
FERPA for Faculty

FERPA is a federal law that protects the confidentiality of student education records. DSU requires all employees to protect that confidentiality. In general terms, an education record is any record, in any format (handwritten, print, electronic, etc.) that relates to the student and is maintained by DSU or any agent thereof. Records kept in the sole possession of the creator which are used and intended to be used only as a personal memory aid and are not accessible or reviewed by any other person are not considered part of the education record.

Access to student education records is limited to DSU employees who have a legitimate educational interest (not a personal interest) directly related to performing their job responsibilities for the university.

According to Policy 6-50 "Use of University IT Resources," you are prohibited from disclosing your usernames and passwords for University resources. Do not disclose your username or password to anyone, including other DSU employees.

You have a responsibility to report crimes. FERPA does NOT prohibit a DSU employee from reporting crimes and policy violations to appropriate law enforcement and DSU employees.

You can make referrals. FERPA does not prohibit making a referral to a campus entity such as the Health and Wellness Center or the Dean of Students if you are concerned about a student's health, safety, or behavior.

These are some typical situations related to student records that a faculty member might encounter.

Posting: The public posting of grades either by student name, institutional identification number, or social security number without the student's written permission is a violation of FERPA. Even with the names obscured, numeric student identifiers are considered personally identifiable information and therefore violate FERPA. Instructors can assign students unique numbers or codes that can be used to post grades. However, the order of the posting must not be alphabetic.

Discussion: Do not discuss information contained in a student education record with anyone who does not have a legitimate educational interest as defined above.

References: Written permission from the student is required for a letter of recommendation or reference if any information included in the recommendation is part of the education record (i.e., courses taken, grades, GPA, and other non-directory information). The release must specify the records to be disclosed, the purpose of the disclosure, and the party to whom the disclosure can be made. An email request for a letter of recommendation fulfills this requirement.

Phone / Email Request: Do not release information on the basis of a phone call. Any email request must originate and be returned to a student's Dmail or Canvas account.

Request from Parent or Spouse: Concerns such as attendance, progress in a course, deficiencies in a subject area, scores or grades on papers, exams, etc. are all examples of personally identifiable information that constitute part of the student's education record. This information is protected under FERPA, and a parent/spouse does not have access unless the student provides written authorization to the Registrar's Office that specifically identifies what information may be released to parent/spouse. If a parent claims that such authorization is on file, the faculty member must verify this fact with the Registrar's Office before revealing any student information to a parent/spouse.

Emergency: Any emergency request for information must be directed to the University Registrar.

Subpoena: Any law enforcement request, including warrants and subpoenas, to access education records should be directed to the University Registrar.

Confidential Records: If a student's Banner record is marked Confidential, you cannot release any information about that student, including whether or not s/he is enrolled. The best response to a request for information about a student whose records are confidential is: "I have no information about that individual."