



# WHAT YOU SHOULD KNOW ABOUT FERPA

## *Family Educational Rights and Privacy Act*

More information from the US Dept. of Education can be found here:

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

More information about Johns Hopkins University's policy on FERPA:

[http://www.jhu.edu/news\\_info/policy/ferpa.html](http://www.jhu.edu/news_info/policy/ferpa.html)

### **What is FERPA?**

The Family Educational Rights and Privacy Act (FERPA) is a Federal law, enforced by the U.S. Department of Education, designed to protect the privacy of a student's education record and prohibits the University from disclosing information from those records without the written consent of the student.

### **What is an Education Record?**

An education record is defined as a record maintained by an educational institution and includes information that makes a student personally identifiable. Examples of personally identifiable information are: name, address, telephone number, or Social Security Number or another student identifier. A record can be information maintained in any way, including (but not limited to) handwriting, film, audio, video, computer media, print, or microfilm. JHU may not disclose education records about students nor allow inspection of student records without written permission by the student.

### **What is Directory Information?**

Under the terms of FERPA, the University is permitted to disclose "Directory Information" about a student without the student's consent. Johns Hopkins University has established the following as directory information:

- The name of a student who is in attendance or who has been in attendance
- The local, home and e-mail addresses of a present or former student
- The telephone number of a present or former student
- The date and place of birth of a present or former student
- Names of parents and spouse
- The major field of study of a present or former student
- Participation of a student or former student in officially recognized activities and sports
- Dates of attendance
- Degrees and awards received and pertinent dates
- Honors
- Photograph
- Year of study
- Hopkins ID



FERPA permits students to inform JHU that the information above **is not to be released**.

### **To Whom and under What Conditions can the University disclose Non-Directory personally identifiable information without the written consent of the student?**

- University school officials, faculty, administrators, and staff members who have legitimate educational interests
- Officials of another school or school system in which the student seeks or intends to enroll
- U.S. Comptroller General, Secretary of the U.S. Dept. of Education, U.S. Attorney General, state and local educational authorities
- Third party contractors, specifically, the National Student Clearinghouse
- Financial Aid representatives
- Accrediting Organizations
- A lawfully issued subpoena



- In a health or safety emergency
- To the parent of a student under the age of 21 -for the disclosure of the student’s violation of any federal, state or local law

### **Can Parents have Access to Children’s Educational Records?**

At the postsecondary level, parents have no inherent right to inspect the education records of their sons or daughters, although the University may disclose education records to parents of students who are claimed as dependents for federal income tax purposes. University policy requests that parents provide written authorization from their students when they request access to education records.

### **Is the Posting of Grades by Faculty permissible under FERPA?**

No. The public posting of grades by the student’s name or social security number without the student’s written permission is a violation of FERPA. Additional violations include:

- Linking the name of a student with that student’s social security number in any public manner, such as requiring SSN on submitted materials
- Leaving graded tests in a stack for students to pick up by sorting through the papers of all students
- Circulating a printed class list with names and social security numbers of grades as an attendance roster
- Discussing the progress of any student with anyone other than the student (including parents) without the written consent of the student
- Providing lists of students enrolled in class to a third party for any commercial purpose
- Providing student schedules or assisting anyone other than University employees in finding a student on campus



### **Your Responsibilities as a Staff Member**

As an employee of Johns Hopkins University, you may have access to student records. Their confidentiality, use, and release are governed by FERPA. You have a responsibility to protect all education records in your possession. In general, all student information must be treated as confidential. Even public or “directory” information is subject to restriction on an individual basis. Examples of FERPA violations include:

- Releasing confidential student information (non-directory) to another student, University Organization, or outside entities
- Distributing transcripts of a student’s academic record. Transcript requests must be submitted to the Registrar’s Office
- Leaving reports or computer screens containing confidential student information in view of others or leaving your terminal unattended
- Allowing another person to access student records because you permit him or her to use your computer access code
- Putting paperwork in the trash with student information (i.e., social security number or grades)
- Giving out directory information if the student has submitted an Exclusion



### **What happens if the University does not comply with FERPA?**

The Department of Education may issue a notice to cease the practice complained of and ultimately could withhold student aid funding. Depending on the type of record and the nature of the disclosure, other penalties could be imposed.

### **Questions**

If you have any questions concerning FERPA or questions concerning the type of information that can or cannot be released, please contact the Office of the Registrar, 410-234-9250, or the Office of the General Counsel, 410-516-8128.