

Family Educational Rights & Privacy Act (FERPA)

In June 1974, the Department of Health, Education & Welfare published final regulations in the Federal Register for the Family Educational Rights and Privacy Act of 1974 (PL 93-380), commonly referred to as FERPA. In June 1976, an addition related to the act, popularly known as the Buckley Amendment, was published in the Federal Register. The purpose of the legislation was simple: to protect all student information, and to give the student control over who may receive student information.

Under this act TSTC follows these guidelines for release of student data:

- 1) Only directory information, as defined by the educational institution, may be released without the written authorization of the student. FERPA allows, but does not mandate, the release of information classified as “directory information”. Each college establishes its own definition of directory information. Directory Information as defined by TSTC includes:

Student’s name; preferred address; e-mail address; preferred telephone number; major field of study; classification; enrollment status; dates of attendance; degrees, certificates, and awards received; participation in officially recognized activities and sports; weight and height of members of athletic teams; photographic images; and the most previous educational institution attended by the student.
- 2) Non-directory information is never released without the student’s written authorization. These items include, but are not limited to: student schedule and course enrollment, grade point average, academic standing, and grades earned.
- 3) Students may contact any TSTC admissions, registration or records office to request directory information be withheld from the public. The request must be in writing and when approved, a code is entered in student information system to flag the request. A message stating RELEASE NO INFORMATION appears on all student information screens. The block is permanent until the student requests a change in writing.
- 4) Parents (or legal guardians) may receive non-directory information only by providing proof, such as a certified copy of a federal income tax return for the more recent tax year, that the student is a legal dependent.
- 5) Spouses, friends, siblings and others may not receive non-directory information regardless of need without the specific and written authorization of the student.
- 6) Authorized representatives of some state and/or federal agencies, particularly those providing financial aid benefit programs, may receive both directory and non-directory information. Examples include Department of Education, Veterans Administration, Social Security Administration, Office of Personnel Management, and Department of Defense.
- 7) School officials at TSTC and/or other educational institutions may receive both directory and non-directory information on a need to know basis if a legitimate educational interest is established. A ‘school official’ is a person: employed by the College in an administrative, supervisory, academic, or support staff position; serving on the Board of Regents ; employed by or under contract to the College to perform a special task, such as the attorney or auditor; or employed by the TSTC Police Department

A legitimate educational interest is established if the information is necessary for the requestor to: perform appropriate tasks specified in a position description or by a contract agreement; perform a task related to a student’s education; perform a task related to the discipline of a student; provide a service or benefit to the student such as health care, counseling, job placement, or financial aid; provide educationally related information to the student concerning extra-curricular activities and student organizations; or maintain the safety and security of the campus

A legitimate educational interest is determined by the appropriate administrator from a TSTC Admissions, Registration or Records Office. Release of information to a school official having a legitimate educational interest does not serve as permission to share that information with a third party without the student's written permission.

- 8) All instances of release of information are documented in the student record.
- 9) Students may inspect and review their student records upon filing a request with the appropriate administrator at a TSTC campus. Students may petition TSTC to amend or correct any part of their academic records which is believed to be inaccurate, misleading, or in violation of the privacy or other student rights. When the college decides it will not amend or correct a student's record, the student has a right to a hearing to present evidence that the record is inaccurate, misleading or in violation. The hearing will be in compliance with Section 99.21 and Section 99.22 of the Family Educational Rights and Privacy Act of 1974, as amended.

To insure compliance with FERPA requirements, students or other individuals requesting access to student records will follow these guidelines:

- 1) The transaction of most business related to student records is conducted in person by the student and requires the student's signature. A picture ID may also be required for some transactions.
- 2) A student may give written authorization to a third party to conduct business.
- 3) All requests for non-directory information must be made in writing to the appropriate TSTC Admissions, Registration or Records office.
- 4) All release of student information must be documented on a form to be provided by the appropriate TSTC Office.
- 5) An official transcript is provided at no charge on request of the student as long as there is no outstanding financial obligation to the College.
- 6) Verification of student enrollment letters or forms for a current semester are not released until after the official census date for the semester.
- 7) Requests for computer generated lists, labels, or transcripts must be submitted in writing for the approval of the appropriate TSTC administrator, usually the Registrar.
- 8) Subpoenas should be referred to the Director of Admissions and Records or Registrar.

More detailed information is available at the following websites:

<http://www.ed.gov/offices/OM/ferpa.html> Family Policy Compliance Office, Family Rights & Privacy Act

<http://www.ed.gov/offices/OM/fpco/ferparegs.html> Family Rights & Privacy Act Regulations