

# FERPA Guidelines for UWSP Faculty and Staff

The Family Education Rights and Privacy Act of 1974 as amended entitle students to review "official records, files, and data directly related" to the students which the university maintains. Students may also request a hearing regarding any alleged "inaccurate, misleading, or inappropriate" information. In most circumstances, the university **will not** release information from student's records to third parties without their consent. An interpretation of the law is printed below, and copies of it are available in the Registration and Records Office, Room 101, Student Services Center.

The following basic FERPA rules should be followed by UWSP faculty and staff:

## **Rule #1:**

FERPA recognizes a person enrolled in post-secondary education as a "student" and provides that individual certain rights, regardless of age. Therefore, a parent does not have an inherent right to access his/her student's education records.

## **Rule #2:**

Faculty and staff may have access to education records for the sole purpose of performing their jobs professionally and responsibly. They have a responsibility to protect the confidentiality of education records in their possession, regardless of the medium in which the records are presented.

- The same requirements and responsibilities for a school official also exist for student workers.
- University offices hiring student employees should require each employee to sign a [Statement of FERPA Understanding](#) acknowledge that they fully understand that the intentional disclosure of information to any unauthorized person is a violation of both FERPA and University of WI-Stevens Point policy. Disclosure of information could constitute just cause for disciplinary action including termination of employment regardless of whether criminal or civil penalties are imposed.

## **Rule #3:**

Education records are considered confidential and may not be released, with the exception of unrestricted Directory Information. In some instances students may have restricted their directory information so it is the responsibility of faculty, staff, and student workers to verify that Directory Information is not restricted before releasing it.

The [student ID photo](#) is defined as confidential and should not be used or displayed in any public setting without the student's permission. Class lists and student photos are confidential under university policy and federal law.

## **Directory Information**

The Family Education Rights and Privacy Act of 1974, as amended, requires that students be [advised of their rights](#) concerning their education records and of certain categories of public information which the university has designated "[directory information](#)."

## Class Lists & Class Schedules

Class lists and class schedules are non-directory information and cannot be released.

## Student Photos

The student ID photo is defined as confidential and should not be used or displayed in any public setting without the student's permission.

## Posting Grades

Posting education records (e.g. grades) using the student's name, student ID number, or any portion of the social security number is a violation of FERPA. Instructors are encouraged to use D2L to communicate grades and grade progress to their students. If grades need to be posted, faculty should use a random number that only the instructor and the student know. When posting these random numbers and grades make sure you do not alphabetize the list therefore losing the anonymity of the student. Any questions regarding FERPA guidelines should be directed to Registration and Records, Room 101 SSC, or by calling 715-346-4301. See also [reporting final grades](#).

## Privacy of Student Records/Classroom Performance

Federal law affords students privacy regarding nearly all aspects of their academic performance. This includes any information regarding their performance in the classroom including grades, test scores, and class schedules. ***When any individual, including a parent/guardian(s) or potential employer, contacts a University official or professor regarding a student's academic performance, the official/professor must first obtain written permission from the student before releasing that information.*** This [release form](#) protects the rights of the student as well as affording protection to University personnel.

- [Privacy of Student Records/Classroom Performance](#) (signed form on the Records and Registration Website.)

## Letters of Recommendation

If a student asks an instructor/advisor for a letter of recommendation, and GPA is included, a letter of recommendation release is required. A recommender's statements based on personal observations or knowledge do not require a written release from a student. This letter of recommendation release protects the rights of the student as well as affording protection to University personnel under FERPA.

- [Letter of Recommendation Release](#) (signed form on the Records and Registration Website)

## What is your responsibility as faculty/staff?

As a university official, you are required to comply with FERPA. As a member of the university community, you are given access to private information about students as a legitimate educational interest to:

- Perform a task that is specified in your position description or contract;
- Perform a task related to a student's education or student discipline;
- Provide a service or benefit related to the student; or
- Maintain safety and security on campus
- Students trust that you are using that information appropriately and it is important as a university that we honor that trust.

### **What should faculty and staff be doing when it comes to FERPA?**

1. Access student records only if you have a legitimate educational interest.
2. Maintain the privacy of all student academic work (paper and electronic) at all times, including at work, at home, and in transit.
3. Never allow students to pick up their work by sorting through stacks of graded materials which include classmates work.
4. Do not use personal information, including student name, ID, and SSN, or a portion of any ID/SSN numbers for the public posting of grades. Instructors are encouraged to use D2L to communicate grades and grade progress to their students. If grades need to be posted, faculty should use a random number that only the instructor and the student know. When posting these random numbers and grades make sure you do not alphabetize the list therefore losing the anonymity of the student.
5. Keep in mind when working with student records that non-directory information should also be protected. A simple request of a class schedule by another student, if provided, would be a violation of FERPA.
6. If a student asks you for a letter of recommendation, and you include personal academic information (i.e. grades earned) in the letter, then a letter of recommendation release form is required. A recommender's statements based on personal observations or knowledge does not require a written release from a student.

### **Student Safety and FERPA**

While FERPA protects a student's privacy and educational records, it does not bar university officials from sharing critical information about troubled students with appropriate parties. Instructors who see their students on a regular basis are often the first to observe serious personal problems or troubling behavior. University officials, including faculty and instructional staff, are permitted and encouraged to share information about a student who is or might be considered a risk to him or herself or others.

The University of Wisconsin-Stevens Point is committed to the protection and confidentiality of student educational records. The University annually notifies students of their rights under FERPA and takes great measures to protect the privacy and disclosure of student educational records as print or electronic documents. For more information, go to the [UWSP FERPA website](#) to review additional policies and guidelines.

*Reference: UWSP Records and Registration Website, 2013*