

Faculty and Staff Responsibilities Under FERPA

WHAT IS FERPA?

Family Educational Rights & Privacy Act of 1974 (FERPA) is a federal law that protects the rights and privacy of student educational records. FERPA requires that the university establish a policy and adopt and enforce procedures to protect the confidentiality, accuracy, and privacy of the information it collects on its students.

FERPA grants students rights, including the ability to view their educational records and disclose, or prevent some disclosure, of their educational records. The [Family Educational Rights & Privacy Act Annual Notice](#) is available online.

TO WHOM DOES FERPA APPLY?

What FERPA says, in effect, is that we may all have access to as much information about students as we need to do our jobs. Clearly, many people who work at the University have no access to student records and have no need for individual student information. Some of these same people, however, may come across confidential information in the course of doing their job. The janitorial staff, for example, may come across information about students. They are equally obliged, as we are, to respect its confidentiality.

Beyond any legal requirements, the University is bound by professional ethics to safeguard the integrity and confidentiality of student information. This includes all university officials, persons employed by the university in an administrative, supervisory, academic or research, or support staff position, regardless of their work classification of full-time, part-time or temporary.

WHAT IS DIRECTORY-LEVEL INFORMATION?

FERPA Directory-level Information is information the university can release without the prior written consent of the student. GVSU FERPA directory information includes name, local phone number and email address, dates of attendance, enrollment status, degrees and certificates and date earned, and major(s). Full directory information is restricted to the National Student Clearinghouses DegreeVerify and EnrollmentVerify Services and other uses by the university and its contractors for carrying out the university's mission. Otherwise only name, local phone number, and email address will be included.

CAN A STUDENT RESTRICT THEIR DIRECTORY INFORMATION?

Students have the option to prohibit the release of your directory information under FERPA. To exercise this option, please complete the [Directory Information Release/Withhold Form](#). It can be submitted in person at the [Registrar's Office](#) in Allendale (150 Student Services) or the Grand Rapids Pew Campus (115C DeVos Center), or by fax to (616) 331-2000.

WHO CAN SEE A STUDENT'S NON-DIRECTORY INFORMATION?

Student information beyond the directory level information is considered part of the student's educational record. At Grand Valley, access to student educational records without prior consent of the student is limited to those faculty, administrators, and staff who individually or collectively, are acting in the student's educational interest, within the limitations of their need to know.

WHAT IS CONSIDERED PART OF A STUDENT'S EDUCATIONAL RECORD?

Educational records include:

Information directly related to the student and maintained by the institution or party acting on its behalf.

Records can include but are not limited to:

- Handwriting
- Print
- Computer
- Videotape
- Audiotape
- Film
- Microfilm or Microfiche
- Email

Education records do not include:

- Private notes in your possession that are not accessible or revealed to any other persons and are not stored in the student's record
- Medical records
- Employment records when employment is not contingent on being a student, provided the record is used only in relation to the individual's employment
- Records created and maintained by a law enforcement unit used only for that purpose, is revealed only to law enforcement agencies of the same jurisdiction, and the enforcement unit does not have access to education records
- Information obtained when a person is no longer a student (i.e., alumni records) and does not relate to the person as a student.

MAY I ACCESS CONFIDENTIAL INFORMATION ABOUT STUDENTS?

Access to personally identifiable information contained in educational records may be given to appropriate University administrators, faculty members, or staff members and appropriate administrators or staff members of Grand Valley State University who require this access to perform their legitimate educational duties. Faculty members do not have access to student academic records unless their normal job duties specifically require access. This type of access is termed "legitimate educational interest."

AS A FACULTY MEMBER WHAT SHOULD I DO TO ENSURE THAT I AM FERPA COMPLIANT?

DISCLOSURE

As a faculty member you may not disclose any information about any student to anyone who does not need this information to do their job at Grand Valley.

Without the express, written permission of the student, parents, like all other third parties, may have access only to the student's directory information. If a student has restricted their directory information, then directory information is also considered confidential.

STORING RECORDS

Network data drives are not encrypted; however, **a departmental drive is the most secure method of data storage for sensitive data at GVSU.** The most common departmental shared drive is the L: drive. Check "Office DFS" shortcut on your desktop for your authorized network drives. DO NOT store sensitive data on your local hard drive or your personal network drive (N: drive). Sensitive data should never be stored in a cloud environment.

DATA DISPOSAL

Dispose of all material containing confidential information (such as tests, papers, class rosters) by shredding or by placing them in a receptacle intended for the collection of material to be disposed of in a secure manner.

The [Academic Records Retention and Disposal Policy](#) contains recommendations on what items should be retained, how long they should be retained, and by whom they should be retained.

RETURNING ASSIGNMENTS

Personally identifiable information about a student may not be disclosed without the student's express, written permission. Therefore, extreme care should be used to protect such information when returning assignments to students.

POSTING GRADES

Faculty members may use student-specific, password-protected systems (such as Blackboard) to communicate academic work grades or other confidential information to students on an individual basis. Students may also access their final course grades using myBanner. Do not display student scores or grades publicly in association with names, social security numbers, or other personally identifiable information.

LETTERS OF RECOMMENDATION

Writing a letter of recommendation may require express, written permission from the student to allow you 1) to access the student's educational records and 2) to disclose confidential information about the student to a third party. A faculty member, or any other appropriate University official, may not disclose confidential information from a student's educational records to a third party without express, written permission from the student. Students can submit a [FERPA Release for Reference Request](#) form to be completed by the student requesting a letter of recommendation from a staff or faculty member.

LEGAL REQUEST

Refer all judicial orders, subpoenas or other written requests for access to information or data subject to the Freedom of Information Act immediately to the Office of the University Legal Services.

BROWSING

You may not browse through student records, whether in computer files or scanned files, for information about students at random or for information about persons you may know.

QUESTIONS

If you are unsure what you can disclose or what may be considered part of an educational record please direct your questions to the [Registrar's Office](#) or [University Counsel](#).