

Students & FERPA

WHAT IS FERPA?

FERPA is a federal law that protects the privacy of students. The law assigns the student as the owner of his/her educational record and provides guidelines on how the educational institution is to use and release protected information. This ensures that information such as the student's grades, academic standing, and course schedule are not public information and that the student controls who has access to this information. This law also requires the educator to grant the students access to their personal records.

WHAT DOES THAT MEAN AS A STUDENT?

This means SIU can only give out information that is listed as directory information; however, students may place a FERPA hold to restrict directory information. Access to grades, academic standing, and course schedule (to name a few) are considered protected and cannot be released without the student's written consent.

WHAT ARE MY RIGHTS?

FERPA defines basic rights for students.

- The student is required to be notified annually of their FERPA rights
- The student is to be able to review and inspect their records
- The student has the right to request an amendment to their educational record they believe is inaccurate or misleading
- The student must consent to disclosure of non-public educational records (with exceptions)

WHY SHOULD I CARE ABOUT FERPA?

FERPA protects the student's privacy by dictating what can be accessed by the public. It is important for students to know and understand their rights, how those rights affect their role as students, and how to grant access to desired individuals.



DIRECTORY INFORMATION

WHAT INFORMATION IS PUBLIC?

The University is allowed to select some information about a student to make accessible to the public. This information is called "Directory Information." SIU has two levels of directory information. **Public Directory Information** is student information that is available to the public. This allows individuals such as employers or insurance agents to verify enrollment. **Non-Public Directory Information** is not available to the public, but is available to any University Official, student, or, at the University's discretion, University affiliates such as alumni associations. The directory information SIU has selected is the following:

Public Directory Information

- Student name
- Year at the University
- Dates of attendance
- Academic college and major field of study
- Enrollment status (undergraduate or graduate; full-time or part-time)
- Degrees, honors and awards received
- Most recent educational agency or institution attended
- Hometown
- University email address

Non-Public Directory Information

- Local address
- Permanent address
- Telephone listings

Directory information cannot include race, gender, SSN (or any part of SSN), grades, GPA, country of citizenship, ID number, or religion.

Public Directory information will be available to the public upon request and may be included in student directories published electronically.

CAN I HIDE MY DIRECTORY INFORMATION?

Yes, students are entitled to have public and non-public directory information withheld from the public. Non-disclosure of directory information must be requested through the registrar's office or in writing submitted to Husker Hub, 102 Canfield Administration Building, by current or formerly enrolled students.

IS THERE A DOWNSIDE TO HIDING MY DIRECTORY INFORMATION?

- Insurance companies and potential employers cannot verify your enrollment or awarded degree.
- If you make the dean's list, your name will not be published.
- Your name will not be included in the graduation program.
- When graduating, your name will not be listed in the programming with the rest of the graduates.
- **WHAT NON-DISCLOSURE DOES** - Non-disclosure means the University may not release any directory information about the student, except as permitted under the provisions of FERPA. The University may not even acknowledge to third parties that the person is a student.
- **HOW LONG DOES NON-DISCLOSURE LAST?** -This directory information restriction remains in effect until you remove it through the registrar's office. Directory information already included in hard copy publications will be removed at the next printing of the hard copy publication.
- **EXCEPTIONS** - Even though a student may have placed a FERPA restriction, the University has the right to share the student's information, without the student's authorization, with school officials who have a legitimate educational interest, in response to a judicial order or legally issued subpoena, and others.
- **DISCLAIMER** - The University will honor a student's properly submitted request to restrict the release of directory information but cannot assume responsibility to contact the student for subsequent permission to release the information. Regardless of the effect upon a student, the University assumes no liability for honoring a student's request that directory information be restricted.

WRITTEN CONSENT

WHAT IS WRITTEN CONSENT?

Written consent is provided by the student to individuals of their choice, such as a parent or guardian, that grants access to the student's personal educational records. These individuals cannot access these details without written consent.

IS MY CONSENT ALWAYS REQUIRED?

