

FERPA

Family **E**ducational **R**ights & **P**rivacy **A**ct

What is FERPA?

- ▶ FERPA is the Family Educational Rights and Privacy Act of 1974. The law is administered by the Family Policy Compliance Office (FPCO) within the U.S. Dept. of Education.
- ▶ The law was designed to protect the privacy of a student's education records.
- ▶ The law applies to all schools which receive funds from the Department of Education (Federal Financial Aid).

Who has rights under FERPA?

- ▶ Eligible students who have matriculated.
- ▶ Parents of dependent students have the right to access their children's education records.
- ▶ Eligible students and parents have right to inspect and review educational records; seek to amend educational records; and some control over educational records.

What are Educational Records?

- ▶ Educational Records are records maintained by the University which directly relate to a student.
- ▶ This means that almost any student-related piece of paper or computer-student-related information.
- ▶ Exceptions: primarily relate to employment, security, and health records.

What can we release?

- ▶ Directory information can be released without written consent of the student. At IIT directory information is defined as:
 - **student's name, local and permanent address, telephone and email, dates of attendance at IIT, positions held at IIT, year and academic major field of study, degrees earned and special awards, and photograph.**
 - Release of such information is not generally viewed as an invasion of privacy.

When can students request us not to release?

- ▶ Students at IIT can request that not even this directory information be released by completing the requisite information on the FERPA form. This form is available on the Registrar's Office website.

When can we release non-directory information?

- ▶ Permission of students must be obtained before releasing non-directory information.

Exceptions:

- officials or faculty of the University who have legitimate educational interest;
- institution must use reasonable methods to insure official has access to only those records in which he/she has a legitimate educational interest;
- officials of other schools or school systems in which the students seek to enroll;

(Continued)

Release of non-directory information (continued)

- certain federal and state educational authorities;
- accrediting and University-approved testing agencies;
- parents of dependent students (requires signed statement from parent claiming that student is dependent per Internal Revenue Code of 1954);

(Continued)

Release of non-directory information (continued)

- appropriate parties in connection with a health or safety emergency (disclosure is limited to information that is necessary to protect the health and safety of the student or other individuals);
- institution may take into account totality of circumstances;
- persons presenting an officially-related judicial order or lawfully-issued subpoena;
- institutions from which the student has received, or applied to for, financial aid;

(Continued)

Release of non-directory information (continued)

- ▶ to victim of crime of violence or non-forcible sex offense---the disclosure is only of the final results of the disciplinary proceedings against assailant;
- ▶ to parents of a student who is under 21 and has committed a disciplinary violation relating to the use or possession of alcohol or controlled substance.

Legitimate Educational Interest

IIT:

A “legitimate educational interest” shall be deemed to mean having a direct involvement in establishing or reviewing a student’s academic record or performance.

Legitimate Educational Interest

The University of Arizona:

A faculty or staff member has a legitimate educational interest in accessing or reviewing a student's educational records, if the faculty or staff member is:

- ▶ performing a task that is specified in his/her position description or contract;
- ▶ performing a task related to a student's education or to student discipline;
- ▶ performing a service or benefit to the student or student's family; or
- ▶ maintaining safety and security on campus.

Legitimate Educational Interest

Harvard University:

In appropriate cases, educational records are disclosed without a student's knowledge or consent to Harvard officials with legitimate educational interest in the records. "School officials" include faculty, administrators, clerical, professional employees, and agents of the University such as independent contractors performing functions on behalf of the University. Examples of "legitimate educational interest" include situations where an employee or agent of the University has a need to provide advice to or about the student or former student, or to evaluate or assist with the student's or former student's standing with the University.

Legitimate Educational Interest

Harvard University (cont.):

Other examples of “legitimate educational interest” include situations where disclosure is required to operate or manage a University-sponsored academic or administrative program, or to perform student-related administrative, security, disciplinary, or other service. In such cases, the academic or administrative program must be prepared to provide written documentation that the information sought is, in fact, required to permit its effective management or operation.

Legitimate Educational Interest

The Catholic University of America:

A school official has a legitimate educational interest in the protected educational records, a legal “right to know,” if the official is:

- ▶ performing a task that is specified in his or her position or contract agreement, related to a student’s education, or related to the discipline of a student;
- ▶ providing a service or benefit relating to the student or student’s family, such as health care, counseling, job placement, or financial aid;
- ▶ maintaining the safety and security of the campus.

Student Notification of FERPA

- ▶ Students must be notified of FERPA annually.
- ▶ IIT publishes this information in the Student Handbook annually.
- ▶ Students may file a complaint with FPCO.

A Few Highlights

- ▶ Check a student's directory restriction before you answer any questions.
- ▶ Students may release any information by providing a signed release. The release form is available on the Registrar's website.
- ▶ Information viewed on a computer screen should be treated with the same confidentiality as paper records. Be sure to clear your computer screen when it will be unattended.

FERPA Summary

- ▶ Each of us needs to do our part to keep this information secure, and protect students' rights.
- ▶ If there is any question in your mind regarding any request for education record information, it is always better to err on the conservative side and call the office that maintains that portion of the education record and ask for guidance.
- ▶ IIT will release educational records to appropriate parties in connection with a health or safety emergency.

Troubled Students

UPDATE ON IIT RESOURCES RELATED TO TROUBLED STUDENTS

- ▶ History

Efforts to improve communication and coordination

- ▶ Fall 2007

Student Support Team

Community Support Team

STUDENT SUPPORT TEAM

- ▶ Members include representatives of:
Office of the Dean of Students, Counseling Center, Residence Life, Public Safety, Disability Resources, Office of General Counsel, and Shimer College
- ▶ Purpose:
To communicate and resolve significant student behavioral issues
- ▶ Meetings:
Bi-weekly and as necessary for follow-up

COMMUNITY SUPPORT TEAM

- ▶ Members include representatives of:
Office of General Counsel, Office of the Dean of Students, Office of the Vice Provost for Student Affairs, Counseling Center, Faculty, Public Safety and Human Resources
- ▶ Purpose:
To provide coordinated support and intervention in situations in which the behavior or circumstances of a student, faculty member or staff member becomes significantly disruptive and could pose a risk to himself or herself, or to the University Community
- ▶ Meeting:
Monthly and as necessary for follow-up



IIT COMMUNITY **SUPPORT** T E A M



Are you concerned about, or troubled by,
the behavior of someone in the IIT community?

Not sure where to go?

We can help.

http://my.iit.edu/iit/general_counsel/support/index.shtml



IIT Community Support Team

The purpose of the IIT Community Support Team is to assist members of the IIT community when they are concerned about, or troubled by, the behavior of a student, faculty member, or staff member.

We can help direct you to the appropriate person, office, or resources that you can inform of the situation and that can take action as appropriate.

Communications with the Community Support Team are confidential (we will not share your identity) and can be anonymous (we wouldn't know your identity), although not knowing how to communicate with you may limit our ability to respond and to give you follow up information. However, there may be a situation where we believe it necessary to release confidential information to maintain the safety of the IIT Community.

You can contact any member of the IIT Community Support Team by email, telephone call or written message.

**Community Support
Home**

Resources
Team Contacts

IIT Community Support



Team Contacts



Featured left to right, Dan Kaplan, Mike Young, Doug Geiger, Mike Gosz, Candida Miranda, Beverly Perret, Steve Horton.

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