



TEXAS
SOUTHMOST
COLLEGE

What you should know about FERPA

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A Disclaimer...

- This presentation is designed to give a very brief overview of FERPA as it relates to the records of students.
- Any questions regarding specific matters should be forwarded to the Director of Admissions and Records for clarification.



What is FERPA and for what purpose does it exist?

- The Family Educational Rights and Privacy Act of 1974, as Amended (FERPA) is a federal law.
- The purpose of this law is to afford students certain rights pertaining to their educational records.



Who does FERPA apply to?

- FERPA applies to all students currently attending Texas Southmost College, or who have attended Texas Southmost College in the past. This includes all high school students taking college-level courses.
- FERPA does not apply to applicants who are denied admission or to those applicants who were accepted but did not attend.



How are students made aware of FERPA?

- Although schools are required to notify students annually regarding their FERPA rights, the methods used to communicate this information are left up to the school.
- Notification at TSC is done through the online catalog.



What does FERPA guarantee?

- FERPA gives students the right
 - to inspect and review their own records
 - to request amendments to their records
 - to have some control over the release of personally identifiable information from their records



Who is responsible for seeing that FERPA is upheld?

- All TSC employees who have access to student records are responsible for guarding the confidentiality of those records.
- Requests for access to records, requests for amendment of records and complaints regarding any violation of FERPA should be forwarded to the Director of Admissions and Records.



Disclosing Information

- Disclosing information is defined as permitting access to, or the release of, personally identifiable information to any party. This includes any communication by oral, written, electronic or any other means.
- Schools are not allowed to disclose information (other than “Directory Information”) without the student’s written consent except under very limited conditions.



What is Directory Information?

- Directory Information is information not generally considered harmful or an invasion of privacy if disclosed.
- Directory Information cannot include student identification numbers or social security numbers.



What is Directory Information?

- TSC considers the following information to be Directory Information:
 - Name, address, email address and telephone listing
 - Level (graduate or undergraduate)
 - Field of study (major)
 - Dates of attendance
 - Degrees, date awarded, honors/designations



Can a student prohibit release of Directory Information?

- Yes. Students who wish to discuss the prohibition of release of Directory Information should contact the Office of Admissions and Records for procedural information and to complete the Request to Withhold Directory Information form.



Can a student prohibit release of Directory Information?

- This request must be made during the first 12 days of the fall or spring semester and the first 4 days of a summer semester.
- The request will remain in effect for the current term only; therefore, a request must be submitted to the Office of Admissions and Records each term that the student is enrolled.



How can I know if a student has asked that no information be released?

- Students who have asked that no directory information be released have the word “CONFIDENTIAL” displayed at the top of every form in Colleague.



Are parents/spouses exempt from FERPA restrictions?

- No. Family members do not have the right to access records of students at the post-secondary level. Not even if they are paying all tuition.
- Three exceptions:
 - They have the written consent of the student.
 - In response to a subpoena (the student must be notified that records were released).
 - They can prove that they claimed the student as a dependent on their most recent Federal Income Tax form.



FERPA is a “permissive” law

- FERPA tells us what we CAN release, not what we are REQUIRED to release.
- If a parent requests their child’s grades and provides income tax documents proving the child is a dependent, TSC is not REQUIRED to release the grades.



FERPA is a “permissive” law

- Our procedure will be to not release records to third party individuals, unless:
 - There is prior written consent from the studentor
 - We are responding to a subpoena



Student Information Release Authorization



TEXAS SOUTHMOST
COLLEGE

Office of Admissions & Records

80 Fort Brown • Brownsville, Texas 78520 • (956) 295-3615 • Fax (956) 295-3601 • www.tsc.edu

Student Information Release Authorization

Student Name _____

Student ID _____

Third Party Name (Individual Authorized to Receive Information) _____

Third Party Name (Individual Authorized to Receive Information) _____

In compliance with the Federal Family Education Rights and Privacy Act of 1974 (FERPA), Texas Southmost College is prohibited from releasing information to a third party. This restriction applies, but is not limited to, parents and/or step-parents, spouses, siblings, friends or a sponsor. Texas Southmost College will only disclose confidential information or release documents from the education records of students to parents or other third parties provided the College has written consent from the student on file.

Please Note: This release form will remain valid through the student's enrollment at Texas Southmost College unless specifically revoked by this student.

To be completed by TSC staff:

Department Receiving Release Authorization _____

Purpose of Release _____

Information to be Released _____

By signing below, I consent that Texas Southmost College may disclose and discuss confidential information from my education record with the individual(s) listed above in reference to the purpose of release:

Student's Signature _____

Date _____

Texas Southmost College Representative _____

Date _____

Revoking Authorization (To revoke a prior Student Information Release Authorization)

By signing below, I hereby revoke any prior authorization for Texas Southmost College to disclose my



Will TSC release information over the phone?

