



FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Known by its acronym, FERPA, this important legislation guarantees to you certain rights regarding your educational records. This act, which the institution intends to fully comply with, was designed to protect the privacy of educational records.

Your rights include:

1. The right to inspect and review your educational records.
2. The right to request amendment of your records to ensure that they are accurate and not in violation of your privacy or rights.
3. The right to consent to disclosures of personally identifiable information contained in your educational records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures of Mount St. Mary's University to comply with the requirements of FERPA.

Mount St. Mary's University has designated the following information as **Directory Information**:

Name, Address, Telephone Number, Dates of Attendance, Previous Institutions Attended, Major Fields of Study, Enrollment Status, Awards, Honors, Degree(s) conferred (including dates), Date and Place of Birth.

The university may disclose any of the above items without prior consent unless notified in writing to the contrary. Students wishing to prevent disclosure of any aspects of the directory information must file a "Request to Prevent Disclosure of Directory Information". This form is available in the Registrar's Office and online at www.msmary.edu/registrar. The form must be submitted to the Registrar's Office by 5:00 p.m. on the last day to add classes as listed in the Academic Calendar. Please consider very carefully the consequences of any decision to withhold a category of directory information. Should you instruct the institution not to release any or all of this "Directory Information," any future requests for such information from non-institutional persons or organizations will be refused. **This includes potential employers who want verification of your degree(s)**. Regardless of the effect upon you, the institution assumes no liability for honoring your instructions that such information be withheld.

Mount St. Mary's University will annually inform students of the Family Educational Rights and Privacy Act of 1974, as amended. Forms to withhold information will be considered valid throughout the student's active enrollment in the college. Any changes must be made in writing.

FERPA FACT SHEET FOR FACULTY

What information is protected under FERPA?

Anything in a student's records that is not directory information:

- Grades/Transcripts
- Billing Information
- Conduct File
- Advisor's File
- Any document (paper or electronic) *that is not a personal note.*

We cannot release any of this information without a written release from the student.

What constitutes a "personal note?"

Records that are kept in your sole possession, are used only as a personal memory aid, and are not accessible to any other person except a substitute (e.g. graduate assistant or support personnel), are not considered education records under FERPA.

- *From a FERPA presentation by Mike Taberski to MSMU leaders on March 6, 2014.*

Some Best Practices to protect student records:

- **GRADES:** Do not leave graded exams or projects outside of your office, taped to your door in an envelope, or on the desk in front of the class. No student should have access to another student's graded work at any time. If you cannot be present, leave these items with a department secretary (not a student worker!) or another faculty member, with instructions to hand them out if the student has proper identification.
- **LETTERS OF RECOMMENDATION:** These should be limited to your personal observations unless you have a waiver from a student to release GPA or grades.
- **ROSTERS:** If a roster contains information that is not directory information (ie., student id numbers!), you cannot distribute it.
- **PARENTS:** There are only two things that would allow a parent to receive non-directory information regarding their student:
 1. The student has provided them and MSMU with a written release, OR
 2. The parent can provide MSMU with official documentation that the student is a dependent minor.

Encourage parents to discuss grades directly with their students!

- **TELEPHONE REQUESTS:** Although no signature is necessary to release educational record information directly to the student, you must be sure that it is the student making the request. FERPA requires you to use a reasonable method to identify and authenticate the identity of students prior to disclosure.

If you cannot determine the student's identity, do not comply over the phone.

FERPA gives you 45 days to release information, so immediate release upon request is not mandatory.

- LEAVING VOICEMAILS FOR STUDENTS: If you phone a student and reach their voicemail, it is best to state only their name, the fact that they are in your class and your name and contact information. Leaving a more detailed message runs the risk of disclosing information to someone other than the student.
- EMAIL: Use your Mount email to send messages to the student's Mount email. It is not a FERPA violation per se to send to Gmail, Yahoo, or other personal email addresses. However, you cannot verify that the address in question is in the exclusive control of the student. It is also easy to mistype these addresses! This makes personal emails vulnerable to accidental FERPA violations.
- LETTERS: Send letters to the address on file. Any official letter (on Mount letterhead) should be sent from the university to the student's address on file in the Registrar's Office.

WHEN IN DOUBT, DON'T GIVE IT OUT!

Contact the Registrar's Office with any concerns or requests for clarification.

Chris Weber
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136 Bradley Hall
301.447.5114
cweber@msmary.edu

FERPA information and forms are available online at www.msmary.edu/ferpa