

FERPA is a federal law that governs the privacy of education records. The intent of the law is to protect the rights of eligible students and to ensure the privacy and accuracy of education records. The law applies to all institutions that are recipients of federal aid administered by the U.S. Secretary of Education.

FERPA affords eligible students four specific rights:

1. The right to inspect and review their education records
2. The right to request an amendment to their education records
3. The right to control disclosure of personally identifiable information contained in their education records
4. The right to file a complaint with the U.S. Department of Education alleging failure by the university to comply with their rights under FERPA



Who is an eligible student?

At Vanderbilt, an eligible student is defined as someone currently or previously enrolled in an academic offering of the university. This does not include prospective students or applicants to any academic program of the university. For those students who are newly admitted to Vanderbilt, eligibility for FERPA rights becomes effective on the first day of classes for students who have enrolled in at least one course.

What are education records?

Education records are directly related to a student and maintained by an institution or its agent or by a party acting for the institution or agency. Education records can exist in any medium including email, computer files, computer screen displays, paper documents, printouts, tapes, disks, film, and microfilm/microfiche, among others.

Education records include such things as graded papers, exams, transcripts, and notes from a conversation with or about a student that are placed in a student's file for others in the department to reference.

Education records DO NOT INCLUDE such things as:

- Sole possession records, i.e., records/notes in sole possession of the maker, used only as a personal memory aid and not revealed or accessible to any other person
- Peer-graded papers before the instructor has collected them
- Medical treatment records that include—but are not limited to—records maintained by physicians, psychiatrists, and psychologists
- Employment records unless employment is based on student status
- Law enforcement unit records
- Alumni records

FERPA requires that students be advised annually of their rights concerning their education records and the categories of information that Vanderbilt University has designated as public or directory information. It is the policy of Vanderbilt University to comply fully and fairly with FERPA. This brochure contains basic information concerning FERPA compliance. More detailed information about FERPA compliance at Vanderbilt can be found at registrar.vanderbilt.edu/ferpa.

Training and Consultation

The Office of the University Registrar provides in-person training several times per year. Please inquire about FERPA training opportunities for individual schools/departments by sending email to university.registrar@vanderbilt.edu. One-on-one consultation is also available.

Contact information

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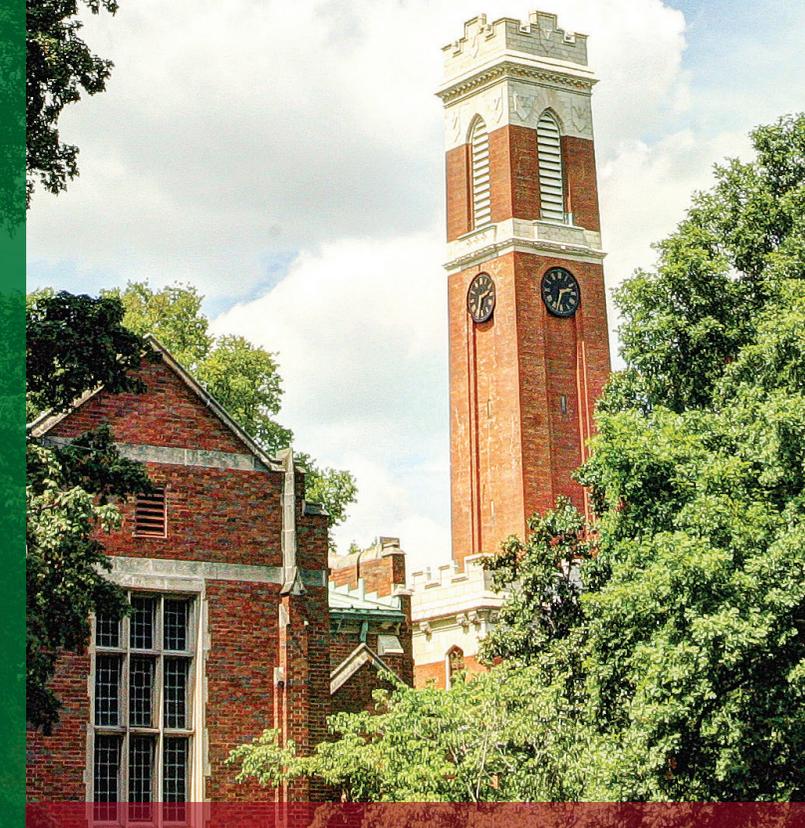
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OFFICE OF THE
University Registrar

Family Educational Rights and Privacy Act

FERPA

A quick-reference guide
for faculty and staff at
Vanderbilt University



VANDERBILT UNIVERSITY

What is directory or public information?

FERPA provides the university the ability to designate certain student information as “directory information.” Directory information is information that would not generally be considered harmful or an invasion of privacy if disclosed. Directory information *may* be made available to any person without the student’s consent unless the student enacts a FERPA hold through the Office of the University Registrar.

Vanderbilt has designated the following as directory information:

- Name
- Address
- Telephone number
- Email address
- Student ID photo
- Major field(s) of study
- School
- Classification
- Participation in officially recognized activities and sports
- Weights and heights of members of athletic teams
- Dates of attendance
- Degrees and awards received
- The most recent previous educational agency or institution attended by the student



What is considered non-directory (private) information?

Non-directory (private) information is information contained in a student’s education record that generally would be considered harmful or an invasion of privacy if disclosed. Student information that is considered private must be protected at all times. The university will not release private information from a student’s education record unless the student has provided written authorization. Exceptions are noted in the university’s annual notification of FERPA rights.

Examples of private information include, but are not limited to:

- Social Security number
- Grades
- Hours completed
- Grade point average (GPA)
- Current class schedule
- Parent name and address
- Race/Ethnicity
- Gender
- Country of citizenship
- Religious affiliation
- Disciplinary status
- Marital status
- Test scores (e.g., SAT, GRE, etc.)



What constitutes “legitimate educational interest”?

FERPA permits university employees to have access to student education records in which they have a “legitimate educational interest.” Such access does not require prior written consent of the student. Legitimate educational interest is considered necessary for employees to carry out their job responsibilities in support of Vanderbilt’s educational mission.

Important points pertaining to “legitimate educational interest”:

- Curiosity is not legitimate educational interest. Having access to student education records does not equate to license to access them out of curiosity.
- Employment by Vanderbilt University does not constitute legitimate educational interest. Accessing student education records must be related to an employee’s job responsibilities in support of the university’s educational mission.
- Legitimate educational interest is limited to the specific record(s) the employee needs to access to carry out his or her job duties. Access to education records does not authorize unrestricted use.



Posting grades

The public posting of grades by a student’s name or personally identifiable information (e.g., student ID number or SSN) without the student’s written permission is a violation of FERPA even if the students’ names are obscured. Faculty should use the Online Grading application, which includes the appropriate security controls, to post student grades. When the grades are posted in Online Grading, they are available for student view in the secure YES application.

Letters of recommendation

Written permission of the student is required to release a letter of recommendation if any information included in the recommendation is part of the “education record” (grades, GPA, and other non-directory information) or is an assessment of a student’s performance, such as her or his rank in the class. Statements made from personal observation or knowledge do not require a signed release.

Crisis situations/emergencies

An educational institution may release non-directory information in a crisis situation or an emergency if the institution determines that release of the information is “necessary to protect the health or safety of the student or other individuals.” In the case of an emergency, contact the appropriate individuals (e.g., Vanderbilt Police Department, Dean of Students, the Office of the Provost, or the Student Health Center) and describe the situation that led you to make the call. Be sure to document with whom you spoke, when you called or were called, and the details of your conversation.