

Missouri State University
Office of the Registrar
Understanding and Complying with FERPA

What is FERPA?

The Family Educational Rights and Privacy Act of 1974, as amended, sets forth requirements regarding the rights of students and the obligations of institutions to ensure the privacy and accuracy of education records. The Act applies to all institutions that receive federal funds administered by the U.S. Secretary of Education (financial aid, veterans benefits, grants, etc.). Institutions found to be in violation could have these federal funds withheld.

Who has FERPA rights?

Students who are currently or were formerly enrolled, regardless of their age or status in regard to parental dependency, have rights under FERPA until their death. Those who have applied but never attended (including those denied admission) do not come under FERPA guidelines.

What rights does FERPA afford students with respect to their education records?

- The right to inspect and review their education records.
- The right to request an amendment to the education records that the student believes are inaccurate or misleading. (The right to challenge grades does not apply unless the grade assigned was inaccurately recorded, under which condition the record will be corrected.)
- The right to limit disclosure of personally identifiable information, including “directory information.”
- The right to file a complaint with the U.S. Department of Education, Family Policy Compliance Office, concerning alleged failures of an institution to comply with the requirements of FERPA.

What are education records?

With certain exceptions, an education record is any record (1) from which a student can be personally identified and (2) maintained by the institution.

What are not education records?

- Sole possession records or private notes held by school officials that are not accessible or released to other personnel. Notes made in the presence of others are not sole possession notes and are thus considered an education record.
- Law enforcement or campus security records that are solely for law enforcement purposes and maintained solely by the law enforcement unit.
- Records relating to individuals who are employed by the institution (unless employment is contingent upon being a student).
- Records relating to treatment provided by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional and disclosed only to individuals providing such treatment.
- Records of an institution that contain information about an individual obtained after that person is no longer a student at that institution, i.e., alumni records.

Who may obtain or have access to a student’s education record?

- The individual student
- Whomever the student authorizes by providing the institution with a written release (release must be written, signed and dated and must specify the records to be disclosed and the identity of the recipient)
- Any party requesting directory information (unless the student has a FERPA hold)
- University officials of Missouri State University who have a legitimate educational interest
- Officials of other schools in which a student seeks or intends to enroll or is enrolled
- Parents if parents claim the student as a dependent for tax purposes. The University will exercise this option only on the condition that evidence of such dependency is furnished to the Office of the Registrar and all requests for disclosures are referred to that office

- Persons in connection with a health or safety emergency
- An alleged victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense in connection with a Disciplinary Proceeding
- Parents regarding alcohol and drug violations of a student under 21 years of age
- As otherwise provided in 20 U.S.C. 1232g(b) and 34 CFR Sec. 99.31

What is Directory Information?

FERPA allows institutions to determine, within established guidelines, the items of information that can be released without the student's consent. This allows institutions to provide beneficial services to students such as verifying enrollment for insurance purposes, verifying degrees earned for employment purposes, providing basic contact information so that students may contact each other, and so on. However, students may request that this information not be released and such requests must be honored.

At Missouri State University, the following is considered to be directory information.

- Name
- Address*
- Telephone number*
- Campus email address
- Field of study, including majors, minors, certifications, and pre-professional areas of study
- Classification (e.g. sophomore)
- Enrollment status (full-time, part-time, or less than part-time)
- Participation in officially recognized activities and sports, including photographs of athletes
- Dates of attendance, including matriculation, drop, and withdrawal dates
- Degrees and certificates received including date awarded
- Awards received, including deans list, scholastic honors, departmental honors, memberships in national honor societies, athletic letters, and University-funded scholarships (excluding those that are need based)
- Previous education institutions attended

*The University maintains a number of different address and telephone types for students. Three (residence hall, current mailing, and primary/permanent) are considered directory information. General requests for student addresses (e.g., requests for an "address directory of current students") will be fulfilled by providing one address for each student based on availability according to the following hierarchy: (1) residence hall; (2) current mailing, and (3) primary/permanent. General requests for student telephone numbers will be generated in similar fashion.

All non-University contact information provided for purposes of the emergency notification system is not considered directory information. Cell phone numbers, unless provided as a residence hall, current, or primary/permanent telephone number, are not considered directory information.

How do students request non-disclosure of directory information?

Students who do not want their directory information made available must complete a "Refusal to Permit Disclosure of Directory Information" form in the Office of the Registrar, Carrington Hall 320. This is referred to as a FERPA Hold and also described as a "confidentiality indicator" in Banner. *All* directory information will not be available to the general public. Off campus inquiries regarding a student with this level of protection can only be answered with the statement of, "I cannot give you information on that individual" "We cannot even indicate that the individual is or was a student at our institution. Generally, University officials will have routine access to review the student's information.

A request to only exclude information from the online directory and printed directory (but not to prevent other disclosures of directory information) may be completed by currently enrolled students at <http://search.missouristate.edu/hide> (the directory is printed each fall). Students who request this will have their directory information removed from the web People Finder and printed directory within 48 hours of submitting the request. (To be removed from anything other than the online people search or printed directory, including the Outlook Global Address Book, a FERPA hold must be completed.) In order to be excluded from the printed directory this request must be completed before the printing of the directory, which takes place approximately two weeks after the beginning of each fall semester. Following the printing of the directory, submitting the request will exclude students only from the online directory and not the printed directory.

How do I know if a student has requested a FERPA hold?

The computer database and web systems including Banner INB, Banner SSB, and MSU developed pages will display a message, indicating confidential information exists on the screen for such students.

Partners in Education (PIE) Program

The University Academic Assistance Office in University Hall room 122 provides a means for freshman students to indicate a partner (generally a parent) who may obtain non-directory information upon request without the student providing authorization each time. The partner will receive mid-term and final grade reports of the student and may telephone the Academic Assistance Office to obtain other information regarding the student's academic progress. Students may rescind permission to release information to the partner at any time. Please note that only the Academic Assistance Office personnel may release non-directory information to the partner.

Class Lists

Instructors should never circulate a class list that contains student identification numbers. Instructors who use this method to have students indicate attendance should use the class list available to them through the My Missouri State Teaching and Advising tab.

Posting Grades

Instructors may post grade information in a public area, but only if the listing contains no personally identifiable information on the students. The students must be listed in a random order (not alphabetically) and by a number or code known only by the instructor and the student.

Letters of Recommendation

Statements made by a person making a recommendation that are made from that person's personal observation or knowledge do not require a written release from the student. However, if personally identifiable information obtained from a student's education record is included in a letter of recommendation (grades, GPA, etc.), the writer is required to obtain a signed release from the student that 1) specifies the records that may be disclosed, 2) states the purpose of the disclosure, and 3) identifies the party or parties to whom the disclosure can be made. If kept on file by the person writing the recommendation, it would be a part of the student's education record and the student would have the right to review unless the student had waived that right of access and this is indicated on the signed release.

Deceased Students

Deceased students are not covered under FERPA; however, it is the University's policy not to release educational records of deceased students for a period of 25 years after the date of the student's death, unless required to do so by law or authorized to do so by (1) the executor of the deceased's estate; or (2) the deceased student's spouse, parents or children. The University may request proof of death.

Additional Information

For additional information regarding FERPA including the Notification of Student's Rights, please visit the web at: www.missouristate.edu/registrar/FERPA.html

If you have questions regarding FERPA, campus officials to contact are:

Dr. Rob Hornberger, Registrar

Ms. Sebrina Glenn, Assistant Registrar-Records

Mr. Donald Simpson, Associate Vice President for Enrollment Management

Mr. Mike Jungers, Associate Dean of Students

Dr. Penni Groves, Legal Counsel

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