

# **FERPA Training**

**Family Educational Rights and Privacy Act**

**Developed by**  
**The University of Texas at Dallas**  
**Office of the Registrar**

# What is FERPA?

- **The Family Educational Rights and Privacy Act (FERPA) is a federal law that applies to all colleges/universities in the U.S. that receive federal funding from the Department of Education**
- **Provides guidelines for the appropriate use and release of student education records**
- **Designed to protect the privacy of student education records:**
  - Any record in any format or medium maintained by the institution
  - Applies to both directory and non-directory information

**Non-compliance can lead to loss of federal funding, lawsuits and/or conviction of a misdemeanor under the Public Information Act**

# Directory Information vs. Non-Directory Information

## Directory Information

Directory information is information contained in an educational record that would not generally be considered harmful or an invasion of privacy if disclosed.

- Student name
- Address
- Email
- Phone number
- Place of birth
- Dates of attendance
- Previous schools attended
- Photograph
- Enrollment Information:  
major/minor/awards/honors
- Weight and height of members of athletic teams

## Non-Directory Information

Non-Directory information is all other information contained in an education record that is not listed as directory information.

- Social Security Number
- UTD ID
- NetID
- Date of birth
- Grades/GPA
- Race
- Gender
- Country of citizenship
- Nationality
- Ethnicity
- Religion
- Schedules

# **An institution may not confirm directory information that is linked to non-directory information.**

**Example:** Someone calls UT Dallas to verify a student's attendance, and they provide the student's Social Security Number to look up the information. In such a situation, you cannot confirm the information, because in so doing, you would inadvertently validate the Social Security Number, thus disclosing non-directory information.

# What is an Education Record?

- Anything that is “personally identifiable” and “maintained” by the university
- Not limited to transcripts and grades, but also includes financial records, disciplinary records, email messages, etc.
- Employment information, IF employment is based on student status
- FERPA also applies to records that are created after a student leaves the University, IF the records pertain to the student's time at UT Dallas

# Records NOT Defined as Education Records

- Law enforcement records created by a law enforcement agency
- Employment records (unless the employment is based on student status)
- Medical/psychological treatment records
- Alumni records (e.g., those created after the student had left the university)
- Records in the “sole possession of the maker” and never shared with anyone else (e.g., private notes)
- ✓ Note: Information shared between faculty member and TA is still considered a “sole possession” record as the TA is an extension of the Faculty member.

# Basic FERPA

- The student is considered the “owner” of his/her education record.
- The institution is considered the “custodian” of a student’s education record.
- FERPA rights for students begin with attendance and end at death.
- Students are notified of their FERPA rights annually.
- ✓ Note: Beginning Fall 2015, state law HB 4046 provides confidentiality to admission applicants. Information from the admission application and that provided by the applicant may only be released to the applicant, applicant’s parents or legal guardians, spouse, educational institution personnel and child abuse investigators.

# Student Rights under FERPA

1. FERPA guarantees students the right to inspect and review their education record
2. To amend their records, if errors are present
3. To have some control over the disclosure of information from education records
4. To file a complaint concerning alleged failures by an institution to comply with FERPA regulations within 180 days
5. To be notified of the student's privacy rights under FERPA



# FERPA Exceptions

- FERPA allows the University to disclose student records to parents or legal guardians if the student is a dependent of the parent as defined by Internal Revenue Code of 1986, section 152. The process is handled by the Office of the Registrar. For questions regarding this exception, please contact [records@utdallas.edu](mailto:records@utdallas.edu) directly.
- FERPA allows students the option to restrict the release of their information. For more information regarding this option, please visit the Office of the Registrar's website.

# Your Responsibilities under FERPA

- **View only the student records for which you have a legitimate educational interest.**
- **Handle all student records, both paper and electronic, in a secure manner.**
  - Lock your computer when leaving your desk.
  - Place paper documents in locked file cabinets or desk drawers when you are away from your office.
  - Lock office doors when you leave your office.
  - Place computer screens and paper documents so that they are not in plain view of office visitors.
  - If a document has FERPA-protected information, do not throw it in the trash. Shred it or put it in a secure/locked recycling container.
  - Always ask for picture ID when student comes to your office.
  - Work with one student at a time.

# Your Responsibilities under FERPA

- Do not give out any confidential information over the phone - Yes or No answers only.
- Do not give out any directory information over the phone if the student has elected confidentiality.
- When speaking to someone over the phone, do not say “the student” rather say “the person”.
- We do not make changes to a student’s record based on a verbal request.
- Do not fax non-directory information. Departments should use campus mail to send documents to the Registrar’s Office, walk the form over to the office, or send a student worker with the forms in an envelope.
- Only use UT Dallas email account when corresponding with students.
- Verify that you are sending FERPA sensitive information to the correct person – there may be multiple people with similar names in the directory.
- If you have to send student information to a non-UTD email account, add the trigger [encrypt] in the subject line.
  - ✓ Do not place sensitive information in the subject line of the email.

# **Always use campus police when someone is looking for a student.**

**Never give out student schedule information.**

**Let campus police take care of it.**

## **If someone is looking for a student:**

- Send them to campus police for help.
- Call campus police at extension 2222, and tell them that you sent someone over that is trying to locate one of our students.

# **When in doubt, don't give it out. Then ask.**

**If you are unsure about what to do or how to respond to an information request:**

- For standard requests, ask the Office of the Registrar what to do.
- If it needs immediate assistance, refer the request directly to the Office of the Registrar.

**Either way, you should follow up and find out the answer, so you know next time.**

# UT Dallas

## FERPA Compliance Officer

All potential and/or real FERPA violations should be reported immediately to

**Jennifer McDowell**

University Registrar

Email: [jpazik@utdallas.edu](mailto:jpazik@utdallas.edu)

Violations can also be reported anonymously using the FERPA violation form at  
[utdallas.edu/legal/ferpa](http://utdallas.edu/legal/ferpa)

# Need more detailed information on FERPA?

- [utdallas.edu/registrar/legislative-policies/ferpa](http://utdallas.edu/registrar/legislative-policies/ferpa)
- [utdallas.edu/legal/ferpa](http://utdallas.edu/legal/ferpa)
- [ed.gov/offices/OM/fpco](http://ed.gov/offices/OM/fpco)
- <https://policy.utdallas.edu/utdsp5010>
- <http://www.legis.state.tx.us/tlodocs/84R/billtext/html/HB04046F.HTM>

# Office of the Registrar

For questions or more information, please contact the Office of the Registrar.

**Phone:** 972-883-2342

**Email:** [records@utdallas.edu](mailto:records@utdallas.edu)