



# 10 “Take Aways” for FERPA TUTORIAL

Office of the Registrar  
February 4, 2025

# Scope and Target Audience

➤ **Scope:** The Registrar's Office has identified “**10 Take Aways for FERPA**” to provide our BSU community with a Family Educational Rights and Privacy Act (FERPA) tutorial of key legislative requirements.

➤ **Target Audience - The Bowie State University (BSU) Community:**

- Students
- Parents
- Staff
- Faculty

**Note:** Tutorial Duration – Approximately 1 hour





# 10 “Take Aways” for FERPA

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- A close-up photograph of a person's hands writing in a notebook. The person is wearing a light-colored, textured sweater. The background is blurred, showing what appears to be a desk or table. The lighting is warm and soft.
- #1. What is FERPA?**
  - #2. Key Terms**
  - #3. Exemptions**
  - #4. Consent**
  - #5. Forms**
  - #6. Disclosure**
  - #7. Compliance**
  - #8. Non-Compliance & Consequences**
  - #9. Best Practices**
  - #10. Annual Notification**

# Take Away #1. What is FERPA?

- The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents **the right** to have access to their children's **education records**,
- **the right** to seek to have the records amended,
- and **the right** to have some control over the disclosure of **personally identifiable information** from the education records.
- When a student turns 18 years old, or enters a postsecondary institution at any age, **the rights** under **FERPA transfer from the parents to the student** (“eligible student”).

Source: The Department of Education - <https://studentprivacy.ed.gov/faq/what-ferpa>



# To Which Educational Agencies does FERPA Apply?

- FERPA applies to educational agencies or institutions that receive funds from programs administered by the U.S. Department of Education.
- By “**educational agencies or institutions**” we mean public schools, school districts (or “local educational agencies” (LEAs)), and **postsecondary institutions, such as colleges and universities.**

Source: The Department of Education – <https://studentprivacy.ed.gov/faq/which-educational-agencies-or-institutions-does-ferpa-apply>

# Importance of FERPA to Students



- Protects the **confidentiality** of student records.
- Establishes the right of students to inspect and **review** educational records.
- Provides guidelines for the correction of inaccurate and misleading data through formal and informal **hearings**.
- Protects the student's **directory** information.
- Allows students to file a formal **complaint** with the U.S. Department of Education.



# When is Parental Disclosure Allowed?



- **Dependent Student** - Parent has claimed student on recent tax return.
- **General Consent Rule** – Students who are enrolled in both high school and college/university (Dual Enrollment).
- Parents retain the right of high school educational records if they are **under the age of 18**.
- Parents have the **right to file a complaint** if they believe their rights have been violated.

# ACTIVITY

**Download and review the materials via the links below.**

➤ **A Parent Guide to the Family Educational Rights and Privacy Act (FERPA)**

[A Parent Guide to the Family Educational Rights and Privacy Act \(FERPA\) | Protecting Student Privacy](#)

➤ **An Eligible Student Guide to the Family Educational Rights and Privacy Act (FERPA)**

[An Eligible Student Guide to the Family Educational Rights and Privacy Act \(FERPA\) | Protecting Student Privacy](#)

***Source: Department of Education***



# Take Away #2. Key Terms: *Education Records*

- **Education Records** - records that are directly related to a student and maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution.
- These records include but are not limited to grades, transcripts, class lists, student course schedules, student financial information, and student discipline files.
- The information may be recorded in any way, including, but not limited to, handwriting, print, computer media, videotape, audiotape, film, microfilm, microfiche, and e-mail.

Source: Department of Education - <https://studentprivacy.ed.gov/faq/what-education-record>

# Take Away #2. Key Terms:

## *Private vs. Public Information*

### PRIVATE INFORMATION

- Data contained in records that can be an **invasion of privacy** if disclosed. See details on **slide 11**.
- Disclosing a parent's information is also a violation without a student's consent.

### PUBLIC INFORMATION

- Data contained in records that are **not considered harmful** or an invasion of privacy, if disclosed.
- Please be advised that BSU is not required to release public/directory information, as identified on **slide 12**.

# Take Away #2. Key Terms: PII

**Personally Identifiable Information (PII) for Education Records** is a FERPA term referring to identifiable information that is maintained in education records as follows...

- Student's name and address.
- Name and address of the student's parent or other family members.
- Personal identifier- student's social security number, student number or biometric record.
- Other indirect identifiers, such as the student's date of birth, place of birth and mother's maiden name.
- Other information which can be used to distinguish or trace an individual's identity through linkages with other information.

