

FLABBERGASTED BY FERPA? FEAR NOT!

Dive In to FERPA: We're Throwing You a Life Preserver

FR 1.1

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BUDDY CHECK!

Quick – find a FERPA buddy to be yours!

Buddies are essential:

- Run scenarios by a trusted colleague
- Get second (or third!) opinions
- They may have a new inventive way to navigate processes





RELEASE OF INFORMATION

How do you keep releases on your campus?

- Blanket
- In a specific office
- Single use
- Other?

Tip: FERPA tells us what we must do, not how we do it.





NSC WOES



You contract with the NSC to provide enrollment reporting to NSLDS. A current student has asked you not to release any information to the NSC about them. Do you honor this request?

Tip: Contracted 3rd parties acting on your behalf *are* you...



WE'VE SPRUNG A LEAK! FERPA BREACHES...

We had a breach via email for 40 seniors who graduated and they were able, for a limited amount of time, to see one another's final GPA. We made a good-faith effort to notify them. Is there a good rule of thumb for a 'statute of limitations' for students to file a complaint to the Student Privacy Policy Office?

*Once the students know about it, they have **180 days** to file a timely complaint. In this case, all of those students would have seen that on a particular date the email notification was sent out. That would be the start of the 180 day clock.*



SOCIAL MEDIA AND FERPA

FERPA is older than Social Media. Where does FERPA fit? Especially when it is student driven?

Students want to run a raffle on TikTok and Instagram where they can openly tag others. Is this a FERPA violation?

What about faculty posting pictures/videos of a class activity?



CHATS

Your chats at work are part of the student record.

- Chatting has become a normal part of work
- Navigate this carefully
- Don't write something in chat you wouldn't want read in court about a student

Tip: Keep student information to formal emails. Chat in code.



WHO DECIDES?

A student made a request to Student Affairs to inspect and review their transcript from a previous college. While these staff have access to the record, can our institution establish a policy that requires this request be submitted to the registrar's office?

Tip: FERPA allows institutions to develop their own *processes*, as long as the basic rights required under law are provided.



ASK AND YOU SHALL RECEIVE...?

Requests to Inspect and Review Records:

- How do you handle these at your campus?
- How do you approach requests from students far away from your campus?
- What's the frequency of these requests?

In 2015, Stanford Univ students started a viral trend across the nation of enrolled students asking for access to their admissions records. Recently, a TikToker at U Mich is doing much the same thing...



WHO'S GOT THE CLIPBOARD?

Is there a specific FERPA regulation which stipulates that the Admissions Office does not retain the “admissions portion” of the student record once the student matriculates?

Records of applicants who do not become students at the institution are not covered under FERPA. Once the applicant becomes a student at the institution (under your definition), and the application records continue to be maintained, those records then become education records subject to FERPA. FERPA does not mandate who or where those records are maintained, though—that is up to the institution!



ACADEMIC INTEGRITY

A professor suspects a student of an academic integrity violation and wants to know if that student has any prior findings—or even allegations that were eventually dismissed. Just how far does “need to know” go, really?

FERPA Tip: In 2002, United States of America v. Miami University; Ohio State University, et al. unanimously ruled that disciplinary records are educational records under FERPA.



CAMPUS RESEARCH

Many faculty researchers like to use directory information in their research work. How do you navigate assisting them on the one hand and maintaining student privacy on the other, if there aren't necessarily FERPA reasons to keep the data from the faculty.

FERPA Tip: If campus researchers aren't working on behalf of the University, you can only provide directory information *and* exclude any blocked directory information.



SCANNING THE COASTLINE: WHERE IS EVERYBODY?

Since FERPA allows institutions to define their own list of Directory Information, may we add 'student class schedules' to our list of Directory Information and still be in compliance with FERPA, as long as we publicize this list in our Annual Notification?

Student course schedules do not fit the definition of Directory Information in §99.3 and, thus, including them as a directory information item has not been deemed appropriate by the U.S. Department of Education.



TOSS ME A LIFE PRESERVER!

AACRAO

- [Web Resources](#)
- Printed Materials
- “Ask the FERPA Professor”

Department of Education Student Privacy Policy Office (SPP0)

- [FERPA and Research](#)

WACRAO/UMACRAO Resources

- <https://www.wacrao.org/resources>
- <https://www.umacrao.org/ferpa-resources>





BUDDY CHECK – AGAIN!

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