

## **SIENA HEIGHTS UNIVERSITY—FERPA**

All instructors and/or employees of Siena Heights University have signed a “Statement of Confidentiality”. The current statement is shown below as a reminder.

“I understand by virtue of my employment with Siena Heights University, I may have access to records, which contain individually identifiable information, the disclosure of which is prohibited by the Family Education Rights and Privacy Act of 1974 as amended. I acknowledge that I fully understand that the intentional disclosure by me of this information to any unauthorized person could subject me to criminal and civil penalties imposed by law. I further acknowledge that such willful or unauthorized disclosure also violates Siena Heights University’s policy and could constitute cause for disciplinary action including termination of my employment regardless of whether criminal or civil penalties are imposed.”

All employees of Siena Heights University should be aware of what constitutes Legitimate Educational Interest and what is covered under FERPA.

### **INSTITUTIONAL STATEMENT ON LEGITIMATE EDUCATIONAL INTERESTS**

Legitimate educational interests shall mean an EDUCATIONALLY RELATED purpose which has a directly identifiable educational relationship to the student involved and underlies the request and use of student information. More particularly, the following criteria shall be taken into account in determining the legitimacy of a University official’s access to student records:

- ◆ The official must seek the information within the context of the responsibilities that he or she has been assigned;
- ◆ The information sought must be used within the context of official University business and not for purposes extraneous to the official’s area of responsibility or to the University;
- ◆ The information requested must be relevant and necessary to the accomplishment of some task or to making some determination within the scope of University employment;
- ◆ The task must be determined to be consistent with the purposes for which the data are maintained. Requests related to institutional research and studies are subject to this criterion.

Disclosure to a school official having a legitimate educational interest does not constitute institutional permission or authorization to transmit, share, or disclose any information received to a third party. **AN UNAUTHORIZED DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION FROM THE EDUCATION RECORD OF THE STUDENT IS PROHIBITED.**

## **TOPICS OF INTEREST FOR ALL FACULTY AND STAFF MEMBERS**

### **When writing letters of recommendation you should keep in mind the following:**

- Always request a written release from the student with their signature. You should never write a recommendation for a student without their written permission. The student should be specific as to the information they want in this recommendation letter. This could be any of the following: grade(s), the course, honors, that you are their instructor, that you are their advisor, or other specific information. Each request requires a new signature of release.
- Please note: if requested, you can disclose your personal opinions of the student based on your observations.
- You may also include “Directory Information” as listed in the current “Student’s Handbook”, unless the student has submitted a hold on such information. The Registrar’s Office keeps information on all holds or blocks submitted by the student on this information.
  - Examples of Directory Information:
    - \_\_\_\_ Name
    - \_\_\_\_ Address
    - \_\_\_\_ E-mail Address
    - \_\_\_\_ Phone Number
    - \_\_\_\_ Birth Date and Place of Birth
    - \_\_\_\_ Major
    - \_\_\_\_ Dates of Attendance
    - \_\_\_\_ Degrees and Awards
    - \_\_\_\_ Membership in any Athletic Team or Student Organizations
    - \_\_\_\_ Height and Weight of Athletic Team Members
    - \_\_\_\_ Photographs
- It is recommended that you keep your letter and the request from the student in your files for three (3) years.

### **When you are talking to parents or legal guardians you should keep in mind the following:**

- Always let the parents know that you recognize that they are important for their student’s success at Siena Heights. Please remember that they are concerned about their child and that we want to do what is best for their child.
- Let them know that you must follow the guidelines of the institution under FERPA. This is because their student has a legal right to privacy.
- You can discuss the contents of your syllabi, how you grade in your class, the assignments, and your policies for class attendance.
- If their child would like to give you written permission to discuss their grades, progress, attendance, or other specific information, that you would be happy to help them.
- Note: that you cannot discuss directory information with the parent if the student as submitted a request to block this information. All written blocks, or restrictions to access, must be placed on file at the Registrar’s Office. The Registrar will notify the Financial Aids Office, the Financial Services Office, the

student's advisor, and the appropriate Dean if any student restricts their information. The Registrar will also block information through the university's computer system.

**When you are posting grades or returning assignments you should keep in mind the following:**

- Never post grades in a public area or computer site (outside the Grade Portal) with personally identifiable information. In other words, you cannot post grades by using names, ID number, or personally identifiable information. No other person can see or know this information as it is protected by FERPA.
- Never leave assignments or tests out for pick-up where others can see the grade or remarks. It is not appropriate to leave papers in the front of your classroom for pick-up, or in a box in your office for pick-up.
- Do not use any student's assignment, if it is identifiable, as an example for other students. You must have permission to use this assignment and must also block all identification before use as an example.

**Courses that require the discussion of personal information—psychology, social work, counseling, philosophy, religion, or any course where a student must share personal and often times very sensitive information.**

- The instructor must include in the syllabus that this course requires the discussion of personal and confidential information that cannot be shared outside the classroom environment.
- It is recommended that students within this type of course sign a statement that they will not discuss, or release this information outside of the classroom.
- An example of information used in the syllabus of courses where confidential information is shared as part of the course is below. (This example is used with the permission of Barry Reinink. Barry also sites information from ACA as part of the class, the importance of confidentiality, and has the students sign off on a statement of confidentiality. He keeps this signed statement for one year.) The following comes from his class syllabi for CED601.

**“Academic and Professional Integrity:**

Siena Heights University expects its students to use resources with consideration for ethical concerns and legal restrictions.

The principles of truth and honesty are recognized qualities of a scholar and of a competent, purposeful, and ethical individual. Siena Heights University expects its students to honor these principles. Academic and professional integrity refers to the representation of one's self and one's work honestly, while demonstrating respect for the accomplishments and contributions of others.”

**Other points to be aware of...**

- Please do not circulate printed class lists that include ID numbers or other non-directory information for the purpose of taking attendance.
- Always use the blind copy option when e-mailing groups of students.

- A student request for confidentiality does not permit the student to be anonymous in the classroom.
- If there is a potential of danger involving a student(s), please contact campus safety immediately.
- Never give a third party information as to the location of a student. This can be handled by Campus Security in case of emergency. Please use caution at all times.
- Completely destroy any files, lists, or papers when you are cleaning out your office. Do not throw any confidential, or personally identifiable information in the trash. Destroy all information by shredding or burning.

There has been so much written on FERPA that you can find many references if you look on the Web. Every major University in the United States has FERPA information on its' Web site. Below are just a few sites that you might find helpful. These sights are easy to use.

<http://www2.ed.gov/policy/gen/guid/fpco/index.html>

<http://www.utexas.edu/student/registrar/ferpa/fera/qs.famulty.htm>

<http://www.nacada.ksu.edu/Clearinghouse/advisingissues/FERPA-Overview.htm>

<http://www.ubatl.edu/template.cfm?page-1799>

<http://www.washington.edu/students/reg/ferpafac.html>

<http://www.reg.msu.edu/roinfo/notices/privacyguidelines.asp>

Also available at the Registrar's Office is a hard copy of the following book,  
The Registrar's Companion—An Overview of the 11 Federal Laws Every Registrar Should Know

If you would like to discuss FERPA or if you have questions, please contact Brenda Doremus, Registrar at 517-264-7123.