FAST FERPA FACTS FOR FACULTY/STAFF

What is FERPA?
The Family Education Rights and Privacy Act (FERPA) was passed in 1974 by Congress to require educational institutions to:
- Provide students access to their educational records
- Allow students to correct inaccurate or misleading information in these records
- Limit the release of information to third parties

What is DIRECTORY INFORMATION?
The University may disclose any of these "directory information" items without prior written consent, unless the student has submitted a written request to the Office of the University Registrar not to release directory information pertaining to them. If the student has requested non-disclosure, you will see a highlighted notation when you drill down to student information from the VIP class roll.
- Student’s name
- Electronic mail address
- Local and permanent mailing addresses and telephone numbers
- Semesters of attendance
- Enrollment status (full- or part-time)
- Date of admission
- Date of expected or actual graduation
- School, major and minor fields of study
- Whether or not currently enrolled
- Classification (freshman, etc.)
- Type of degree being pursued
- Degrees, honors, and awards received (including scholarships and fellowships)
- Weight/height of members of athletic teams
- University identification photo
- Whether the student has participated in officially recognized activities and sports sponsored by the University.

What are YOUR RESPONSIBILITIES?

You are responsible for controlling access and protecting the student records you possess:
- Do not provide anyone with student information, including schedules.
- Keep confidential paper in file cabinets and shred rather than trash.
- Keep your faculty/staff VIP PIN secure and keep VIP & IMS screens hidden from unauthorized individuals.
- Final grades are posted on VIP-there should be no need to post elsewhere.
- If you post exam or assignment grades throughout the term, use a system that ensures that FERPA requirements are met, such as Blackboard or using code words or randomly assigned numbers that only the instructor and individual student know.

You are responsible for granting student access to student records in your possession.
- Access to official student academic records may be obtained in the Office of the University Registrar
- Advisement records and grade records must be made available to a requesting student. Be sure not to violate the confidentiality of other students.
- "Sole possession" records are not subject to FERPA, but any notes or written data about a student becomes an educational record as soon as they are shared with another individual including the student.

You are responsible for understanding "need-to-know".
- According to FERPA, a faculty member, staff member, or school official has a legitimate education interest in accessing or reviewing a student’s educational records without the student’s written consent if, and only if, he or she needs to review an educational record in order to fulfill his or her professional responsibility.

More about laws, litigation, and liabilities

Although institutions cannot be sued,
- It is a violation of South Carolina law to use public information for commercial solicitation.
- Although institutions can no longer be sued under FERPA, you could be the target of civil action for breach of confidentiality or invasion of privacy.
- The victims of identity theft crimes are now taking legal action against the institutions from which the identity thief obtains the victims’ information.
- When in doubt, contact the appropriate data custodian, or General Counsel.

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