

University of Arkansas Fort Smith

FERPA

Family Educational Rights and Privacy Act

(Also known as the Buckley Amendment)

For Faculty, Staff, and Students

1. Education records are defined as records that are directly related to a student and maintained by the University, except for law enforcement records, employment records (unless employment is contingent upon being a student), medical records, or post-attendance records. FERPA affords students certain

DO NOT provide anyone with lists of students enrolled in your classes for any commercial or other purpose.

DO NOT provide anyone with student schedules or assist anyone other than University employees in finding a student on campus. Refer individuals to the University Security Desk.

Letters of Recommendation and Verbal Commendations: Statements made by a person making a recommendation do not require a written release from the student. However, if personally identifiable information obtained from a student's record is included in the letter of recommendation, the writer is required to obtain a signed release from the student.

Parental Access: When a student reaches the age of 18 or begins attending a post-secondary institution, regardless of age, FERPA rights transfer from the parent to the student. The University will obtain an observed signed consent form from the student that authorizes the parent to receive non-directory information and/or attend a meeting regarding the student's academic record. The consent form will be kept on file in the Records Office and noted in Banner. Should a parent contact you regarding their child, you must check for this authorization prior to releasing any information. If the authorization does not exist, do not discuss the student with the parent and advise the parent that the child must give written observed authorization before you are allowed to do so.

The Media: FERPA does not allow an institution to discuss a student's educational record publicly, even if the information has become a matter of public record through a lawsuit or other means. A school official may not assume that a student's public discussion of a matter constitutes implied consent for the school official to disclose anything other than directory information in reply. Additionally, University employees should follow University policies regarding the release of information to the media.

Best Practice: Best practice is to limit disclosure from and access to personally identifiable student information to those at the University who have an articulable and legitimate need to know in order to perform the duties of their job. Do not disclose or provide access to personally identifiable student information to anyone outside of the University without either the student's signed and specific written consent