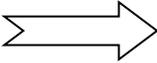


The Family Educational Rights and Privacy Act of 1974, as Amended (**FERPA**) requires institutions accepting federal monies to protect the privacy of student information. In addition, FERPA affords students the right to review their education records, to request correction of inaccurate records, and to limit information disclosure from those records. An institution's failure to comply with FERPA may result in the Department of Education withdrawal of federal funds.

All UC faculty and staff are obliged to comply with FERPA regulations.

 As a faculty member, you need to know the difference between **Directory Information** and **Personally Identifiable Information** or **Education Records**:

Directory Information

These items may be disclosed, *unless* the student has placed a "block" on Directory Information release. *Check Catalyst or consult the Registrar's Office.*

- Name
- Current mailing address
- Current telephone number
- UC e-mail address
- College
- Class
- Major
- Dates of attendance
- Enrollment status (full/part-time)
- Degrees/honors/awards received

Personally Identifiable Information

(any identifying data other than "Directory Information")

Including, but not limited to:

- Social Security Number
- Date of birth
- Residency status
- Gender/race/ethnicity
- Religious preference

EDUCATION RECORDS

Including, but not limited to:

- Class schedule
- Grades/GPA and academic standing
- Test scores
- Academic transcripts

Persons who *may* be provided access to personally identifiable information or education records without the student's prior written consent (not a comprehensive list):

- University Personnel with "legitimate educational interest" (consult the Registrar's Office)
- Certain government officials (refer to the Registrar's Office)
- In compliance with a judicial order or subpoena (refer such to the General Counsel's Office)
- Respondents to a health or safety emergency (first contact the Registrar's Office **and** University Police)

In all cases, refer callers to the Registrar's Office. This office will review the requestor's authorization documents, consult the instructor and other offices as necessary, and release information as appropriate.

Student Requests for Records Information

- Prior to discussing personally identifiable information or education records with a student, you are required to make a “reasonable” effort to confirm the student’s identity.
- When working with the student in-person, require that the student first present photo-identification. If contacted by telephone, require the student to correctly provide more than one piece of identifying information (e.g., DOB, address, major, classes currently enrolled).
- Regarding e-mail, the Department of Education’s Family Policy Compliance Office (which interprets FERPA) recommends that you avoid including personally identifiable information (e.g., the Social Security Number) or specific education records. That office contends that despite the issuance of a student e-mail account such as UC Connect, institutions *cannot* be absolutely certain that the student in fact is the receiving party.
- The following is a list of information items that **are not** considered educational records and therefore are not subject to a student’s request for review:
 - Law-enforcement records, medical treatment records, alumni records;
 - Records maintained exclusively for individuals in their capacity as employees. Records of those who are employed as a result of their status as students (i.e., work-study, student workers, etc.), however, are considered educational records;
 - Sole-source/Sole-possession documents: these are notes (memory joggers—**not** grade or GPA related) created and maintained by you, meant for your personal use exclusively.
So long as no one other than you ever reads these notes they remain private and are not subject to FERPA. If you share them with another person, regardless of the reason, these notes no longer are considered “sole source.” They become part of the student’s educational record and are subject to disclosure under FERPA.

Parent Requests for Student Records

- FERPA rights transfer to the student at age 18 or once he or she attends a post-secondary institution, regardless of age.
- Parents or legal guardians *may* obtain their student’s education records, *at the discretion of the institution*, only if: a) they can establish that the student is a financial dependent; or b) by obtaining the student’s written and signed consent; or c) must have been provided “delegated access” to selected information items within the Catalyst student portal by the student.
- The student is considered “financially dependent” if either parent or the legal guardian claimed the student upon his or her most recent federal income tax return.
- **All parent requests should be referred to the Registrar’s Office for review.** Prior to reaching a release determination, the Registrar’s Office will require that the parent(s) or legal guardian provide a copy of the filed tax return or the student’s written/signed consent.

Records Access by University Personnel

As University personnel, you *may* be allowed access to a student’s educational records **if** you can establish *legitimate educational interest* for the request — meaning that you need the information to fulfill a specific UC-assigned professional responsibility required by your UC position.

For More Information or for a FERPA Consult

Douglas K. Burgess, Ph.D.
Assistant V.P. & University Registrar
513-556-9930
douglas.burgess@uc.edu

Lorren J. Ratley
Director Privacy, Office of the General Counsel
513-558-2733
lorren.ratley@uc.edu