



## FERPA GUIDELINES

### Legitimate Education Interest

What is “legitimate educational interest”? In accordance with FERPA, a school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibility. This includes such purposes as:

- Performing appropriate tasks that are specified in his/her position description or by a contract agreement;
- Performing a task related to a student’s education;
- Performing a task related to the discipline of a student;
- Providing services for the student or the student’s family, such as health care, counseling, job placement, or financial aid.

What is NOT “legitimate educational interest”? Legitimate educational interest does not convey inherent rights to any and all student information. The law discriminates between educational interest, and personal or private interest; determinations are made on a case by case basis. Educational interest does not constitute authority to disclose information to a third party without the student’s written permission.

### Parental Access to Student’s Educational Record

When a student reaches the age of 18 or begins attending a postsecondary institution, regardless of age, FERPA rights transfer from the parent to the student. Parents must obtain a signed consent from their child to receive non-directory information. Exceptions based on dependency require proof consisting of a signed copy of the IRS Federal Tax Return clearly identifying the student as dependent with a social security number matching that in our files. The consent form will be kept on file in the Records Office. Should a parent contact you regarding their child, you must check for this authorization prior to releasing any information. If the authorization does not exist, you must not discuss the student with their parent and advise the parent that their child must give us written authorization before you are allowed to do so.

### Special “DONTS” for Faculty

To avoid violations of FERPA rules:

- **DO NOT** at any time use the student’s social security number or BANNER ID in any public posting, (including the classroom, example: do not pass around your class roster for student’s to sign, initial, etc.).
- **DO NOT** ever link the name of a student with that student’s social security number or BANNER ID in any public manner.
- **DO NOT** leave graded tests in a stack for students to pick up by sorting through the papers of all students; place each one in a separate envelope.
- **DO NOT** circulate a printed class list with student name, BANNER ID, or any other non-directory information, or grades as an attendance roster.
- **DO NOT** discuss the progress of any student with anyone other than the student (including parents) without the consent of the student.
- **DO NOT** provide anyone with lists of students enrolled in your classes for any commercial or other purpose.
- **DO NOT** provide anyone with student schedules or assist anyone other than College employees in finding a student on campus.

Information provided by The AACRAO 2001 FERPA Guide

Middlesex Community College does not discriminate on the basis of race, color, national or ethnic origin, religion, age, sex, marital status, sexual orientation, physical disability, mental disorder (or history thereof), or criminal record in its educational and employment practices. Political beliefs and veteran status are also part of the nondiscrimination coverage in the Board of Trustees’ Policy on Student Rights. Further, racism and sexual harassment are prohibited. Inquiries regarding this policy should be directed to Human Resources 860-343-5705 or Dean of Learning & Student Development 860-343-5706.

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## FERPA FOR FACULTY & STAFF

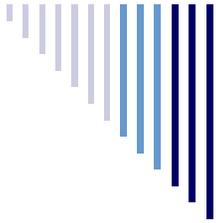
*Family Educational Rights & Privacy Act*



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## What is FERPA?

Maintaining confidentiality of student records is everyone's responsibility whether you are faculty, staff, or student worker.

Annually, Middlesex Community College informs students of the Family Educational Rights and Privacy Act of 1974, as amended by publishing the information in the College Catalog and the Student Handbook. This Act (Formerly known as the Buckley Amendment), which the institution intends to comply with fully, has been designated to protect the privacy of educational records. The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

The following is considered "Directory Information" by the Connecticut Community College System. College policy precludes releasing this information publicly except as needed under the "legitimate educational interest" in the performance of assigned duties. Students who want this information to be confidential must notify the Registrar in writing within the first 2 weeks of the semester. Forms are available upon request.

Directory Information: (Chancellor's Office Legal Memorandum 98-4)

- Student's Name
- Addresses
- Dates of Attendance (semesters)
- Full vs. part-time status
- Awards, honors, and graduation date

All other information is considered non-directory information and, with some exceptions, requires the written consent of the student for the release of information to any third party.

## What is an Educational Record?

Any information provided by a student to the College for use in the educational process is considered a student educational record:

- Personal information
- Enrollment records (application, transcripts, test scores, etc.)
- Grades
- Schedules

Student educational records may be:

- A document/file in the Records Office
- A computer printout in your office
- A class list on your desktop
- A computer display screen
- Notes you have taken during an advisement session
- Email between you and the student

## Posting of Grades by Faculty

The public posting of grades either by the student's name or social security number or student/BANNER ID is a violation of FERPA. This includes the posting of grades to a class website and applies to any public posting of grades for students taking distance education classes.

Instructors and others who post grades should use a system that ensures that FERPA requirements are met. This can be accomplished by using code words or randomly assigned numbers that only the instructor and individual student should know. Our recommendation is that no grades be posted.

Notification of grades via a postcard violates a student's privacy rights. It must be in a sealed envelope with security precautions.

Notification of grades via email is not recommended. There is a minimal guarantee of confidentiality on email. The institution would be held responsible if an unauthorized third party gained access, in any manner, to a student's educational record through any electronic transmission method.

MxCC provides a secure WEB for Student product for students to view their academic record and a secure WEB for Faculty product for submitting grades.

## Letters of Recommendation

Statements made by a person making a recommendation that are made from that person's personal observation or knowledge does not require a written release from the student. However, if personally identifiable information obtained from a student's educational record is included in the letter of recommendation (grades, GPA, etc.), the writer is required to obtain a signed release from the student which (1) specifies the records that may be disclosed, (2) states the purpose of the disclosure, and (3) identifies the party or class of parties to whom the disclosure can be made.

If the letter is kept on file by the person writing the recommendation, it would be part of the student's education record and the student has the right to read it unless he or she has waived that right access.

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Sample letter of recommendation —

I give permission for Prof. Smith to write a letter of recommendation to:

Allstate Insurance  
324 Wilkins Drive  
Atlanta, GA 33011

Prof. Smith has my permission to include my GPA and grades. I waive (or do not waive) my right to review a copy of this letter at any time in the future.

Signature/Date

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## The Media

Nothing in FERPA allows an institution to discuss a student's Educational record publicly — even if a lawsuit has made the information a matter of public record. A school official may not assume that a student's public discussion of a matter constitutes implied consent for the school official to disclose anything other than directory information in reply. Additionally, College employees should follow College policy regarding the release of information to the media.