No. San Ignacio University may disclose educational records without consent under certain requirements and exceptions. These include:

- School officials that have a legitimate educational interest
- When there is a significant threat to the health or safety of a student or other individuals
- Records returned to the provider or creator of the information
- Educational institutions where the student plans to enroll or transfer
- Judicial orders or lawfully issued subpoena
- Any records included under the directory information unless they have been restricted by the student
- Parents if the students are Federal IRS dependents; proof of dependency is required
- Third parties with written agreement in conjunction with the evaluation of federal or state supported educational programs

HOW CAN I PROVIDE WRITTEN CONSENT?

Written consent must be granted in writing submitted to the Office of the University Registrar by current or formerly enrolled students.

We understand that a parent or guest may need to access your student account information. You can grant this access to them directly. This allows your parent or guest to see the same information as you.

Still have questions?

Please contact the registrar's office - registrar@sanignaciouniversity.edu

CAN I GRANT DIFFERENT LEVELS OF ACCESS?

Yes. There are several different levels of electronic access you can grant to others. Each level is independent of each other meaning you can grant access to one level, any combination of levels, or all levels based on the situation.

STUDENT ACCOUNTS

- This allows access to on-line bill payment, bills, account activity, payment history, and 1098T Forms.

STUDENT RECORDS

- This allows access to the student's class schedule and final grades.

PERSONAL INFORMATION

- This allows access to view addresses, phone numbers, and email addresses.

FINANCIAL AID

- This allows access to view financial aid



Review Information

DO I HAVE THE RIGHT TO INSPECT MY RECORDS?

Yes, FERPA allows students to inspect and review their personal educational records.

WHEN CAN I INSPECT MY RECORDS?

The University must respond to the request within 45 days from the date they receive a request for access.

HOW CAN I INSPECT MY RECORDS?

- A student should submit a written request that identifies the record(s) the student wishes to inspect to the Registrar, dean, head of the academic department, or other appropriate official.
- The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

CAN I REQUEST A COPY OF MY RECORDS?

Yes, you may request a copy. A fee may be applicable.

However, SIU is not required to provide a copy except in circumstances where not providing a copy prohibits the student from being able to review the records (such as great distance).

FREQUENTLY ASKED QUESTIONS Students

1. When do the FERPA rights of a student begin?

SIU has determined that for the purpose of FERPA, the 'first day' of attendance shall be the day on which an individual student has both paid any required enrollment deposit and has officially enrolled in classes for his or her initial term at SIU.

2. What are student's rights under FERPA?

- FERPA defines basic rights for students.
- The student is required to be notified annually of their FERPA rights
- The student is to be able to review and inspect their records
- Students have the right to request an amendment to their educational record that they believe is inaccurate or misleading.
- The student must consent to disclosure of educational records (with exceptions)

3. What is directory information?

The University is allowed to select some information about a student to make accessible to the public. This information is called "Directory Information." SIU has two levels of directory information. Public Directory Information is student information that is available to the public. This allows individuals such as employers or insurance agents to verify enrollment. Non-Public Directory Information is not available to the public, but is available to any University Official, student, or, at the University's discretion, University affiliates such as alumni associations. The directory information SIU has selected is the following:

• **Public Directory Information**

- Student name
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• **Non-Public Directory Information**

- Local address
- Permanent address
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- University email address
- Directory information cannot include race, gender, SSN (or any part of SSN), grades, GPA, country of citizenship, ID number, or religion.

FREQUENTLY ASKED QUESTIONS Students

4. Is there a way that SIU students can block access to directory information?

Students may restrict access to their directory information through the registrar's office

5. Is there anything in the educational record the student cannot, see?

- Students have the right to see everything in their educational record except:
- Information about other students
- Financial records of parents
- Confidential letters of recommendation if they waived their right of access.

6. How long does SIU keep records?

FERPA does not prescribe what records are created or how long they are to be kept; however, the University cannot destroy a record if there is a request to inspect and review. The SIU has official policies for student records; however, each type of record is kept for a type-specific time, typically ranging from "One Term" to "Permanent."

7. How does FERPA impact letters of recommendation?

The individual writing a letter or recommendation is permitted to include details about the student as long as the information falls under public directory information and does not qualify as educational records or non-public directory information. For example, the writer can state, "Exceptional Student," but cannot say, "Earned an A in my class." However, the author may include non-directory information or non-public directory information in his letter if written consent from the student is first obtained.

