



FERPA: Case Studies

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Introduction

- Session for those with intermediate knowledge of FERPA
- General cases: easier questions
- Advanced cases: national/local situations
- Your cases: situations/questions you are facing



General Cases

EMPLOYER CALLING TO VERIFY DEGREE OF RESTRICTED STUDENT

- Tell employer to contact student
- Fax signed release form
- Explain FERPA



General Cases

STUDENT ON ACTIVE DUTY SEEKING TRANSCRIPT

- Transcript request can be scanned
- Download form and mail
- Other ideas



General Cases

FRIEND PICKING UP TRANSCRIPT FOR SOMEONE ELSE

- Tell them no
- Require written statement or photo id
- See if student indicated that someone else would pick up



General Cases

PUBLIC FIGURE WITH INACCURATE DEGREE INFORMATION

- Do nothing
- If requested, do not verify degree
- If appropriate, inform the person especially if degree may be obtainable



General Cases

PARENT CALLING TO CONFIRM DAUGHTER'S GRADUATION

- Share directory information
- Encourage conversation with daughter
- Work with daughter to re-enroll or other options



General Cases

LOCAL CAR DEALERSHIP REQUESTS TO SEND FLYERS TO STUDENTS

- Ethics Law considerations
- University/college policy considerations
- Other ways to get information out



General Cases

REQUEST FROM CAMPUS SECURITY FOR ACCESS TO ON-LINE RECORDS SYSTEM

- Can be designated as university officials
- Any information they access is education record
- Campus security responsible for protecting information under FERPA



General Cases

FORMER STUDENT REQUEST FOR ACCESS TO RECORDS

- Gather records from Registrar, Admissions, Department, Graduate School
- Make copies if possible and send
- Alternately can find a partner near student and make arrangement for the student to view



General Cases

UNIVERSITY BOOKSTORE AND RELEASE OF INFORMATION

- Student consent if possible
- Third party has obligation to protect information as required by FERPA
- Contract should explicitly state requirements for information sharing



General Cases

POWER OF ATTORNEY

- Release transcript if properly executed
- Power of Attorney should cover commercial transactions
- Have legal counsel review for their opinion



National/Local Cases

- Social Security Agency's Office of Inspector General (OIG)
- Requested F-1 students enrolled
- FPCO responded that no statutory authority exists for providing education records without consent



National/Local Cases

- University of North Alabama Disability Office Records
- Faculty member requested records documenting disability
- FPCO responded that records were education records (not treatment records) and permissible to release



National/Local Cases

- University of Oklahoma case involving releasing redacted records
- Open records requests for material concerning investigation of student athletes and possible NCAA violations
- FPCO responded that student still possible to identify after redacting



National/Local Cases

- Verification of degree by National Student Clearinghouse
- Used SSN as method of identifying students and verifying degrees
- FPCO responded that verification by using SSN was essentially releasing SSN



National/Local Cases

- Gonzaga University department of education
- Released information to State agency that effectively denied certification to student
- Student sued and was awarded damages based on FERPA. US Supreme Court overturned those damages



National/Local Cases

- WSU case with high profile disciplinary case involving alleged harassment
- Campus community and alleged victim wanted results of hearing
- Could not release under FERPA.
University worked with students to sign consent forms to release results and their case to the public



Your Cases
