

Grinnell College FERPA FAQ for Faculty

What is FERPA?

Sometimes called the Buckley Amendment, FERPA is the Family Educational Rights and Privacy Act. Passed by the U.S. Congress in 1974, FERPA is a federal Act that grants four specific rights to eligible students:

1. The right to consent to disclosure of their educational record.
2. The right to inspect and review their educational record.
3. The right to request an amendment to their educational record.
4. The right to file a complaint with the U.S. Department of Education's [Family Policy Compliance Office \(FPCO\)](#).

Why should I care about FERPA?

As a Grinnell College faculty member, you share the responsibility for protecting the privacy rights of Grinnell students. It is most important to know that eligible students must authorize the College in writing prior to the release of any portion of their educational record to a third party (even a parent), with some notable exceptions.

Please see the [FERPA Glossary](#) for more information on what defines a “school official,” “eligible student,” “educational record,” and “parent.”

Why is access to a student’s educational record so limited?

From a legislative perspective, FERPA's primary purpose is to establish a uniform framework for access, review, and amendment of educational records, at all schools, nationwide. From an institutional perspective, a student’s right to consent to disclosure of their educational record is in keeping with the College’s policy on [self-governance](#).

How is FERPA administered at Grinnell?

Administration of FERPA at Grinnell College is split based on the type of educational record. The [Registrar](#) is the custodian of all academic information (e.g. grades, student course schedule, academic transcript, etc.) and the [Associate Vice-President for Student Affairs](#) is the custodian of all student affairs information (e.g. conduct records, hearing outcomes, etc.) The Registrar is responsible for institutional FERPA training and notifications.

Can third parties (e.g. parents, grandparents, employers, nonprofit organizations, government agencies, etc.) contact me with questions about a student?

Faculty must abide by FERPA and many not provide any portion of a student’s educational record to a third party.

What if the student signed a FERPA waiver? Can third parties contact me then?

Faculty do not have the ability to verify possession of a waiver to disclose educational records. Refer the third party to one of the College's FERPA compliance officers: the [Registrar](#) or the [Associate VP for Student Affairs](#).

Does FERPA still apply if the third party is paying the student's College bill?

Yes, as a matter of institutional policy, written authorization from the student is required to release any portion of their educational record to a third party, even to the parent of a dependent student.

I have a high school student in my class. Can third parties (parents, their high school counselor, etc.) contact me with questions about the student?

As a student in attendance at Grinnell College, high school students are eligible for protection under FERPA. Refer the third party to one of the College's FERPA compliance officers: the [Registrar](#) or the [Associate VP for Student Affairs](#).

I received a subpoena, court order, or request from a government official or officer of the law to disclose information about a student. What do I do?

All subpoenas, court orders, or requests for information from the government or law enforcement should be referred to one of the College's FERPA compliance officers: the [Registrar](#) or the [Associate VP for Student Affairs](#).

What information about students can I disclose to a third party?

Under FERPA, Grinnell College defines some student information as [Directory Information](#). This information is considered public and may be released without the student's written authorization. (Do not confuse Directory Information with the information contained in the College's online directory. Directory Information refers to a very specific set of data defined as public by the College.) Please see [Grinnell College Directory Information](#) for a full listing of data defined by the College as public information.

Remember that, under FERPA, students may choose to block even Directory Information from disclosure. For this reason, it is best practice to refer requests for disclosure from a third party to one of the College's FERPA compliance officers: the [Registrar](#) or the [Associate VP for Student Affairs](#).

So what you're saying is, I should direct all third party requests for disclosure of student information to the appropriate FERPA compliance officers?

Correct.

That sounds like a really awkward conversation. What do I say to the person requesting the information?

"I'm sorry. Federal regulations prohibit me from disclosing student information. Let me refer you to the a) Registrar or b) VP for Student Affairs."

How many students block their Directory Information?

Very, very few. There are considerable consequences to blocking Directory Information, so the students that exercise this option often have very good reasons for doing so.

How will I know if my advisee or a student in my class has blocked their Directory Information?

The Office of the Registrar will notify you. Also, if you search for the student in the online directory, they will not appear.

What does it mean for me if a student in my class has blocked their Directory Information?

You may disclose no information about the student, even to other students in the class. The student should not appear in class photos or video footage, nor be asked to complete assignments that would inhibit their confidentiality e.g. publish a journal on the Internet. Contact the [Registrar](#) if you have questions.

What if a student falls ill or is injured during my class? What do I do?

First, assess the situation and, if appropriate, call 911. Also contact Grinnell's [Campus Safety and Security](#) office.

Under FERPA and Grinnell's institutional policy, the College has the authority and reserves the right to disclose portions of a student's educational record during emergencies involving serious injury or threat to the life of the student or others.

A student has asked me to serve as a reference or provide a letter of recommendation to a third party. Can I disclose portions of the student's educational record without their written consent?

No. Written authorization from the student is required. Ask the student to complete the [FERPA Authorization for Reference/Recommendation](#). This authorization allows you to disclose elements of a student's educational record to third parties.

Do students have the right under FERPA to inspect and review letters of recommendation that I write about them?

Yes, unless the student waives that right in writing. Ask the student to complete the [FERPA Authorization for Reference/Recommendation](#). This authorization ensures that the student will never inspect and review or request amendment to your reference/recommendation.

If a student verbally asks me to serve as a reference or provide a letter of recommendation to a third party, is that sufficient?

No, written authorization is required. Ask the student to complete the [FERPA Authorization for Reference/Recommendation](#).

If a student asks me via email to serve as a reference or provide a letter of recommendation to a third party, is that sufficient?

Technically yes, but it is best practice to uniformly ask all student to complete the [FERPA Authorization for Reference/Recommendation](#).

If a student shows me a signed FERPA waiver from another institution, employer, government agency, etc., is that sufficient to serve as a reference or provide a letter of recommendation?

Technically yes, though you should retain a copy of that form for your own records. Best practice would be to uniformly ask all students to complete the [FERPA Authorization for Reference/Recommendation](#).

I am the faculty sponsor for a student organization, sport, etc. The national chapter has asked me for a list of candidates for an award but one of the criteria is a certain GPA, race/ethnicity, or other FERPA-protected, non-Directory Information. May I provide them the data?

Not without authorization from the student. Students may submit a [One-Time Authorization for the Release of Academic Information](#), permitting the Office of the Registrar to provide access to student-specified data for one-time disclosure to student-specified third parties.

Are personal notes that I take during a telephone conversation with a student part of their educational record?

No, as long as these notes remain in the sole possession of the author, they are not considered part of the student's educational record. Please see the [FERPA Glossary](#) for more information on what defines "sole possession notes."

Are personal notes that I take during a face-to-face conversation with a student part of their educational record?

Yes, if they are composed in conjunction with or in the physical presence of the student, they are considered part of the student's educational record. If you take notes on the meeting once the student leaves and those notes remain in the sole possession of the author, they are not considered part of the student's educational record. Please see the [FERPA Glossary](#) for more information on what defines "sole possession notes."

As a Grinnell College faculty member, don't I automatically have access to all Grinnell College students' educational records?

No. FERPA permits disclosure of a student's educational record without written consent only to school officials with a legitimate educational interest. Generally, a school official has a legitimate educational interest if the official needs to access an educational record in order to fulfill their professional responsibilities. Please see the [FERPA Glossary](#) for more information on what defines a "legitimate educational interest."

Can I post lists of students and their grades outside my office, on the department bulletin board, on my website, etc.? I'll use their student IDs, not their names.

No. Posting grades in this manner would be a violation of FERPA. The law strictly prohibits the public disclosure of personally identifiable information (PII). Please see the [FERPA Glossary](#) for a more information on what defines a "personally identifiable information."

Can I leave a stack of graded assignments in a box outside my office so students can pick them up at their convenience?

No. Returning graded assignments in this manner would be a violation of FERPA.

Can I pass a class roster around class to check attendance, confirm enrollment, etc.?

Not if the roster contains protected, non-Directory Information, e.g. student ID #, race, etc. Remember also that students that have blocked their Directory Information should not be included on rosters that are distributed to the whole class.

Is it a bad idea to keep FERPA-protected student information on the hard drive of my laptop or device?

Yes. It is recommended that you use the College's secure storage areas (OneDrive, GrinnellShare, network drives) to store sensitive information.

My laptop, device, thumb drive, etc. has been lost or stolen and it contains FERPA-protected student information. What should I do?

Contact the Grinnell's [Information Technology Services](#). They have procedures that must be followed when protected information is lost or stolen.

My department maintains a separate database or physical files of all students in our major. Is there any reason to safeguard these records?

Yes. All student records that are created and/or maintained by anyone at the College are protected by FERPA in exactly the same way.

I've heard about so-called "passive" disclosures. What are they and how do I know if I'm doing it?

Passive disclosures are unintended releases of protected student information, usually through simple carelessness or a lack of planning. Passive disclosure includes leaving paper records unsecure (e.g. visible on your desk or in an unlocked cabinet), failing to log out of a public use computer, walking away from your personal computer without securing it, or even positioning a computer monitor where it could be seen by others through a doorway or window.

I found FERPA-protected information on the Internet. What should I do?

Report the instance to one of the College's FERPA compliance officers (the [Registrar](#) or the [Associate VP for Student Affairs](#).) Most disclosures of this type are unintentional. Many people have the mistaken notion that if they do not provide a link, it is private. With the powerful search engines that are available today, everyone must ensure that they are using appropriate security measures when placing sensitive information on the Internet.

What precautions should I take when corresponding with a student and colleagues via email?

Only communicate with students and school officials via their official Grinnell College email address. Exercise extreme caution in using email to communicate confidential or sensitive matters. It is especially important that you are careful to send messages only to the intended recipient(s). Be mindful of forwarding emails, the content of attachments, and using the "reply all" function—these are common culprits of unintentional disclosures. Remember that stored emails (even in the trash folder!) are part of the student's educational record if they personally identify and directly relate to them.

What do I do if a student tells me that they believe a colleague has inappropriately disclosed their student information?

Refer the student to one of the College's FERPA compliance officers (the [Registrar](#) or the [Associate VP for Student Affairs](#).)

Where can I find more information about FERPA?

Grinnell College's full FERPA policy is available on the [Office of the Registrar's website](#). The U.S. Department of Education maintains a [website](#) about FERPA especially for parents.

With credit to Kenyon College, Macalester College, and Arizona State University