



Staff Senate: Professional Development

FERPA 101 - Notes



General FERPA Information

The Family Educational Rights and Privacy Act, FERPA, was passed by Congress in 1974. FERPA applies to all educational agencies/institutions that receive funds under any program administered by the Secretary of Education. This includes most financial aid.

FERPA grants these specific rights to a post-secondary student:

- Right to see the information that the institution is keeping on the student.
- Right to seek amendment to those records, and in certain cases, append a statement to the record.
- Right to consent to disclosure of their records.
- Right to file a complaint with the FERPA Office in Washington.

An Educational Record is defined as records maintained by an institution that directly relate to a student.

Directory Information

Per FERPA Regulations, some directory information can be released without needing a student's permission. This is information that is not generally considered harmful or an invasion of privacy. All, or a portion, of directory information may be released publicly at the discretion of Minot State University on a case-by-case basis. Directory information is only released if the request is in writing.

Students can opt to keep this information confidential, but they need to complete a *FERPA Privacy Request* form and submit it to the Registrar's Office to do so. Any concerns about the release of directory information should be directed to the Registrar's Office.

Training Highlights

General FERPA Info

Directory Information

FERPA Release eForm

FERPA Release Indicator

When in doubt, don't give it out.

Any concerns about a student's FERPA rights should be directed to the Registrar's Office.

**Registrar's Office
Minot State University
500 University Ave W
Minot, ND 58707
701-858-3345
registrar@minotstateu.edu**

MinotStateU.edu

Be seen. Be heard. Belong.

FERPA Releases

Students can authorize anyone they wish to be able to discuss their educational record by submitting a FERPA Release eForm. Students access the form through Campus Connection in the MiSU eForms tile. The form is listed under the Registrar's Office tab.

On the form students can choose to allow or restrict access to anyone they choose. Students choose whether to give access to their academic records, financial records, or both. Then they create a 4-digit PIN to protect the information.

Once the form has been processed, the student will have a FERPA Release Indicator placed on their record. Viewing the indicator will allow faculty and staff to view the names and relationships of the allowed persons, the PIN, and whether the allowed person has access to academic or financial records.

If someone contacts a staff or faculty member requesting protected information about a student, the employee must verify that:

- A FERPA Release Indicator is present on the student's record
- The requestor is listed on that FERPA Release by name.
- The requestor knows the 4-digit PIN
 - In previous years MSU used security questions or passwords for FERPA Releases. If you view a student's release and there is a phrase or word instead of a 4-digit PIN, you may use that as confirmation the requestor has access.
- It is NOT enough for a requestor to have their name listed, they must also know the PIN and vice versa. If someone requests information and they have the PIN but their name is not listed, you cannot release any information.

Directory Information

- Student name (not to include preferred name)
- Hometown (city, state)
- Campus email address
- Major field of study (all declared majors)
- Minor field of study (all declared minors)
- Class level (freshman, sophomore, etc)
- Dates of attendance
- Enrollment status (full-time, half-time, etc)
- Names of previous institutions
- Participation in officially recognized activities and sports (released as part of team roster)
- Height, weight, and photos of athletes (released as part of team roster)
- Honors/awards received (academic honors/awards released at the end of term and graduation released at the end of term or as part of commencement events)
- Degrees earned
- Date degrees earned
- Directory photos and video recordings of students in public or non-classroom settings (photographs from classrooms or class-related activities are NOT directory information)

Example of FERPA Release Indicator (actual indicator will be all on one line)

Service Indicator Summary										
Code	Code Description	Reason Description	Institution	Start Term		End Term	End Term Description	Start Date	End Date	Comments
PR3	FERPA Release All	Allows Enrollment Activity	MISU1	2330	2023 Sprng			01/09/2023		Release of B ID is 111111.
Personalize Find View All										
Comments Release of BOTH Academic and Financial Records to Betsy Beaver (Sister) or Brian Beaver (Parent). Pin Code 1334 (2023-07-17-02.39.42.000000) Form ID is 111111.										

Questions and Answers from Session:

1. I have an angry parent on the phone, how do I help them without violating FERPA if their student doesn't have a release?

- a. The best way to help anyone without giving out any personal information is to speak in general about MSU's policies and procedures. For example, if a parent calls to ask whether or not their child has been suspended, we would explain the Academic Standing policy (difference between term and cumulative GPAs, probation vs suspension, etc), our communication procedures (that we send out email and letter notifications) and tell them they would have to speak to their student about whether they had received any of those communications. Then we could explain in general, the process for a student to appeal a suspension.

At no time would we confirm or deny if the student was suspended, we would just explain around it. "If students have been suspended and want to appeal, here is how they would do that" vs "In order for your student to appeal their suspension, they need to do..."

