

Family Educational Rights and Privacy Act

Understanding FERPA for Faculty

It's Your Responsibility

All University faculty and staff are considered school officials and have a legal responsibility under FERPA to protect the confidentiality of student educational records.

You may not disclose educational records to persons other than:

- The student
- Third parties with written consent from student
- University officials who have "legitimate educational interest".

The release of any educational record to any person outside the university community or to any university personnel without a legitimate educational interest violates federal and state law, as well as university regulations.

Legitimate Educational Interest

Not all University employees have the right to inspect and review the education records of students. Faculty and staff must have a "legitimate educational interest" or "need to know" within the context of their role and/or to fulfill his/her professional responsibility. The information is to be used within the context of official University business and not for purposes extraneous to the official's areas of responsibility or to the University. Any school official who needs information about a student in the course of performing instructional, supervisory, advisory, or administrative duties has a legitimate educational interest.

It's the Law

FERPA is a federal law that protects the access and disclosure of students' educational records maintained by the University. It states that all educational records and information can only be released to the student directly unless the student has given specific, written permission to release that information to a third party. FERPA does, however, allow the University to release information referred to as "directory information" without students' permission. This type of information is generally considered not to be harmful or an invasion of privacy if released.

Directory Information

Based on your professional responsibility and role within the University, the following can be released **without** students' consent:

- ⇒ Student Personal Information
 - Name, address, telephone listing, email address, and photograph
 - Date and place of birth
- ⇒ Student Academic Records
 - Class rank, major, and college
 - Enrollment status and attendance dates
 - Expected graduation date and degrees
 - Honors and awards received
 - Most recent institution attended
- ⇒ Student Athlete Information
 - Participation in activities and sports
 - Weight and height

Educational Records

Based on your professional responsibility and role within the University, the following can be released **with** students' consent:

- ⇒ Student Personal Information
 - Student ID number
 - Race, gender, country of citizenship, or religion
- ⇒ Student Academic Records
 - Course schedule
 - Academic Transcript
 - Grades, GPA, and Credit Hours
 - Academic Standing
 - Academic Holds
 - Test Scores

Certain educational records (grades, GPA, class schedule, and student ID number) can never be provided via phone or email. This information can only be given in person.

*This **does not** include records in "sole possession of the maker", such as law enforcement, employment, medical treatment, or alumni records.*

FERPA Release Form

In order for specified education records to be released to a third party, students must complete the **Authorization and Request for Release of Records and Information**. On this form, students can designate up to two, third-party individuals to whom Youngstown State University may share educational records. Students determine the following records that can or cannot be shared: academic grades/records, financial aid records, billing records, academic advising, housing information, and student conduct information.

This form must be submitted, in person with a valid photo ID, to the Student One Stop. Students have the right to rescind this authorization at any time.

Frequently Asked Questions

What do I do if the parent and/or spouse of a student contacts me?

FERPA states that once a student turns eighteen, or attends post-secondary school, the rights of access to their records transfer to the student. If the parent/guardian, spouse, or close friend of a student contacts you, first verify in Banner the student has completed and signed an **Authorization and Request for Release of Records and Information** form granting YSU permission to release specific information to the parent, spouse, or close family member. Once you have confirmed what information is permissible to share, always verify the identity of the person with whom you are speaking. Remember that you may only release information that is relevant based on your role within the University. Also, as a University official, you may reserve the right to not release this type of information if you believe it will not be in the best interest of the student.

Can I discuss grades via email or phone with a student?

The public posting of grades or GPA to any party, including the student, is strictly prohibited, even at the student's verbal or written request. This includes the posting of grades or GPA via email, phone conversation, a class/institutional website and applies to any public posting of grades in hallways and in departmental offices for all students including those taking distance education courses. Grades are only to be posted to secure networks, such as Banner Self-Service, Blackboard, and Starfish.

How does FERPA affect returning assignments?

Distributing graded work in a way that exposes the student's identity or leaving personally identifiable graded papers unattended is no different from posting grades publicly. If the papers contain "personally identifiable" information, then leaving them unattended for anyone to see is a violation of FERPA.

What about my Teaching Assistant?

FERPA considers Teaching Assistants to be an extension of the faculty member. Faculty members may even share their sole-possession records with their TAs. However, if other faculty and department members can inspect those notes, they are no longer sole possession and become education records. Students have the right to inspect and review those records.

How does FERPA affect letters of recommendation?

Writing a letter of recommendation allows faculty members to access a student's educational records without the student's written permission only if specific job duties, such as the duties of an academic advisor, require access to those records. Personal observations about a student may be disclosed without the student's written consent. A University official may not disclose confidential information from a student's educational records in a letter of recommendation without specific, written permission from the student.

What if someone needs to reach the student because of an emergency?

All such inquirers should be directed to Campus Police.

What are the consequences of violating FERPA?

FERPA violations may result in the loss of federal funding for Youngstown State University. Any breach of confidentiality could lead to disciplinary action, including the possibility of termination of employment.

When in doubt, don't give out!

Youngstown State University reserves the right to not release this type of information if the University believes it will not be in the best interest of our students.

ALWAYS

- Check Banner for a release or privacy hold before discussing information
- Keep personal, professional records separate from educational records
- Contact the Student One Stop with any questions or concerns

Student One Stop • 330-941-6000 • onestop@ysu.edu • <http://cms.ysu.edu/administrative-offices/registrar/ferpa>