Source: The Department of Education - <https://studentprivacy.ed.gov/ferpa>



# Take Away #2. Key Terms: *Directory Information*

**Directory Information** is information contained in the education records of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Typically, directory information includes information such as **A STUDENT'S...**

- Name
- School and Home Address
- Photograph
- Date and place of birth
- Email Address
- Phone Number
- Major Field of Study
- Dates of Attendance
- Full or Part Time status
- Classification
- Degrees, Honors, and Awards received, date granted
- Anticipated Graduation Date
- Recent or Previous Educational Agency or Institute Attended
- Participation in Officially Recognized Activities/Sports
- Weight and Height of Athletic Team Members

*Source: Department of Education - Directory Information* <https://studentprivacy.ed.gov/ferpa>





# Take Away #2. Key Terms: *School Official*

## Who is a “School Official” under FERPA?

- **A school official** includes a teacher, school principal, president, chancellor, board member, trustee, registrar, counselor, admissions officer, attorney, accountant, human resources professional, information systems specialist, and support or clerical personnel.
- Student records should only be accessed by School Officials on a ...  
**“NEED TO KNOW” basis.**

Source: The Department of Education - <https://studentprivacy.ed.gov/faq/who-school-official-under-ferpa>

## Take Away #2. Key Terms: *Outsourced School Official*

**FERPA permits outsourcing institutional services or functions that involve the disclosure of education records provided that the outside party...**

- performs an institutional service or function for which BSU would otherwise use employees;
- is under the direct control of BSU with respect to the use and maintenance of education records;
- is subject to the requirements that the PII from education records may be used only for the purposes for which the disclosure was made; and
- meets the criteria specified in BSU's annual notification of FERPA rights.

Source: The Department of Education - <https://studentprivacy.ed.gov/faq/who-school-official-under-ferpa>



# Take Away #2. Key Terms: *BSU School Officials*

## ➤ **EXAMPLES:**

- Administration
- Academic Researcher
- Campus Safety
- University Health Official
- Person/Company (contracted by university)
- Students on appointed committees or designated tasks
- Honor Council
- Student Conduct
- Grievance Committee
- Employed student worker

# Take Away #3. Exemptions

## Which BSU records are exempted from FERPA?

- Records kept by maker and used as personal **memory aid**
- Law enforcement unit records
- Student employment records
- Medical records
- Records created or received after an individual is no longer a student
- Peer-graded papers

Source: Department of Education - <https://studentprivacy.ed.gov/faq/what-records-are-exempted-ferpa>





# Take Away #4. Consent

- The completion of a **FERPA release form in the Office of the Registrar** is required if a student would like to grant consent for a 3rd party to retrieve their records.
- If a student needs **to revoke** consent they should contact the Office of the Registrar.
- Please note that the student is the only person that can complete and submit the FERPA form.

# Take Away #5. Forms

## Request to Opt Out of Directory Information

- By law, **BSU's student information (below) may be released** to the general public and listed in the campus directory.
  - Permanent address and telephone #
  - Local address and telephone #
  - Confirmation of enrollment
  - No other student information is released to non-university personnel or listed in the campus directory without consent.

## Student Consent for Access to Education Record


- **BSU is permitted to disclose information from your education records to your parent if one of your parents claims you as a dependent** for federal tax purposes.

# Take Away #6. Disclosure: *Parental*

- BSU is not required to provide parents copies of educational records.
- Parents can receive access to educational records if the student is present and acknowledges consent at that moment.
- BSU is not permitted to honor a parent's request for disclosure to records, unless given the student's consent.
- BSU is not permitted to keep parents informed of student records.

**FERPA**

Family  
Educational  
Rights &  
Privacy  
Act of 1974



Goal: Protect Integrity of a Student's Academic Record & Protect Student's Privacy

# Take Away #6. Disclosure: *Request to Opt Out*

## Request To Opt Out of Directory Information

- A student must submit **Request To Opt Out of Directory Information Form**.
- The form stays in effect even after the student graduates.
- If a school official needs access to excluded directory information, verify that it is used solely to meet the educational needs of the student.
- Example – A student can opt out of the release of their name and address to mail important educational correspondents.
- Students may revoke exclusion at any time by contacting the Office of the Registrar.



# ACTIVITY

**Watch The A-B-C's of Student Directory Information**

**Department of Education VIDEO** (3.25 minutes)

<https://studentprivacy.ed.gov/training/b-cs-student-directory-information>

# Take Away #7. Compliance

## ➤ **An educational agency or institution must maintain...**

- A record of each request for access to and each disclosure of PII from the education records of each student.
- The names of State and local educational authorities as well as Federal officials and agencies listed.

## ➤ **For each request or disclosure, the record must include...**

- The parties who have requested or received PII from the education records.
- The legitimate interests the parties had in requesting or obtaining the information.

# Take Away #8. Non-Compliance: *Examples*

- Publicly posting grades by student's name or BSU ID number without student's consent.
- Leaving graded tests/homework visible for others to access.
- Circulating a class roster with student names, ID numbers, SSN's, etc.
- Sending a letter of recommendation that includes information from student's records (GPA, Attendance, etc.).
- Discussing a student's progress or records with anyone other than the student.
- Sending a letter of recommendation for a student employee that provides details about their employment.
- Providing roster of enrolled students to 3<sup>rd</sup> party for commercial purposes.
- Providing student schedules to anyone other than an employed BSU school official.