We can also always explain the process to get a FERPA Release put on the student's record and have the parent encourage their student to submit the form.

2. Where do I see if my advisee has a FERPA Release?

- a. Advisor Center > My Advisees > View Student Details > General Information > Service Indicators

3. What about students who are in the application process, but have not been fully admitted?

- a. This is an area that can be sort of grey. FERPA only technically covers fully admitted students, but we try our best to protect as much information as possible even during the application stage.

One issue is that we use a student's campus email to verify them when sending any emailed communication, however applicants will not have a student email yet. In that case we would consider the email provided on their application to be the 'verified' email. Same with all other contact information.

4. How do I know I'm speaking to a student over the phone?

- a. FERPA requires that we can reasonably identify the student, or a person allowed by the release, to give out protected information. If you are contacting a student over the phone, you can ask identifying questions before giving any information. Questions may include who the student's advisor is, which classes they are taking in a semester, or other questions that someone who is not the student would not know.

FERPA policies state that using a date of birth, or even a social security number is not considered reasonable identification, as a parent/guardian or other close relative may know that information.

If the student has a release of file, you can ask them for their PIN. Since the student is the one who created it and it should only be shared with the people listed on the form, that is a reasonable way to identify them.

In person, we recommend asking for a photo ID to verify a person's identity.

5. What about student athletes and the releases for their coaches?

- a. The FERPA releases for athletes only cover the year each form is signed for. For any subsequent years a student plays, they will need to fill out an additional release, even if it is for the same sport/coach.

6. What is an “Academic need to know,” and who does it apply to?

There are some situations in which a student’s information can be provided to an MSU employee, without that student’s express permission, if the employee has an academic need to know to carry out their job functions.

Academic need to know only applies to employees of Minot State. Parents cannot claim an academic need to know their child’s grades because they are helping pay for their tuition. That would be protected under FERPA and would require a release.

For example, advisors need to know what classes their advisees have taken so they can help them with their schedule. So, an advisor could request an emailed copy of a student’s transfer transcript from the Registrar’s Office without having to get that transcript from the student.

Another instance would be copying a student’s department chair or advisor in an email explaining to the student how to add or drop a class after the deadline has passed.

Knowing who does and does not have an academic need to know can be tricky. If you are ever in doubt, don’t give information to someone.

7. I work on campus and my child is a student. Can I email their instructors and ask how they are doing in class?

- a. Nope.

Parents do not have an academic need to know their child’s grades. If you want to talk about your child’s personal information, you need to have them submit a FERPA Release and give you the PIN.

If you work in an area where you would naturally see information about your child, you must be cautious and make sure you are only doing what is necessary for your job.

If you think there will be a conflict of interest (you are on a committee to decide if students can be admitted to a program, and you child is in that program), ask someone else to perform those job duties.

8. How long do FERPA Releases stay on a student’s record?

- a. Releases stay on in perpetuity unless a student revokes the permission.

9. Are FERPA holds universal throughout the NDUS system?

- a. No, students must submit a release at each institution they attend. A release at DCB does not cover MSU.

10. How does this affect online courses?

- a. FERPA protects all written work in a student’s post-secondary educational career. This includes any submitted work for an online course, just as it would with an in-person course.

11. What about committee work?

- a. Various committees have to discuss student’s personal information. This would fall under academic need to know. The Suspension Appeals committee needs to be able to

see a student's grades and record to determine whether to grant the appeal. Departmental committees may need to discuss students to decide whether they can be fully admitted to a program.

In these situations/meetings it is necessary to meet in an area where no one who does NOT have a need to know can overhear student details. If a committee member is meeting using a computer or phone, they need to make sure they are also in a private area where no one will overhear.

It is always a good idea to restate at the beginning and end of meetings that the information is confidential and cannot be shared with anyone outside the meeting.

12. What about Dual Credit students?

- a. Though FERPA does cover all educational records for a student before they enter a post-secondary institution their parent 'owns' their record. The rights to their educational record transfer to the student once they take courses at a post-secondary school. Therefore, when we have high school students taking dual credit college classes, FERPA does cover them.

In our process for students to sign up for a dual credit class, we require that they fill out a FERPA release so we can communicate with their parent. If they do not complete it, they cannot enroll in the dual credit class. This release does not show up in the same spot as it would for regular MSU students.

That FERPA release is also only specific to that class. Once that class is over, the FERPA release is null, and that information goes back to being protected. If that student later comes to MSU as a regular college student, they would need to submit a new FERPA Release for their parent, the dual credit one would not apply.

If you have any questions about FERPA that weren't covered here, please feel free to contact the Registrar's Office, and remember:

When in doubt, don't give it out!