

# Creighton University Office of the Registrar

**Family Educational Rights and Privacy Act (FERPA)  
Tutorial for Faculty and Staff**





# What Is FERPA?

- ▶ FERPA, also known as the Buckley amendment, stands for the Family Educational Rights and Privacy Act of 1974.
- ▶ The law is designed to protect the privacy interests of students with regard to their education records.



# What Are the Rights of the Student?

- ▶ **The student is granted the following rights:**
  - ▶ **The right to review and inspect their education records**
  - ▶ **The right to request an amendment of their education records**
  - ▶ **The right to have some control over the disclosure of personally identifiable information contained in the education record**
  - ▶ **The right to file a complaint with the U.S. Department of Education**

# To Whom Are These Rights Granted?

- ▶ Under the law the rights are granted to the student upon attending an institution of higher education.
- ▶ Generally, confidential information may not be released without the written consent of the student.



# Do the Parents Have Any Rights Under FERPA?

- ▶ FERPA does not automatically grant parents the right to access the education records of their children.
- ▶ The easiest way for parents to gain access is with the written consent of the student.





# Do the Parents Have Any Rights Under FERPA?

- ▶ **At Creighton, parents of dependent students may, at the discretion of the university be granted the right of access to the records of their dependents, but only upon receipt of a written request from the parent and upon providing documentation that the student is a dependent for tax purposes.**



# What Is Considered To Be An Education Record?

- ▶ **Education records are records that are directly related to the student and maintained by Creighton or a party acting for Creighton.**
- ▶ **Examples of education records include all information contained in the student files of the registrar, dean, academic and administrative departments; computer records; e-mail; microfilm; and other records directly related to the student.**

# What Types of Records Are Excluded From FERPA?

- ▶ Education records do not include:
  - ▶ Personal records of faculty and staff that are not available to others
  - ▶ Records of the public safety office which are maintained for law enforcement purposes
  - ▶ Employment records unless the employment is contingent upon the student attending Creighton
  - ▶ Medical records made and maintained in the course of treatment and disclosed only to those individuals providing treatment



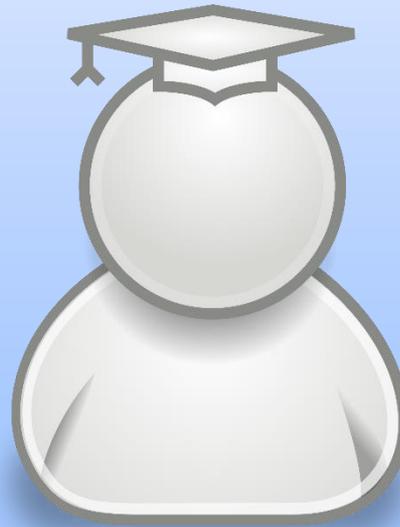


# What types of records are excluded from FERPA?

- ▶ **Records that only contain information about a student after he or she is no longer a student at Creighton.**

# What Records May Be Disclosed Without the Consent of the Student?

- ▶ **Generally, written consent is required before releasing information from the student's record. In some instances information may be released without student consent.**



# To Whom May Creighton Release Information Without Consent of the Student?

- ▶ To school officials with a legitimate educational interest
- ▶ To officials of schools to which the student seeks or intends to enroll
- ▶ To persons or organizations providing financial aid to the student
- ▶ To organizations conducting studies on behalf of Creighton





# To Whom May Creighton Release Information Without the Consent of the Student?

- ▶ To Federal, State or local authorities involving an audit or evaluation of compliance with educational programs
- ▶ To accrediting associations
- ▶ To persons in compliance with a judicial order or lawfully issued subpoena (NOTE: These cases should be referred to the General Counsel and/or the Registrar)
- ▶ To persons in a health or emergency situation



# To Whom May Records May Be Released Without the Consent of the Student?

- ▶ To an alleged victim of a crime of violence (the results of a disciplinary hearing)
- ▶ To parents when there is a violation of university policy dealing with the use of a controlled substance or an alcohol violation if the student is under 21
- ▶ Directory information may, at the discretion of the University, be released without the consent of the student

# What is Directory Information?

- ▶ Each institution is required to designate information considered to be directory information. At Creighton the following items have been so designated:
  - ▶ Student's Name
  - ▶ Enrollment Status
  - ▶ Address
  - ▶ Telephone Numbers
  - ▶ Date and Place of Birth
  - ▶ College or School enrolled
  - ▶ Class
  - ▶ Dates of Attendance
  - ▶ Expected Graduation Date

# What is Directory Information?

- ▶ Major field(s) of study and/or curriculum
- ▶ E-mail Address
- ▶ Photograph
- ▶ Degrees and awards received
- ▶ Participation in officially recognized activities and sports
- ▶ Weight and height of members of athletic teams
- ▶ Previous educational institution attended

# Can the Student Request That Directory Information Not Be Released?

- ▶ **The student may restrict the release of her/his directory information by designating this through the NEST.**





# Does the Law Require That Creighton Provide Copies of Records?

- ▶ **The law requires the university to provide access to the records but does not necessarily require that copies be made.**
- ▶ **Creighton does not provide copies of transcripts from high schools or colleges when those transcripts are available from the source.**



# Does the Law Require That Creighton Provide Copies of Records?

- ▶ **Creighton reserves the right to withhold the issuance of transcripts or diplomas for students who have an outstanding financial obligation to the university.**



# What Are My Responsibilities Under FERPA?

- ▶ All Creighton employees who have access to education records are responsible for maintaining the confidentiality of those records.
- ▶ Generally, school officials may not release information to a third party without the written consent of the student. This includes directory information that has been restricted by the student.
- ▶ Creighton employees should not release any student list to a third party.
- ▶ Employees requesting access to confidential educational records must be familiar with the provisions of FERPA.

# Who Do I Call If I Have A Question?

- ▶ For questions about an interpretation of the law or about specific situations, contact:
  - ▶ Melinda Stoner
  - ▶ University Registrar
  - ▶ Phone: 402-280-4021
  - ▶ Email: [melindastoner@creighton.edu](mailto:melindastoner@creighton.edu)

**If in doubt, don't give it out!**

