



FERPA Overview

Family Educational Rights and Privacy Act

Office of the Registrar

Tulane University

TULANE UNIVERSITY

What is FERPA?

Family Educational Rights and Privacy Act of 1974

- A **federal law** that protects the privacy of eligible student educational records
- Protects student **Personal Identifiable Information (PII)**
- Applies to all schools that **receive funds** under an applicable program of the U.S. Department of Education
- Administered by the **Family Policy Compliance Office (FPCO)**

FERPA violations

Can result in

- Loss of federal funding
- Formal complaint to the Department of Education
- Disciplinary action by TU

**If you believe a violation has been committed, please contact the
OUR at registrar@tulane.edu.**

FERPA student rights

- Inspect/review education records **within 45 days** of receipt of request
- **Seek amendment** of inaccurate or misleading records or those in violation of their privacy
- Consent to **disclose personally identifiable information (PII)** from education records, with exceptions
- **File a complaint** with the USDOE for alleged failures by school to comply with FERPA

Records students cannot view

Students do not have the right to inspect and review

- Records that contain information regarding **other students**
- **Parent(s)** financial records
- Records connected to a **denied application**
- Previously waived confidential **letters and recommendations**

Who is a **student**?

- A student is a person **in attendance** at Tulane currently or previously, whether degree-seeking or non-degree-seeking.
- **In attendance** means the student has deposited and registered for classes.
- Attendance may be in person or virtual/remote/distance learning.

Who is a **not** a student?

- People who have **not been admitted** or declined admission
- People who have **not yet registered**
- **Deceased** students

What are **education records**?

Records stored in any medium which:

- Contain information **directly related** to a student
- Are maintained by an educational institution/agency or a party acting for an institution/agency

A record that has sufficient information to make a student's identity easily traceable is protected by FERPA, even if that record does not include name/ID/etc.

Include but are not limited to:

- Grades, transcripts
- Class rosters, course schedules
- Student financial information
- Student discipline files

What is a **directly related** record?

A record that contains **personally identifiable information** about the student.

What is Personally Identifiable Information (PII)?

- Student name and address
- Personal identifiers (Ex. SS#, TU ID number)
- Indirect identifiers (date and place of birth)
- Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community to identify the student
- Information requested by a person who the school reasonably believes knows the identity of the student to whom the education record relates

Who can access FERPA-protected records?

1. **University officials** with a **legitimate educational interest** in the records (no consent needed)
 - TU Faculty
 - Selected personnel in the departments/offices of the President
 - Provost, Deans, Registrar, VP of Business & Finance, VP of Academic Affairs
 - Student Health Center
 - Campus Safety
 - Director of Athletics
 - Director of Marketing and Communications
2. Those persons who have received **signed written consent** from the student
 - Receiver, records, and reason identified on FERPA Consent to Release Authorization Form

Who are **university officials**?

- A person **employed by TU** in an administrative, supervisory, academic or research role
- A **support staff** position (including law enforcement unit personnel and health staff)
- A person or company with whom TU has **contracted** as its agent to provide a service
- A student serving on an **official committee or assisting another university official** in performing his or her tasks

What is **legitimate educational interest**?

A University Official has a **legitimate educational interest** if the official needs to review an education record in order to fulfill their professional responsibilities for TU.

Are any records **excluded** from FERPA protection?

FERPA protections apply to all education records in any media maintained by TU, except:

- **Sole possession records**
For example, private notes that a professor keeps about class participation
- **Law enforcement records**
Records created by the institution's law enforcement unit excluding those copies that end up with other institutional employees
- **Employment records**
provided that the student is not employed as a result of his/her status as a student, for example, work-study job or student employment
- **Treatment records**
TU will not release info related to medical treatment or condition of a student without student's consent
- **Alumni records**
as long as not directly related to individual's attendance as a student
- **Peer-graded work**
as long the grade has not yet been recorded

Under which conditions can Tulane disclose educational records **without student consent**?

