

WHAT FACULTY & STAFF MEMBERS NEED TO KNOW



www.oc.edu/ferpa

IT'S THE LAW

FERPA (the Family Educational Rights and Privacy Act), also known as the Buckley Amendment, was passed by Congress in 1974. It grants four specific rights to a post-secondary student:

- to see the records the institution is keeping on the student.
- to seek amendment to those records and, in certain cases, append a statement to the record.
- to withhold the disclosure of a student's educational records except for situations involving legitimate educational interest or as may be required by law.
- to file a complaint with the FERPA Office in Washington, D.C.

FERPA applies to all educational agencies or institutions, including Oklahoma Christian University, that receive funds under any program administered by the Secretary of Education.

FERPA governs what may be released, but does not require that any information be released.

IT'S YOUR RESPONSIBILITY

You may not disclose personally identifiable information from educational records to persons other than the student in question and University officials who have legitimate educational interest.

A University official has a legitimate educational interest in access to information when that information is appropriate for use in connection with: performing a task that is related to the student's education; providing a service or benefit relating to the student or student's family, such as housing, health care, counseling, job placement, or financial aid; performing a task related to the discipline of a student; maintaining the safety and security of the campus; or otherwise performing a task related to the effective functioning of the University.

As a general principle, you may not disclose student information in oral, written, or electronic form to anyone except OC staff and faculty who need the information to perform their university functions.

You have a legal responsibility under FERPA to protect the privacy of the student educational records in your possession. You may not access educational records for personal reasons.

Student information stored in an electronic format must be secure and available only to those entitled to access that information. You may not release lists or files with student information to any third party outside your college or departmental unit.

Student information should not be stored on laptops or home computers.

Student information in paper format must be shredded before disposal or placed in a locked disposal bin.

STUDENT INFORMATION TYPES

Student educational records include records directly related to a student and maintained by the institution or by a party acting for the institution. Examples include, but are not limited to, exams, papers, advising notes, applications, and financial documents.

FERPA requires institutions to allow students to review educational records upon request.

Exclusions to student educational records include certain law enforcement records, certain treatment records, non-matriculant records, employment records, and post-graduation alumni records.

Directory Information

"Directory information is ... information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed." (FERPA Regulations, Code of Federal Regulations, Title 34, Part 99.3)

Information designated by the university as directory information, such as email addresses, local and home addresses, telephone numbers, and enrollment status, is considered public and can be released without the student's written permission. *However, the student may opt to keep this information confidential.*

Directory information **does not include**:

- ethnicity or race
- gender
- nationality
- social security number
- student identification number
- religious affiliation
- grades or GPA
- course enrollment or schedule

How can a student withhold release of directory information?

A student who so wishes has the right to prevent the release of all directory information, including verification of enrollment, or of suppressing selected directory information either to the Oklahoma Christian community or to the general public. In order to do this, students should go to the Registrar's Office by the end of their first week of enrollment to suppress the release of directory information. Registrar's Office staff will assist students in making such changes.

Can student directory or public information always be released?

Student directory information should not be released to third parties.

Can student non-directory information ever be released?

All non-directory information is considered confidential and will not be released to outside inquiries without the express written consent of 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 parental rights under FERPA?

When a student reaches the age of 18 or begins attending a postsecondary institution regardless of age, FERPA rights transfer to the student. Parents may obtain directory information at the discretion of the institution. Parents may obtain non-directory information (grades, GPA, etc.) at the discretion of the institution AND after it has been determined that their student is legally their dependent for income tax purposes. To qualify for this exemption, the employee needs to see a copy of the first page of the IRS 1040 Form, which shows the student's name. Simply taking a parent's word that his or her child is their dependent is not enough. Parents may also obtain non-directory information by obtaining a signed consent from the student. It is generally the University's practice not to make disclosures from a student's educational records without the student's written consent. Students may grant third-party access to their parents or other individuals through myOC. Students also may use this process to allow specific departments on campus to speak with parents or other individuals about their academic records.

What must I do if I receive a subpoena concerning student educational records?

FERPA requires specific steps before the University can comply with a lawfully issued subpoena or a request for student information from a law enforcement agency. In such a situation, contact OC General Counsel at 405.425.5118.

FOR MORE INFORMATION

Visit www.oc.edu/FERPA or contact the Registrar's Office at registrar@oc.edu.

DO NOT:

- Disclose information to a student or University official before authenticating the identity of the person.
- Disclose confidential non-directory information about a student to the media.
- Link a student's name with his/her social security number, OC student ID number, or any portion of these numbers in any manner.
- Send confidential information such as grades in an email.
- Leave graded tests, papers, or other student materials for students to pick up in a stack that requires sorting through the papers of all students.
- Include confidential information such as grades or GPA in a recommendation without the written consent of the student.
- Discuss the progress of any student with anyone other than the student or the student's advisor without the consent of the student. Refer inquiries from any other parties, including the student's parents, to the student's academic advisor.
- Provide anyone with lists or files of students enrolled in your classes for any commercial purpose.
- Provide anyone with student schedules or assist anyone other than university employees in finding a student on campus. Refer such inquiries to Campus Police.
- Access the records of any student for personal reasons.
- Release your password for ANY reason.
- Release information to any law enforcement agency without consent of the General Counsel.