



WESTERN MICHIGAN
UNIVERSITY

Family Educational Rights and Privacy Act



How does FERPA apply to me as a Western Michigan University employee?

Maintaining the confidentiality of education records is the responsibility of all faculty, staff and student employees with access to student-related data. Knowledge of the Family Educational Rights and Privacy Act is important to ensure that student educational information is released in compliance with FERPA guidelines.

For Faculty:

The public posting of grades or scores in association with names, SSNs, WINs (or any portion – e.g. last four digits) is not permitted under FERPA. Faculty may display grades using a system of unique identifiers known only to the student and the instructor, as long as they are posted non-alphabetically.

Distributing graded work in a way that exposes the student's identity (such as allowing students to sort through papers to retrieve their own work) or leaving personally identifiable graded papers unattended is a violation of FERPA.

Do not use or circulate class lists/rosters that include students names, WIN, etc. for attendance purposes.

Statements made by a person providing a recommendation based on personal observation or knowledge do not require a written release from the student. However, if personally identifiable information is included in a letter of recommendation (grades, GPA, etc.), the writer is required to obtain a signed release from the student.

What is directory information?

Institutions may disclose information about a student without violating FERPA if it has designated that information as "directory information." At Western Michigan University, directory information includes a student's:

- Name
- Address
- Telephone Number
- E-mail Address as assigned by WMU
- Curriculum and major field of study
- Dates of attendance
- Enrollment status (full/part time)
- Degrees/Awards received
- Most recent previous educational agency or institution attended by the student
- Participation in officially recognized activities and sports
- Weight and height of athletes

What are the penalties for FERPA violations?

The Department of Education Family Policy Compliance Office, located in Washington DC, reviews and investigates complaints of violations of FERPA. Penalties can include the withdrawal of Department of Education funds. WMU employees may also be subject to other employment actions for violations of FERPA requirements and/or University rules.

Semester or session grades are typically available to students through their GoWMU account within a few hours of the grade submission deadline. Since access requires the use of the student's Bronco NetID and password, students can view final course grades securely.

Please note: These guidelines are not intended to be all inclusive or to be legal advice. Please refer to legal counsel for specific legal guidance regarding FERPA.

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What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) of 1974 is a federal law designed to help protect the privacy of student education records. The Act provides eligible students the right to inspect and review their education records, the right to seek to amend incorrect education records and to limit disclosure of information from their education records. The Act applies to all institutions that are the recipients of federal aid administered by the Secretary of Education.

What are Education Records?

According to FERPA an education record, with limited exception, is a record which is maintained by the institution, directly related to the student, and from which a student can be identified. Based on this definition, records from virtually all academic, financial, and administrative offices fall under the FERPA umbrella.

Who is protected under FERPA?

FERPA protects the education records of students who are currently enrolled or formerly enrolled, regardless of their age. The education records of students who have applied to but have not attended an institution are not subject to FERPA guidelines, nor are deceased students.

What are students' rights under FERPA?

FERPA provides students the right to:

- Inspect and review their educational records
- Limit disclosure of information from their records
- Request the amendment of inaccurate educational records
- File a complaint with the U.S. Department of Education concerning the alleged failures by the University to comply with the requirements of FERPA

May I release information contained in a student's education record?

Directory information is information the University may disclose without the consent of the student. Students have the right to request that directory information not be disclosed. When a student does request, in writing, that directory information not be disclosed a confidentiality designation is noted on the students' record. It is important to always verify in the student information system that the student does not have a confidentiality flag before releasing any directory information.

Non-directory information can be released if a signed and dated consent is obtained from the student. The consent must specify the records that may be disclosed, state the purpose of disclosure, and identify the party or parties to whom the disclosure may be made. Students may request that the information disclosed be released to them as well.

Information can be shared within the University among appropriate university personnel having legitimate educational interest in the records.

Note: When releasing information, inform parties to whom you release the information that recipients are not permitted to disclose the information to others without the written consent of the student.

When in doubt, do not release information!
Please call the
Office of the Registrar
at (269) 387-4300.

for further information go online to
<http://www.wmich.edu/registrar/policies/ferpa/>

When is the student's consent not required to disclose information?

When the disclosure is:

- To university officials who have a legitimate educational interest
- To accrediting organizations
- To comply with a judicial order or subpoena
- In a health or safety emergency
- Requests to disclose information should always be handled with caution and approached on a case-by-case basis.

What rights do parents have under FERPA?

According to FERPA when a student begins attending a postsecondary institution, regardless of age, FERPA rights transfer to the student. While parents understandably have an interest in their student's academic success and progress, only directory information can be shared with them.

As an institution of higher education, WMU supports the rights of students under FERPA to choose to whom they disclose their academic and financial information. To facilitate and encourage dialogue between students and their parents, WMU offers two ways to support this interaction. Students can grant a parent authorized user access to view certain academic and financial aid information through the student information system. Access to this information is restricted to what is available in the system and has been authorized by the student. In addition, students can choose to sign a waiver allowing a faculty or staff member to discuss their records with parents. In both cases, the choice to grant access is the student's and the student has the right to revoke this access at any time.