8. Does FERPA allow the University to disclose confidential information if there is an emergency?

Yes. In case of an emergency, FERPA allows the University to release non-directory information to appropriate parties (such as parents or law enforcement) if the information is necessary to the health or safety of the student or others.

9. What are not considered educational records?

- The following records are excluded from the definition of educational records:
- "Sole possession" records made by faculty and staff for their own use as reference or memory aids and not shared with others
- Personal observations
- Alumni records
- Peer graded papers and exams prior to the grade being recorded in the instructor's grade book

10. Are student-related comments and notes covered by FERPA?

Unless the notes are for the author's own personal use and not shared then they are part of the student's educational record and subject to FERPA. Since FERPA gives the student the right to review any or all of his/her educational record, these notes could be included in that review.

11. Do parents have access to a student's records?

No, parents do not have access to a student's records unless the student provides them with access or if they prove that the student is their IRS dependent.

12. Do students have the right to obtain copies of their educational records?

No. FERPA enforces the right to inspect and review records, not obtain copies. However, if denying copies to the student results in them not being able to examine their records, a copy must be provided.

13. How does FERPA impact distance learning students?

The same FERPA regulations that apply to on-campus students also apply to distance learning students. FERPA defines a student as "an individual who is or has been 'in attendance' at an educational agency or institution and regarding whom the agency or institution maintains educational records."

FREQUENTLY ASKED QUESTIONS

Students

14. What if the student is a minor?

FERPA applies to students who have reached the age of 18 OR attend a post-secondary institution. This is an either/or situation. If a minor is enrolled at SIU, enrollment means that the minor is a student of a post-secondary institution. FERPA applies to that individual as it would to any other student at SIU.

15. Is student consent always required?

No. The University may disclose educational records without consent under certain requirements and exceptions. These include:

- School officials that have a legitimate educational interest
- When there is a significant threat to the health or safety of a student or other individuals
- Returning records to the provider or creator of the information
- Educational institutions where the student plans to enroll or transfer
- Judicial orders or lawfully issued subpoena
- Court orders
- Any records included under the directory information unless they have been restricted by the student
- Parents if the students are Federal IRS dependents; proof of dependency is required
- Third parties with written agreement in conjunction with the evaluation of federal or state supported educational programs

16. Who are University Officials?

"University officials" are university employees or third parties under contract with the University to achieve educational missions of the University. This includes but is not limited to faculty, staff, coordinators, Student service personnel, deans, directors.

17. What is Legitimate Educational Interest?

An SIU official has legitimate educational interest if the official needs to review an educational record to fulfill his or her professional responsibilities for SIU.



FREQUENTLY ASKED QUESTIONS

Parents



1. Can I access my student's information?

Once a student reaches the age of 18 or attends an institution of postsecondary education, the parents have no rights under FERPA. However, the parent may gain access through the registrar's office with student permission.

2. But I am paying the bill, why can't I access my student's records?

FERPA was established to provide security and privacy to students. This law protects the student's information from being accessed by the general public. In order to protect the student as well as possible, the law states that only those who have a security can access the student's records. This clause includes parents. In order to access their information, you will need to talk to your student about getting written access through the registrar.

3. What if there is a family emergency; can I know my student's class schedule?

Generally, the answer is no. However, FERPA states that if the release of non-directory information is "necessary to protect the health or safety of the student or other individuals," then this information may be released. Please call the Registrar's Office or Student service if you have an emergency.

4. My child is a minor; do I have access to their information?

If your student is enrolled in a university, FERPA applies no matter the age. Therefore, you must have written consent from the student to access educational records.

5. Is there any way I can access my student's records without written consent?

Yes, but strict requirements must be met, and proper paperwork and proof must be included.

DEPENDENT: Parents can receive information about their student's record if they submit proof that the student is a dependent. Proof is considered to be a copy of the most recent year's federal tax form showing that the parent claims the student as a dependent. Releasing information is at the University's discretion.

EMERGENCY: Student non-directory information can be released if the information is "necessary to protect the health or safety of the student or other individuals." Parents should contact the Student Service if they feel they need this information. Releasing information is at the University's discretion.