identify and authenticate the student as the source of consent.

Disclosure Without Consent: Permitted Exceptions



School Officials

Staff with a **legitimate educational interest** may access records—including admissions counselors, academic advisors, registrar staff, faculty and administrators. Curiosity alone is not legitimate educational interest.



Legal Compliance

Compliance with judicial orders or subpoenas. **Note:** Subpoenas and judicial orders should be directed to the Registrar's Office or to Legal Counsel immediately.



Transferring Colleges

Records may be shared with institutions where the student seeks or intends to enroll, without prior written consent, when the disclosure is related to enrollment or transfer.



Health & Safety

Records may be shared with relevant parties when necessary to protect the health or safety of the student or others during an emergency.



Promising Practices for Your Campus Community



- Regularly review your institution's FERPA policy
- Implement secure data storage for all student and applicant records
- Educate students on their educational rights at enrollment and beyond
- Encourage a culture of privacy & respect within your office
- Document disclosures and the reasons for them
- Establish record request protocols within your department
- Report potential FERPA violations to the Registrar
- Never discuss student records in public spaces or unsecured environments
- **When in doubt, Don't give it out!**

Protecting Student Privacy: Day-to-Day Practices



Handling Records Requests

- Always verify a student's identity before releasing any records.
- Never share non-directory information with an unauthorized third party, even if they claim to be a parent, guardian, or employer, without proper FERPA authorization on file.



Secure Data Practices

- Keep confidential files in locked, secure storage.
- Be aware of others who may overhear conversations about student records or view your computer screen.
- Never download protected student data to external or personal devices.



Communications

- Always use institutional email for student communications.
- Never include Personally Identifiable Information (PII) in subject lines or unencrypted emails.
- Use BCC (blind carbon copy) for group emails to protect individual email addresses.

Real-World Scenarios: Applying FERPA Principles



❓ The Curious Parent

A student's parent contacts Admissions requesting access to their child's application materials and acceptance letter. The student is 19 years old and has not consented to release this information.

Can we honor the request?

▼ "But I Pay The Tuition Bill!"

Under FERPA, once a student turns 18 & enrolls in a postsecondary institution, all rights transfer to the student. The parent's request must be denied unless the student has an active FERPA proxy/waiver on file naming the parent. Staff should inform the parent of the student's rights and encourage them to obtain consent from the student directly.



❓ Trouble in the Dorms

A student who lives in the dorms has had a medical emergency while on campus in her room. The student does have FERPA documentation on file which provides permission to her friend Karla. Sadly, the student passes away and we receive an external inquiry about her current coursework from her mother.

Can we release this information to the student's mother?

▼ This can be a tough one...

Yes. Consistent with FERPA and common law principles, we interpret the FERPA rights of eligible students to lapse or expire upon the death of the student. Therefore, FERPA would not protect the education records of a deceased eligible student (a student 18 or older or in college at any age) and an educational institution may disclose such records at its discretion or consistent with State law.



❓ The Unofficial Records Request

An Academic advisor receives an email from a faculty member asking them to pull up a current transcript and GPA "just to understand where they're coming from academically."

Is this allowed under FERPA?

▼ Legitimate Educational Interest Matters

This request must be evaluated carefully. The faculty member would need to demonstrate a legitimate educational interest tied directly to their job responsibilities and the student's academic success. General curiosity or a desire for background information does not qualify. Staff should not release the records without confirming the faculty member's legitimate need and following proper institutional protocols.

Real-World Scenarios: Applying FERPA Principles



① The Honor Roll Announcement

An Admissions Office wants to publish a list of admitted students who were valedictorians or ranked top of their class from their high schools in the College's newsletter.

Can we publish this information?

▼ Not Without Checking First

Caution is required here. Once applicants become enrolled students, their academic information becomes an education record. Before publishing any student-specific academic information—even positive recognition—staff must verify that the student has not filed a non-disclosure request. Students who have restricted their records cannot be listed publicly. Always consult the Registrar's Office before publishing any student-identifying information.



① The Transcript Verification Call

A caller identifies themselves as a graduate school Admissions officer and requests to verbally confirm a current student's GPA and transcript details over the phone to "speed up the process."

Is this allowed under FERPA?

▼ Verify Before You Disclose

No. Non-directory information such as GPA and transcript details cannot be disclosed verbally or informally to third parties—even another educational institution—without the student's written consent. The student must submit a formal records release request. Official transcripts should always be transmitted through secure, authenticated channels, never verbally or via unsecured email. Direct the caller to the official transcript request process.



Resources & Next Steps



FERPA compliance is an ongoing responsibility for all campus stakeholders. Stay informed about regulatory updates, changes to institutional policy, and annual notification requirements.



U.S. Department of Education – FERPA Guide:
<https://studentprivacy.ed.gov/ferpa>

AACRAO FERPA Resources:

<https://www.aacrao.org/resources/ferpa>



Questions? Contact your institution's Office of the Registrar or Legal Counsel for guidance on specific FERPA situations. When in doubt—always ask before disclosing.