## Take Away #8. Non-Compliance: *Examples*

- Unauthorized use of any files maintained, stored, or processed by the office in which you are employed.
- Unauthorized Release of any student record/information to another student, college/university, or 3<sup>rd</sup> party.
- Distributing a student's transcript. **All transcript requests must be submitted and processed through the Registrar's Office.**
- Leaving reports and computer screens unattended that display student information in view of others.
- Granting a person access as a school official without confirmation.
- Inappropriately disposing of expired student records, that includes a student's BSU ID number, GPA, and/or grades.
- **Expired student records should ALWAYS be shredded.**
- Providing directory information if the student has completed a Request To Opt Out of Directory Information Form.
- A university's failure to meet the Annual Notification requirements.

# Take Away #8. Non-Compliance: *Consequences*

- Formal complaints and Department of Education's involvement
- School Official's termination or suspension
- Fines against university
- University's loss of Federal funding
- Loss of accreditation
- Injunctions
- Civil penalties
- Criminal charges/imprisonment

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# Take Away #9: Best Practices

- Do not disclose your username or password to anyone.
- Everyone should have their own log-in information provided by DoIT.
- Lock file cabinet
- Lock office
- Use password protected screensaver.
- Never leave Login information unattended.
- Use secure tools provided only by BSU.
- Do not send restricted information (SSN, DOB, Grades, etc.) via email.
- Educational records should not be stored on personal computers or Flash drives.
- Use VPN for secure remote access.
- Only access education records that are needed to complete your duties as a School Official.



# ACTIVITY

## Best Practices!

### Watch the Video

[Email and Student Privacy | Protecting Student Privacy](#) (2.53 minutes)

*Source: - Department of Education*

# Take Away #10. Annual Notification

**Annual notification must include information regarding an eligible student's rights.**

- The right to inspect and review records and procedure.
- The right to amend and procedure.
- The right to consent to disclosure.
- The right to file a complaint with the Student Privacy Policy Office.
- Inform eligible students of the school's criteria for the terms "school official" and "legitimate educational interest" in certain instances.
- Not required to notify eligible students individually.
- Ex. Newsletter, calendar,
- Handbook, or website.

Source: Department of Education - [https://studentprivacy.ed.gov/ferpa#0.1\\_se34.1.99\\_17](https://studentprivacy.ed.gov/ferpa#0.1_se34.1.99_17)



# ACTIVITY

## Department of Education - Interactive Training & QUIZ

**NOTE:** The course below has been incorporated into this tutorial to promote BSU's familiarity with FERPA legislation administered by the Department of the Education.

### FERPA 101: For Colleges & Universities

**Link to Interactive Training** (35-45 minutes) <https://studentprivacy.ed.gov/training/ferpa-101-colleges-universities>

*This course addresses FERPA basics, explores requirements for the protection of student records for colleges, universities, and other postsecondary institutions, addresses who may and may not access student records, when those records may be shared, and discusses several of the applicable exceptions to the FERPA requirement for consent.*

**A Department of Education FERPA Certificate will be provided upon completion.**

**Recommendation:** Upon completion of the course, take a screenshot or press print and/or save as a .pdf file to secure a copy of your certificate.

# Related Guidance & Legislation

- **BSU Office of the Registrar FERPA web page** - <https://bowiestate.edu/about/administration-and-governance/division-of-enrollment-management/registrars-office/student-privacy-ferpa.php>
- **BSU IT Awareness Security Training** - <https://helpdesk.bowiestate.edu/hc/en-us/articles/4410719028503-IT-Security-Awareness-Training>
- **Overall link to the Department of Education FERPA web page** - <https://studentprivacy.ed.gov/ferpa>
- **Department of Education - Resources for staff and educators of Postsecondary Institutions**  
[https://studentprivacy.ed.gov/audience/school-officials-post-secondary?resource\\_type=All&topic=All](https://studentprivacy.ed.gov/audience/school-officials-post-secondary?resource_type=All&topic=All)
- **Department of Education Video - File A Complaint & What Happens When I File A Complaint** - <https://studentprivacy.ed.gov/file-a-complaint>
- **Department of Education – School Volunteers and FERPA Video** - <https://studentprivacy.ed.gov/training/school-volunteers-and-ferpa>
- **Department of Education – School Volunteers Brochure**- <https://studentprivacy.ed.gov/resources/school-volunteer-brochure>



STRIVE FOR  
GREATNESS.....

WE ARE BOWIE

BOWIE

The image features the text "WE ARE BOWIE" in a yellow, sans-serif font, slanted upwards. Below it, the word "BOWIE" is written in a large, bold, yellow, stylized font. The letters are thick and rounded, with a slight shadow effect.