Family Educational Rights and Privacy Act (FERPA)

Basics For Faculty and Staff

Binghamton University
State University of New York

What is FERPA?

The Family Educational Rights and Privacy Act is a U.S. Federal law that protects the privacy of student education records.

The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. It is also known as the Buckley Amendment.
What does FERPA mean for students?

- Gives certain rights to students regarding access to their academic records
  - Inspect
  - Review
  - Challenge accuracy of education record
- Protects academic records - defines what may and may not be shared with general public
- Gives students the option to not allow any information to be shared without their consent

What records are considered academic records?

- Education records are those records which contain information directly related to the student and are maintained by the University or by a party acting for the University.
Examples of academic records include:

• information contained in the student files of the Registrar, Dean, Academic and Administrative departments that are accessible to others with a need to know
• computer records
• e-mail communications kept on file
• student files on microfilm

What records are excluded from FERPA?

• Personal records of faculty and staff that are not available to others
• Records of the Public Safety Office which are maintained for law enforcement purposes
• Employment records, unless employment is contingent upon student attending Binghamton University
• Medical records made and maintained in the course of treatment and disclosed only to those individuals providing treatment
• Records that only contain information about a student after he or she is no longer a student at Binghamton University
How does FERPA protect academic records?

- FERPA does not allow student records to be released to the general public or to those outside the University without student consent. An exception is "directory" information.
- FERPA provides guidelines for what may or may not be considered directory information. Binghamton University provides students with this definition via the Student Handbook.

What is Directory Information at Binghamton University?

It is the only information that can be released without the student's consent.

Directory information includes:
- name
- address
- telephone number
- e-mail address
- class level
- degree information (including majors, minors and certificates)
- dates of attendance
- full- or part-time status
Why it is important to know what is considered directory information at Binghamton University?

The University may determine there is an articulable and significant threat to the health or safety of a student or other individuals. Information from education records may then be disclosed to any person whose knowledge of the information is necessary to protect the health or safety of the student or others.

(Family Policy Compliance Office (FPCO), U.S. Department of Education)

Directory Exclusion

• A student has the right to request directory exclusion.
• This means that the student's name and other information is excluded from the printed directory and the university online directory. It also means that the University will not release ANY information about the student without a signed release from the student.
• Directory exclusion remains on the student's record indefinitely until the student requests in writing to the Registrar's Office that it be removed.
• The student must complete a form so that this can be noted on the student's record in Banner. Available at www.registrar.binghamton.edu.
What does FERPA mean for parents?

FERPA does not automatically grant parents the right to access the educational records of their children.

At Binghamton University parents may gain access only with the written consent of the student.


What does FERPA mean for faculty?

This means that faculty should not post, display or in any way make the following available to the general public or other students (even if they are in the same class):

- class lists
- petition cards
- grade sheets
- anything with student B-Numbers, Social Security Numbers, grades, etc.
- other forms with student information
What does FERPA mean for staff?

- All employees who have access to educational records are responsible for maintaining the confidentiality of those records.
- Staff may not release information to a third party without the written consent of the student.
- Staff should be aware of what is considered directory information and only release such information after confirming that the student has not requested directory exclusion.

Questions about FERPA?

If in doubt, do not release information.

Contact University Registrar for clarification.

Questions about an interpretation of the federal law or about specific situations?

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