

To: Windward Community College Faculty & Staff
From: Russell Chan, Registrar
Date: September 7, 2005
Re: FERPA and Confidentiality of Student Records

WHAT IS FERPA?

The Family Educational Rights and Privacy Act of 1974, as amended (also known as the Buckley Amendment), affords students the right to:

- Inspect and review their own education records;
- Seek to amend inaccurate or misleading education records;
- Have some control over the disclosure of information from their education records; and
- File a complaint with the U.S. Department of Education concerning alleged failures of the institution to comply with this law.

University of Hawai`i policy and procedures related to FERPA are published as Administrative Procedure A7.022, Procedures Relating to Protection of the Educational Rights and Privacy of Students. The University strives to comply fully with the law by protecting the privacy of student records and judiciously evaluating requests for release of information from these records.

WHO HAS ACCESS TO STUDENT RECORDS?

In Banner, our web-based Student Information System, the primary faculty member assigned to a class section has access to student information via MyUH Online Services. The faculty member can view Class Lists, enter Override Codes and enter Final Grades for their classes. The Class List displays student program and degree objectives, addresses, email addresses and phone numbers.

Based on their job responsibilities and security clearance, various College staff members have access to other information in the Banner database, such as student academic records, Social Security numbers, and test scores.

The Dean of Student Services determines employee access to the Banner database. Written requests for change of access should be directed to the Dean of Student Services. The Dean of Student Services should also be notified when Banner access needs to be updated for employees whose duties have changed, or deleted for those who are no longer employed.

WHAT IS THE RESPONSIBILITY OF THOSE WHO ACCESS STUDENT RECORDS?

Faculty or staff members with access to confidential student records have the legal responsibility to protect the confidentiality of student educational records. The confidentiality of these records is protected under a federal law known as the Family Educational Rights and Privacy Act (FERPA). In order to access a student's education record, you must have a legitimate educational interest and a need to view the educational record to fulfill your professional responsibility. Curiosity or personal interest does NOT constitute a legitimate educational need to know.

Access to the student information system is not equivalent to authorization to view the data. Faculty members are deemed to be school officials and can access data in MyUH only if they have a legitimate educational interest. Authorized UH staff members may access information in Banner if they have a legitimate educational need to know.

HOW DOES FERPA APPLY TO FACULTY, STAFF AND STUDENT WORKERS?

The law requires all who have access to student records to treat student education records in a legally specified manner.

GRADES: Student scores or grades should not be displayed publicly. Lists should not be posted by student name. Even with names obscured, Social Security Numbers and UH Student ID Numbers are considered personally identifiable information, and must not be used. Partial Social Security and ID numbers may not be used. If scores or grades are posted, a code known only to the faculty member and the individual student must be used. Grades or other academic information should not be placed in plain view or in open mailboxes located in public places.

PAPERS: Graded papers or tests should not be left unattended in plain view in a public area nor should students be allowed to sort through them in order to retrieve their own work.

ADDRESSES, EMAIL, PHONE NUMBERS: Students addresses, email addresses and phone numbers are provided on faculty MyUH Portal class lists. When sending a mass email to students in a given class, faculty members should enter the email addresses as Bcc:'s, instead of To: or Cc:, or use the mass email function available in MyUH Portal. This will prevent the inadvertent disclosure of email addresses of those who have requested confidentiality. Emails with information specifically regarding individuals must contain only the recipient's address.

CLASS LISTS/GRADE SHEETS: These and other reports should be handled in a confidential manner. The information contained on them should not be disclosed to third parties. Copies of class lists containing student Social Security or UH Student ID

numbers, phone numbers and addresses should not be routed in the classroom for attendance taking or any other purpose.

RELATIVES: Parents, spouses and other relatives do not have a right to information contained in a student's education record.

EMPLOYERS: Employers do not have a right to educational information pertaining to a student.

LETTERS OF RECOMMENDATION: Information about a student's grades or grade point averages should not be mentioned in letters of recommendation without the written permission of the student. Students may request that academic transcripts be sent to prospective employers if this information is required.

RELEASE OF STUDENT RECORD INFORMATION

Requests for student educational records (including directory information) are to be directed to the WCC Admissions & Records office.

WHAT IS DIRECTORY INFORMATION?

Upon public inquiry, FERPA allows the University (at WCC, inquiries are to be directed to the Admissions & Records office) to release only Directory Information without the student's prior written consent (unless the student has filed a written request for nondisclosure).

The following items are designated by the University as directory information and may be disclosed in response to public inquiry:

- Name of student
- Local address and ZIP code
- Local telephone number
- Email address
- Major field of study
- Educational level (e.g. freshman, sophomore)
- Dates of attendance
- Enrollment status (full-time or part-time)
- Degrees and awards received
- Most recent educational institution attended
- Fact of participation in officially recognized activities and sports
- Weight and height of members of athletic teams

In response to inquiries from third parties, only the directory information listed above and

no other personally identifiable information may be given out without the student's prior written consent. However, a student may request that the University not release even directory information without prior written consent by completing and submitting a *Request Not to Release Directory Information* form to the WCC Admissions & Records office by the published deadline. Students who have requested nondisclosure will have a CONFIDENTIAL flag on their respective Banner records and on certain Banner-generated reports, such as class rosters. NO information should be released for records identified as confidential.