



STUDENTS' RIGHT TO PRIVACY

FERPA Quick Guide for VCFA Students

► What is FERPA?

The Family Educational Rights and Privacy Act of 1974 (FERPA) is a federal law designed to protect the privacy of students' educational records. FERPA establishes the right of students to inspect and review their educational records, and provides guidelines for the correction of inaccurate and/or misleading data or information through informal or formal means. All students should read carefully the full FERPA policy published in the student handbook and on the college's website.

In accordance with the privacy aspect of FERPA, school officials may not disclose personally identifiable information about students or permit inspection of their records without the student's expressed written permission (*with certain exceptions*).

► What is considered an "educational record" under FERPA?

Any record that is:

- Maintained by the institution
- That is directly related to a student or students
- That contains the student's name or information from which an individual can be personally or individually identified, including but not limited to:
 - The student's name, parent's name, or other family members' names
 - A personal identifier such as social security # or student ID #
 - A list of personal characteristics or other info which would make the student's identity easily traceable

These records include files, documents, and materials in whatever medium (handwriting, print, digital, video or audio tapes, disks, film, microfilm, microfiche) the materials are collected and/or stored.

► What are the exceptions to the nondisclosure rule?

Certain information may be considered "Directory Information" and *may* be released without the student's written permission, provided that the following conditions are met:

- The institution must have a policy identifying which data elements it considers to be "Directory Information" (see VCFA's list of data elements below)
- Students must be notified, on at least an annual basis, of the items considered by the institution to be "Directory Information" (publication in student handbook is considered sufficient notification)
- Students must be given the opportunity to refuse (opt out of) disclosure of "Directory Information" items

► **Following is the list of items which VCFA has designated as “Directory Information”:**

- Name
- Address
- Telephone #
- Email Address
- Photographs/Digital Images/Audio/Video
- Date of Birth
- Major Program of Study
- Class Schedule
- Dates of Attendance
- Grade Level
- Enrollment Status
- Degrees Received

► **Following is a list of items which may never be designated as “Directory Information” or otherwise released by an institution without the written permission of the student:**

- Race
- Gender
- Social Security #
- Student ID #
- Grades
- GPA
- Citizenship
- Religion
- All other personal information and/or educational records not covered by the allowed “Directory Information” list

► **When is student consent not required to disclose educational records other than Directory Information?**

When the disclosure is:

- To school officials with a “legitimate educational interest” (very specific, as defined by law)
- To federal, state and local authorities involving an audit or evaluation of compliance with educational programs
- In connection with financial aid, including Veterans’ benefits
- To accrediting organizations
- To parents of a dependent student
- To comply with a judicial order or subpoena
- In a health or safety emergency
- Release of “directory information”
- Releasing the results of a disciplinary hearing to an alleged victim of a crime of violence

► **What if a student wishes to “opt out” of release of their directory information?**

If a student wishes to opt out of release of their directory information, they must inform the registrar of their wishes in writing. A FERPA block will be placed on the student’s record and directory information will never be released until the nondisclosure is rescinded by the student in writing. When choosing to withhold release of directory information, it is important for students to understand the following:

- 1) A FERPA block does not preclude school officials within the institution from using the directory information in the performance of their duties;
 - 2) A FERPA block does mean that directory information will be withheld from a variety of sources including: friends, relatives, prospective employers, honor societies and the news media;
 - 3) A FERPA block is permanent and will not be removed until rescinded by the student in writing.
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FERPA BLOCK REQUEST:

I understand the issues regarding the privacy of my educational records and the institution's responsibilities regarding the use of my directory information. I wish to put a FERPA block on my directory information at VCFA as of the date below. I further understand that my directory information will be withheld until and unless I rescind this block in writing.

Student's Name (please print clearly)

Student's Signature

Date