- No, we will not provide educational records information over the telephone.
- Students may access educational or financial records online through TSC Online.



Some things you can say when third party's request records

- My apologies, but due to federal regulations on privacy and confidentiality I am unable to release information to anyone other than the student of record.
- Please ask the student to contact us and we can explain to them directly what options may be available.



Some things you can say when third party's request records

- The Family Educational Rights and Privacy Act is a federal law that protects the privacy of student education records.
- We must have written permission from the student of record in order to disclose any information pertaining to their educational records.



Some things you can say when third party's request records

- TSC does not allow parents to access records of students, not even if they are paying all tuition, unless they have the written consent of the student.
- Student of Record is defined as any person who is attending Texas Southmost College, regardless of age. This includes all high school students taking college-level courses.



Some things you can say when third party's request records

- My apologies, I am unable to provide confidential information over the telephone.
- Students inquiring about their educational records must do so in person or through TSC Online.



What should you do if you are not sure if you can release information?

- When in doubt, saying nothing is your best option.
- Don't guess, it is far better to NOT release information than to release information incorrectly.



Which requests should you forward to the Office of Admissions and Records?

- All requests for transcripts. Only the Office of Admissions and Records can generate an official transcript.
- Certification requests. Verification of enrollment for lenders, health insurance, good student car insurance discount forms.
- Questions regarding the academic record of any student.



Let's see how FERPA smart you are...

- A father visits the Student Services Center and asks for his son's grades. He can provide a copy of his tax return proving that the student is his dependent. CAN you release the grades?
- Yes, but our procedure will be to not release the grades unless we have prior written consent from the student.
- Suggest that his son order a transcript to be mailed to the father's address.



How would you respond to...

- An author requests academic information on Bill Clinton. Since all of President Clinton's records are already a matter of public record, can you release the information?
- No, FERPA rights continue even after a student is no longer enrolled.

Note: FERPA rights do end upon the death of a student.



OK, what about...

- A student asks to see his records. You notice that he has a hold for parking fines. Can you make him pay the fine before viewing his record?
- No, students have the right to view their record even if they owe money.
- Can he have a copy of his transcript?
- No, TSC is not required to release a copy if the student owes money.



But it's an emergency...

- A police officer comes to your office because she needs to find a student. She has been looking for the student for a week, but can't catch him at home. Can you give her the student's schedule?
- If she's been looking for a week, it's not an emergency...
- The release of non-directory information is appropriate only "if necessary to protect the health or safety of the student or other individuals."



Protecting the health and safety of the student or other individuals

- In this situation refer the police officer to the Director of Admissions and Records or the Associate Vice President of Student Services who will determine the appropriate course of action.



One last example...

- The Spanish Club asks for a list of all new international students and their country of origin so that they can invite them to a dinner during the holidays.
- Although the thought is a nice one, country of origin is not considered Directory Information. The Spanish Club students are not considered to be “school officials” and should be treated like any outside party.

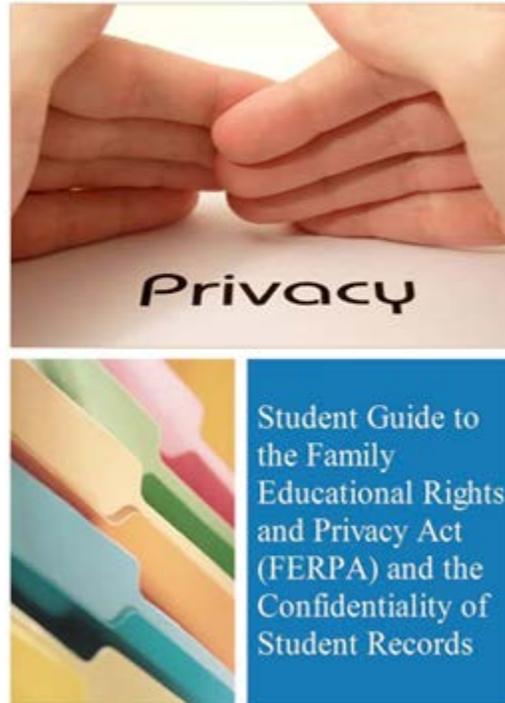


Know everything now???

- No one can possibly know every detail of FERPA and how it is to be applied.
- When in doubt, DON'T release information!
- Failure to comply with FERPA can not only cause legal difficulty for TSC, it can cost you your job.



FERPA Brochure



Learn more about FERPA

www.ed.gov/ferpa



Thank You!

