



**FORT VALLEY
STATE UNIVERSITY**
EMPOWER *the* POSSIBLE.

*Office of Legal and Government
Affairs*

Huntington Hall, 1st Floor

Family Educational Rights and Privacy Act (FERPA)

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What is FERPA?

20 U.S.C. § 1232 (g)

FERPA is federal law that protects the confidentiality of student education records. FERPA is applicable to FVSU students who are eighteen (18) years of age or older or who attend a postsecondary institution, like FVSU, at any age.

Education records include, but are not limited to:

1. Disciplinary Information;
2. Grades/GPA;
3. Financial Aid Information; and
4. Billing Information

Students Have Rights Under FERPA

1. Right to Inspect and Review Education Records
2. Right to Request Amendment of Education Records
3. Right to Provide Written Consent Before Disclosure
4. Right to Opt-Out of Directory Information Disclosure
5. Right to File a Complaint with the U.S. Department of Education and/or FVSU FERPA Privacy Officer for FVSU's failure to comply with FERPA

For FERPA Purposes, Who Are Considered Students?

- Individuals who are enrolled in and actually attend an educational institution
- Attendance in person or virtual/distance learning
- *Excludes* students who are auditing courses and applicants for admission

Education records are records which:

- Contains information directly related to a student; and
 - Are maintained by an educational agency or institution or by a party acting for such agency or institution.
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Records include, but are not limited to paper, documents, audio recordings, video, electronic files, etc. A record is protected by FERPA even if it does not contain a student's name, campus identification number, etc. if it has sufficient information to make a student's identity easily traceable.

Education Records

How do you determine whether a record is **DIRECTLY RELATED** to a student?

A record is directly related to a student if it contains personally identifiable information about the student.

Personally Identifiable Information

Personally Identifiable Information is also known as “PII”.

A college/university cannot disclose PII from education records without first obtaining written consent from the student **unless a FERPA exception applies**. FVSU has a Release Authorization Form for Education Records that students can submit electronically.

PII includes, but is not limited to:

- Student Name
 - Social Security Number
 - Campus ID
 - Date of Birth
 - Place of Birth
 - Etc.
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Records Excluded from FERPA Protection

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

- **Sole possession records** (private notes that a professor keeps about class participation)
 - **Law enforcement records** (those 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 worker)
 - **Treatment records** (Note: FVSU 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 Grades** (grades on peer graded papers before collected & recorded by professor)
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Who Has Access to FERPA Records?

University officials with a “legitimate educational interest” in the records (*no consent needed*).

University Officials

- A person employed by FVSU 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 FVSU or USG 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

“Legitimate Educational Interest”

A University Official has a “legitimate educational interest” if the official needs to review an education record in order to fulfill his or her professional responsibilities for FVSU.

Examples of university officials with a legitimate educational interest:

Members of USG Board of Regents • FVSU 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

Who Has Access to FERPA Records?

Those persons who have been authorized by the student to receive the student's education record(s) by way of the student completing the FERPA Consent to Release Authorization Form.

FERPA Release Authorization for Education Records

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When a student would like a third party to have access or be released education records, they may complete a FERPA Release Authorization for Education Records form found on the FVSU FERPA webpage.

This form designates persons and/or entities authorization to receive a student's education records.

The student must select which information to release, include the person's and/or entity's information, as well as a pin number/security code. This pin number/security code will be required to be provided before the designated person and/or entity will receive any education record.



Legal & Governmental Affairs FERPA Release Authorization For Education Records

For questions or concerns regarding FERPA rights, please contact the privacy officer by e-mail at privacyofficer@fvsu.edu or by phone at 478-825-4321.

Student Information:

First Name *

Last Name *

Student ID *

Student Email *

The Family Educational Rights and Privacy Act (FERPA) is a federal law that protects the privacy of student education records. Students may make their education records accessible to third parties by providing consent to disclosure of their education records. Students desiring to authorize the release of information from their education records must complete this form.

* ☒ I authorize Fort Valley State University to release information from my education record as follows:

1. Items of information to be released (check all that apply):

- ☒ Billing information, including statements, charges, credits, payment history, past due amounts, and/or collection activity
- ☐ Disciplinary information, including the results of any disciplinary hearing where I was the accused
- ☒ Financial Aid information, including awards, application information, disbursements, eligibility information
- ☐ Grades/GPA, including academic progress status and/or enrollment information
- ☐ Other

Student must create a security code consisting of six numbers that will be required to be provided by any third party or entity requesting information from the student's education record.

