

FERPA for New Deans and Department Heads

Fall 2020

College students have the right, in general, to:

- ▶ Control the disclosure of their "education records" to others
- ▶ Inspect and review their own "education records"
- ▶ Seek amendment of their "education records"

Disclosure of Education Records

- ▶ Before disclosing education records - or information from education records - an institution must obtain a signed and dated written consent from all relevant students, specifying:
 - ▶ The records that may be disclosed
 - ▶ The purpose for which they may be disclosed
 - ▶ The persons or classes to whom they may be disclosed
- *Student gets this form from WKU Registrar*

Except you do not need consent to disclose:

- ▶ “directory information”
- ▶ To “school officials”
- ▶ In connection with transfers
- ▶ To parents of a dependent student (as defined by Sec. 152 of the Internal Revenue Code)
- ▶ In a “health or safety emergency”
- ▶ In disciplinary actions
- ▶ In litigation
- ▶ To the government
- ▶ In connection with financial aid

So, who can access student information?

- ▶ Persons who have *a legitimate educational need to know* -
 - ▶ ...the demonstrated need to know by those officials of an institution who act in the student's educational interest, including faculty, administrators, clerical and professional employees, and other persons who manage student record information.
- ▶ This does not include:
 - ▶ Parents
 - ▶ Spouses
 - ▶ Law enforcement
 - ▶ Media

What do I do when parents, spouses, “significant others,” contact me to talk about the student?

- ▶ This one is easy - don't talk to them about the student. There is no legal requirement or university policy that requires you to do so.
- ▶ Be courteous, but explain that federal law (FERPA) prohibits disclosure of a student's academic record, and that includes discussing it.
- ▶ If it is a life safety issue, direct them to the WKUPD.
- ▶ **If they persist, you can direct them to General Counsel or to the University Registrar.**