- To another educational institution where the student seeks or intends to enroll or where the student is already enrolled as long as disclosure is related to **enrollment or transfer**
- To appropriate parties when articulable and **significant threat to health and safety** of a student or other individuals
- In compliance with a **judicial order or lawfully issued subpoena**
- To a court in context of a **lawsuit** that the student brought against the institution or that institution brought against student
- To parents of a student **under age 21** at time of disclosure which relates to a **drug or alcohol violation**

More FERPA **exceptions**

- To **victim of alleged perpetrator** the final results (student name, nature of violation, sanctions) of disciplinary proceeding against a student (perpetrator) who has committed a crime of violence or non-forcible sex offense
- In connection with **financial aid** that student has applied for or received for purposes of determining eligibility
- To **certain federal, state, local authorities** in connection with audit of federal or state supported education programs or compliance with federal legal requirements
- To **accrediting** organizations
- To organizations **conducting studies** for or on behalf of TU
- When the disclosure concerns **sex offenders**

About directory information

Student **directory information** may be released unless the student enabled full confidentiality on his/her directory information.

- Student name
- Date and place of birth
- Hometown
- Major field of study
- Class status
- School e-mail address
- Sports/activities participation
- Weight/height of athletes
- Dates of enrollment and enrollment status
- Degrees received
- Honors/awards received

Understanding full confidentiality

Electing **full confidentiality** prevents the university from releasing any information, including directory information, about a student.

Students with full confidentiality

- Will not have their names printed in the commencement program
- Prevent TU from providing verification of enrollment, graduation, or degrees awarded to third parties, including potential employers and insurance companies
- Do not have the right to be anonymous in the classroom or to impede routine classroom communication and interactions
- Should expect to be identified in class by name and to have their TU email address used for class purposes
- May not receive valuable email messages sent via distribution lists

Updating confidentiality preferences

Students can update confidentiality preferences in Gibson.

- From the Student tab, select the Update Confidentiality Options link.

Records

[Schedule of Classes](#)

[Register \(Add/Drop\)](#)

[Course Evaluations](#)

[TU Enrollment Verification](#)

[View TU Enrollment](#)

[Verification](#)

[Order an Official Transcript](#)

[Unofficial Transcript](#)

[Update Confidentiality
Options](#)

[Update Address, Phone &
Email](#)

[Update Emergency Contacts](#)

[Update Preferred First Name
and/or Preferred Pronoun](#)

Updating confidentiality preferences (cont.)

- Review the disclosure and check or uncheck the box next to “Please withhold my directory information” as appropriate.
- Click Update.

Confidentiality Flag

In accordance with the Family Education Rights and Privacy Act of 1974 as amended (FERPA), Tulane University reserves the right to release "Directory Information" about you to third parties outside the University. This also includes publication of such information in Tulane's online directory. "Directory Information" as defined by Tulane University includes but is not limited to:

- Legal name
- Preferred name
- Permanent, local, & campus addresses
- Telephone numbers

Please withhold my directory information

Canvas Image

I acknowledge that by checking this box and opting-out of the Canvas Thumbnail Image program, my Splash Card photo will not be transferred to the Canvas Learning Management System for use as my profile thumbnail image. I also understand that I may opt-in at any time by returning to this page and un-checking this box.

Please withhold my Canvas image

Solomon Amendment

Allows military recruiters to access some data.

- Name, addresses, phone numbers, TU email address
- Date and place of birth
- Levels of education, majors, degrees received, and the most recent educational institution enrolled in

Data on students with full confidentiality is not released.

How TU protects student records

- We do not provide FERPA-protected information to third parties without written consent from the student. Third parties include:
 - Parents/guardians or other family members
 - Spouses
 - Organizations performing background checks
- FERPA releases are collected and maintained by the student's academic advising center
- Faculty and staff receive FERPA training

Submitting a FERPA release/consent to release

Students should complete and return the FERPA release form to their academic advising center:

- [FERPA release for NTC students](#)
- [FERPA release for all other students](#)

Students may revoke consent at any time.

Summary

- FERPA provides rights to students and protects their PII
- Unless an exception applies, TU must obtain written consent before releasing an education record
- Directory information can be released unless the student has enabled full confidentiality
- If you believe a violation has been committed, please contact the OUR

Additional TU Resources

- [TU FERPA Policy](#)
- [Student Conduct Parental Notification Policy](#)
- [Solomon Amendment](#)
- [Campus Health Privacy and Confidentiality](#)