Pin #

2. The information checked above may only be released to the following persons or entities:

If you need to list more than one entry, choose a number from the list:

 

Entry 1:

Name *

(Example: Jane Doe or Harper Student Loan Company)

Email *

Phone *

Address *

City *

State *

Zip *

3. Purpose for which the records are to be released:

Records Release Purpose

*

4. This consent for release of the education records checked above shall be in effect for the following time period (check one box):

- * ☒ Single Use (One Time Use)
- ☐ Indefinite (No end date)
- ☐ Start/End Date

Student Signature:

[Redacted Signature]

Signature

[Redacted Date]

[Redacted Date]

Date

LGA Signature

Electronically signed by

[Redacted Signature]

Explanation of Education Records

Education records are not limited to the ones shown on this slide.

Includes, but may not be limited to statements, charges, credits, payment history, past due amounts, and/or collection activity

Billing Information

Includes, but may not be limited to the results of any disciplinary hearing whether the student was the accused

Disciplinary Information

Includes, but may not be limited to awards, application information, disbursements, and/or eligibility information

Financial Aid Information

Includes, but may not be limited to academic progress status and/or enrollment

Grades/GPA

Directory Information

Directory Information refers to student information that is not generally considered harmful or an invasion of privacy if disclosed. Directory information may be disclosed without a student's prior written consent unless the student has opted out of such disclosure.

FVSU and the University System of Georgia (USG) has designated the following categories of information as **Directory Information**:

- Student's name
- Major field of study
- Enrollment status
- Participation in officially recognized activities and sports
 - Dates of attendance
 - Degrees, honors, and awards received
- The most recent educational institution attended
 - Height and weight of athletes
 - Class level
 - Hometown
- Institution-assigned email address (*this may be disclosed without consent only to other current students*)
 - Thesis/Dissertation title

The Solomon Amendment, 10 USC § 983, is a federal law that allows military recruiters to access some address, biographical, and academic program information about students aged 17 and older. The U.S. Dept. of Education has determined that the Solomon Amendment supersedes most elements of FERPA.

FVSU is obligated to release education records pursuant to the Solomon Amendment, which may or may not match FVSU's Directory Information list, as long as the student has not submitted a request to opt-out of the information disclosure. Records under the Solomon Amendment that may be released is known as Student Recruitment Information.

The Solomon Amendment

(10 USC § 983)

FVSU and USG have designated the following as **Student Recruitment Information** under the **Solomon Amendment**:

- Student's name
- Address (permanent)
- Telephone
- Age or date of birth (17 years of age or older)
- Place of birth
- Education level
- Academic major
- Degrees received
- Educational institution in which the student was most recently enrolled

The Solomon Amendment

(10 USC § 983)

Student Recruitment Information

Please note: This information CANNOT be released if the student has submitted a request to restrict the release of his/her directory information such as the FERPA Directory Information Opt-Out Form.

FERPA Directory Information Opt-Out Request

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When a student would like to opt out of having their Student Directory Information released, they may complete a FERPA Directory Information Opt-Out form found on the FVSU FERPA webpage.

Key Take Aways – Do's and Don'ts

- **DO NOT** share student information with anyone unless a legitimate education interest exists.
- **DO NOT** dispose of student records in an ordinary trash.
- FERPA rights belong to the parent until the student reaches age 18 or attends a postsecondary institution.
- Prior to releasing any requested student information, contact FVSU's FERPA Privacy Officer in Legal Affairs.
- When in doubt, **DO NOT** release student information or education records. Contact FVSU's FERPA Privacy Officer instead.
- If documents are requested for legal purposes or subpoenaed, please refer them to the Office of Legal and Government Affairs.
- Don't send grade information or other student details to a student at an email address you don't recognize to be theirs (*the safest way is to use a FVSU institution email address*).
- FERPA requires confidentiality of student information by telling the school what information they may share, and when and who they may share it with.
- Education records contain information directly related to a student and are maintained by an educational agency/institution.
- Don't discuss a student's information in such a way that others might overhear.
- **DO NOT** release student information or education records to any parent or 3rd party without verifying if an Authorization and/or Opt-Out form is on file.
- **ALWAYS** pay attention to confidential indicators in Banner.

*****All request for release of student information should be reviewed and/or sent to the FERPA Privacy Officer in Legal Affairs to ensure compliance with the FERPA law*****

FVSU's FERPA Webpage:

