

**Family Educational Rights & Privacy Act (FERPA)
California State University, Fresno
Office of the University Registrar**

What is FERPA?

- FERPA is an acronym for the Family Educational Rights and Privacy Act of 1974.
- FERPA protects the privacy of a student's education records.
- All educational institutions that receive federal funding must comply with FERPA.

Why is FERPA important?

- Faculty/Staff with access to student education records are obligated to comply with FERPA and must protect those records according to the law.
- Violation of FERPA may lead to disciplinary action or formal complaint to the U.S. Department of Education.
- Our students depend on us to keep their educational information confidential.

Who is protected under FERPA?

- The rights under FERPA apply to eligible students. An eligible student is an individual who has reached 18 years of age or is attending or previously attended California State University, Fresno.

What are the FERPA basics?

- Student education records are considered confidential and may not be released without the written consent of the student.
- University employees have a responsibility to protect education records in their possession.
- Some information (called "Directory Information") can be released without the student's written permission. However, the student may opt to consider this information confidential.
- Faculty/Staff have access to information only for legitimate use in completion of their responsibilities as a university employee. "Legitimate Educational need to know" is the basic principle.
- All inquiries for student information should be directed to the Office of the University Registrar.

What is Directory Information?

- Information contained in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed.
- May be disclosed without a student's written consent unless a student has requested that this information not be released.

What information may be considered Directory Information at Fresno State?

- Student's name
- Photograph
- Major Field of Study
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Enrollment status
- Degrees, Honors, and Awards
- Most recent educational institution attended

What else is important about Directory Information?

- Just because the information may be disclosed does not mean it is always released. The university considers a student's right to privacy to be very important and does not routinely share directory information with third parties.
- To request that directory information be made confidential, the student should notify the Office of the University Registrar in writing.
- If a student requests confidentiality of Directory Information, no information is released.

What is “Legitimate Educational Interest”?

- FERPA permits university employees to have access to student education records in which they have “legitimate educational interest.” Such access does not require prior written consent of the student. Essentially, legitimate educational interest (“need to know”) is necessary for employees to carry out their responsibilities.

Important points related to Legitimate Educational Interest

- **Curiosity** is not a legitimate educational interest. Just because employees have access to PeopleSoft and are able to view the record of a student who may be a friend or relative, does not mean that you have a legitimate educational interest in accessing the grades and GPA.
- Employment at the university does not automatically constitute legitimate educational interest. The need to know must be related to your job responsibilities.

What constitutes an Education Record?

- The definition of an education record under FERPA is broad. It essentially refers to any record that is directly related to a student and that is kept by the University or someone acting on behalf of the university from which an individual student, or students, can be personally (individually) identified.
- This can include files, documents, or materials in any medium (handwritten, tape, disks, film, microfilm, microfiche, etc.).
- Written permission must be obtained from a student before releasing an education record, unless the request fits certain narrow exceptions (i.e. subpoena).
- When in doubt, assume that the item, if it relates to a student, is an education record and seek further assistance.

What are the student’s rights under FERPA?

- The right to see the information that the institution is keeping on the student.
- The right to seek amendment to those records and in certain cases append a statement to the record.
- The right to consent to disclosure of his/her records.
- The right to file a complaint with the U.S. Department of Education.

What about parents?

- When a student reaches the age of 18 or begins attending a postsecondary institution regardless of age, FERPA rights transfer to the student.
- A signed consent form may be submitted by the student to the Office of the University Registrar.

Faculty/Staff Role and responsibility

- Student’s test scores or grades should not be publicly displayed in association with names, ID numbers (even last 4 digits of the SSN), or other personal identifiers.
- Do not share student education record information, including grades or grade point averages, with other faculty or staff members of the University unless their official responsibilities identify their “legitimate educational interest” in that information for that student.
- Do not share by phone or correspondence information from student education records, including grades or grade point averages, with parents or others outside the institution, including letters of recommendation, without written permission of the student.
- Lock your computer when you step away from your work station.

Who to contact for questions?

- Please contact the Office of the University Registrar at (559) 278-4743 or by email to fsregistrar@mail.fresnostate.edu.

Where is Fresno State’s full FERPA policy?

- The entire “Privacy Rights of Students in Education Records” policy is available in the University Catalog.
 - <https://www.fresnostate.edu/catalog/academic-regulations/policies.html>