

## FERPA Guide

**This guide is designed to give you a basic understanding of the rules governing release of student information at Clark Atlanta University. For more information, or consultation regarding specific situations, you may contact the Office of the University Registrar.**

**What is the federal law regarding student records?** The Family Educational Rights and Privacy Act (referred to as FERPA) was passed by Congress in 1974. FERPA and its regulations establish:

- A student's right to inspect and review educational records that an educational institution is keeping on the student;
- A student's right to challenge the content of his or her records;
- A student's right to limit disclosure of his/her records;
- The institution's obligation to notify students of their rights under FERPA and its regulations;
- Recourse for students and the federal government when an educational institution violates the Act or regulations by improperly disclosing a student's personally identifiable information from the records.

**What is an educational record?** Just about any information directly related to a student and maintained by Clark Atlanta University or by a person acting for the University is considered a student educational record. Any record related directly to a student should be held in confidence.

**Examples of educational records include:**

- Grades/transcripts
- Student schedules
- Names of student advisors
- Papers/student thesis/tests
- Records of student discipline
- Personal information such as social security number, age, parent's name

**Educational records are not:**

- Sole possession records (not accessible or revealed to any other persons)
- Law enforcement records, as defined in FERPA
- Employment records
- Medical records
- Post attendance records

**The storage media in which you find this information does not matter. A student education record may be:**

- A document in the Office of the University Registrar
- A computer printout in your office
- A class list on your desktop
- Video- or audiotape
- Notes you have taken during an advising session
- Computer media (printed e mails, e.g.)

**What are the basic rules?** Student educational records are considered confidential and may not be released without the written consent of the student. As a faculty or staff member you have the responsibility to protect educational records in your possession.

Some information is considered public (called "Directory Information"). This information can be released without the student's written permission. However, the student may opt to consider this information confidential as well, and it will be flagged as such in the student's record if the option is elected. Clark Atlanta University identifies the following as directory information: student's name, address, telephone number, date and place of birth, major field of study, dates of attendance, current enrollment status, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, weight and height of members of athletic teams, and other similar information. Therefore, you may (but are not required to) release this Directory Information without consent.

You have access to non directory information educational records only for legitimate use to discharge your responsibilities as a Clark Atlanta University employee.

Parents or guardians of students do not have automatic rights (as they did in elementary and secondary school); however, if the student is a dependent (as defined by the IRS), we may release records information unless the student has indicated otherwise. In general, it is a good idea to check with the University Registrar before releasing information to any third party unless you have obtained written permission of the student. If you see the word "Confidential" next to a name there is some restriction in place and you must contact the Registrar before releasing any information.

If you are ever in doubt, do not release any information until you contact the Office of the University Registrar at (404) 880-8938 or [register@cau.edu](mailto:register@cau.edu).

## **Guidelines for Faculty Concerning Education Records**

Educational records are kept by University offices to facilitate the educational development of students. Faculty and staff members may also keep informal records relating to their functional responsibilities with individual students.

A federal law, the Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights concerning their student educational records. Students have the right to have some control over the disclosure of information from the records. Educational institutions have the responsibility to prevent improper disclosure of personally identifiable information from the records.

### **Student and Parent Rights Relating to Educational Records**

Students have a right to know about the purposes, content, and location of information kept as part of their educational records.

They have the right to gain access to and challenge the content of their educational records. FERPA was not intended to provide a process to be used to question substantive judgments that are correctly recorded. For example, students may not use this right to contest a grade in a course because they felt a higher grade should have been assigned.

Students also have a right to expect confidentiality of certain information about them in student records and, under certain conditions, independent, limiting the student educational record information that may be released to parents or directory information unless the student provides specific written permission.

### **Educational Records**

Student educational records are specially defined as records, files, documents, and other materials that contain information directly related to a student and maintained by the University or someone acting for the University according to policy.

Excluded from student educational records are records of instructional, supervisory, and administrative personnel in the sole possession of the maker and that are not accessible or revealed to any other person, except for a substitute. In addition, notes of a professor or staff member intended for his or her own personal use are not part of the educational record, nor are records of police services, application of records of students not admitted to the University, alumni records, or records of physicians, psychiatrists, psychologists, or other recognized personnel.

Records relating to an individual who is employed by the University not as a result of his or her status as a student are also excluded. However, employment records relating to University students who are employed as a result of their status as students are considered educational records.

## **Directory Information**

Some information about students is considered “directory information”. Directory Information may be publicly shared by the institution unless the student has elected to consider this information confidential.

Directory Information: student’s name, address, telephone number, date and place of birth, major field of study, dates of attendance, current enrollment status, degrees and awards received, the most recent previous educational agency or institution attended by the student, participation in officially recognized activities and sports, weight and height of members of athletic teams, and other similar information.

A student must formally request the University Registrar to prevent disclosure of directory information, except to school officials with legitimate educational interests and certain others as specific in the regulations. Once filed, this request becomes a permanent part of the student’s record until the student instructs the University, in writing, to have the request removed.

**For additional information on  
The Family Education Rights and Privacy Act (FERPA)**

**CONTACT:**

**Family Policy Compliance Office  
U.S. Department of Education  
400 Independence Avenue, S.W.  
Washington, D.C. 20202-4605**

[www.ed.gov](http://www.ed.gov)

## **Clark Atlanta University Notice for Directory Information**

The Family Educational Rights and Privacy Act (FERPA), a federal law, requires that Clark Atlanta, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information for your education records. However, Clark Atlanta may disclose appropriately designated “directory information” without the written consent, unless you have advised Clark Atlanta to the contrary in accordance with Clark Atlanta procedures. This primary purpose of directory information is to allow Clark Atlanta to include this information from your education in certain publications.

Examples include:

- The annual yearbook
- Dean’s list, honor roll or other recognition lists
- Graduation program
- Sports activity sheet

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish year books. If you do not want Clark Atlanta to disclose directory information from you education records without prior written consent, you must notify the University in writing as soon as possible. Clark Atlanta has designated the following information as directory information:

- Student’s Name
- Address
- Telephone number
- Email
- Date and place of birth
- Major field of study
- Dates of attendance
- Current enrollment status
- Degrees and awards received
- Most recent educational agency or institution attended
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams

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**Office of the University Registrar**  
**Room 102 Trevor Arnett Building**  
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