

The Family Educational Rights and Privacy Act (FERPA), also known as the Buckley Amendment, was passed by Congress in 1974. It is a federal law that protects the privacy of student education records and grants four specific rights to matriculated students at a postsecondary institution:

- The right to inspect and review their education records within 45 days of the request
- The right to request amendment of education records
- The right to limit disclosure of personally identifiable information from the student's education records unless an exception applies
- The right to file a complaint concerning alleged FERPA violations with the Family Policy Compliance Office within the U.S. Department of Education

FERPA rights belong to the student, not the parent.

As a faculty or staff member, you have a legal responsibility under FERPA to protect the confidentiality of student education records in your possession. You have access to student information only for legitimate use in completing your university faculty duties. Violating FERPA could result in the loss of federal funding, a formal complaint to the Department of Education, and/or disciplinary action.

Your access to student information, including online directory and public information, is based on your faculty role within the university. You may not release lists or files with student information to any third party.

Student education records (other than directory information) are considered confidential and may not be released without written consent of the student. Student information stored in electronic format must be secure and available only to those entitled to access that information.

What is an education record?

Any record, with certain exceptions, maintained by an institution that is directly related to a student is an education record. This means any information, maintained in any medium, that is directly related to students from which they can be personally identified.

Education records can contain a student's name, or several students' names, or information from which an individual student can be individually identified. Examples of education records include: completed exams and papers, recorded grades or grade rosters, disciplinary files, emails between faculty and staff about a student, and student employment files.

What is Directory Information?

Directory information is information that **may** be provided without the written consent of the student and varies from institution to institution. TU's list of directory information can be found here:

<https://catalog.towson.edu/undergraduate/appendices/appendix-b-family-educational-rights-privacy-act-ferpa-buckley-amendment/>

Although directory information **may** be released without the student's written permission, the student may opt to keep this information confidential. Because you may not know if a student has made such a request, please direct all requests from third parties for directory information to the Registrar's Office.

FERPA Reminders for Faculty:

- TU does not currently have a universal FERPA release form. Parents can get access to their student's financial aid and billing information via a FERPA release, but this does not cover academic information.
- If a parent calls you to talk about the grade their student is receiving in the course, do not share any of the student's academic information with them.
 - Progress in a course, deficiencies in a subject area, final grades, grades on exams, and other information about academic progress are examples of the confidential information that makes up part of a student's education record. You are permitted, however, to discuss information on the syllabus, deadlines, and your grading/teaching philosophy.
- Faculty are permitted to speak with a student's parent/family member **if the student is present in the conversation and consents to the parent/family member being included.**
 - If the conversation is taking place via a phone call, virtual meeting or in-person with the student and parent both present, before disclosing any of the student's information, verbally confirm with the student that they have your consent to share the information you are about to share.
 - If the conversation is taking place in an email correspondence, email the student directly first and ask if it is okay to include their parent in the email correspondence and to share information that was requested by the parent in the email.
 - In both cases, if the student does not consent, do not share any of the student's academic information with the parent.
- Never link the name of a student with that student's TU ID number in any public manner
- Student grades cannot be posted publicly. This includes leaving personally identifiable graded papers/work unattended. (Blackboard and Peoplesoft are the most secure methods for sharing grades.)
- You may not release lists or files with student information to any third party outside your college or departmental unit.
- If you are writing a letter of recommendation for a student, you may not disclose the student's grades or GPA unless the student has given expressed, written consent.
- If you are giving out grades or other FERPA protected information over the phone, make sure to verify that the person you are speaking to is your student. Ask questions that only the student could answer, such as an assignment from the course, something discussed in class, or something on the syllabus. If you are still unsure about who you are speaking to over the phone, it is okay to use caution and come up with a different way to share the information (e.g. having student come to your office hours).
- Don't provide anyone with student schedules or assist anyone other than University employees in finding a student on campus. Direct non-employees to the TUPD.
- Don't access the records of any student for personal reasons. You should have a legitimate educational need for any student record that you access.

When in doubt, don't give it out.

If you're ever in doubt about a request for student information, contact the Registrar's Office at recordsandregistration@towson.edu or 410-704-2701.

For specific FERPA questions, please contact:

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