FERPA AT A GLANCE: A GUIDE FOR FACULTY

Overview
The Family Educational Rights and Privacy Act (also known as FERPA or the Buckley Amendment) is federal legislation enacted in 1974 that protects the privacy of student records. It grants students the right to access their own education records as well as limiting, for privacy reasons, the release of those records to anyone other than the student and/or the student’s designee. FERPA applies to all current and former students of the university.

Take the online FERPA Training

Can I post student grades publicly?
The public posting of grades by the student’s name, student identification number, or Social Security number, without the student's written permission, is a violation of FERPA even if the names are obscured. If necessary, instructors can assign students unique numbers or codes that can be used to post grades, but the order of the posting must not be alphabetic.

What are acceptable methods for returning assignments and exams?
Distributing graded work in a way that exposes the student's identity (such as on a website) or leaving personally identifiable graded papers unattended is no different from posting grades publicly. If the papers contain “personally identifiable” information, leaving them unattended for anyone to see is a violation of FERPA. Possible solutions for distributing grade information to students would be to leave the graded papers (exams, quizzes, and homework) with an assistant or secretary who would ask students for proper identification prior to distributing them, leave graded work in a sealed envelope with only the student's name on it, or use a code name or number known only to the student and faculty member to identify graded work.

If a student sends me an email asking what his or her grade is, can I provide this information by email?
You can, as long as it is to the student’s New School email address. If the student emails you from a different email address, you can let him or her know that you sent the information through his or her New School email and that the student should check that.

What if a parent contacts me and wants to know how his or her son or daughter is doing?
Such matters as progress in a course, deficiencies in a subject area, scores and grades on papers or exams, and missing work are all part of the student’s education record. You cannot share this information with a parent unless you have written authorization from the student to do so. Even then, the authorization must specifically state what information may be released to the parent. It is recommended that you tell the parent that although you are unable to share that information with him or her because of federal regulations, you would be happy to discuss it with his or her son or daughter.
What if another faculty or staff member asks for information regarding one of my students?
In general, you may share information internally with other faculty and staff if the person you are sharing the information with has an educational need to know (he or she needs the information to perform his or her normal job duties). If the information does not relate to the person’s job duties, it should not be shared. Examples of people who may need such information from you and have an “educational need to know” are staff from the dean’s office and Student Support Services staff.

How should I handle letters of recommendation?
If you are writing a recommendation that includes anything from the student’s education record (grades, attendance, etc.) you need written permission from the student to do so. If you are just writing general observations about the person (things that can’t be found in a file or on a computer system), you do not need written permission.

Unless the student has waived the right of access to the letter, he or she would have the right to read it, because it is part of the student's education record.

What if I’m concerned that a student might harm himself or herself or others?
If there is any perceived threat to the health or safety of the student or others, you may (and should) express your concern to the appropriate person(s) at the university. That may include your academic dean, the Student Success office, or the Security Office, depending on the situation and its immediacy. If you are in a situation in which you are unsure whether or not to disclose such information, it is better to let someone know than to wait and see.

Whom do I contact with questions?
General questions can be directed to the Registrar’s office, or reghelp@newschool.edu.