

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT - FERPA - Overview

(Note: see other side for definitions of “*student*”, “*education records*”, “*school official*”, and “*legitimate educational interest*”.)

(The full UWW FERPA policy can be found on the Registrar’s Office website at [www.uww.edu/registrar](http://www.uww.edu/registrar))  
The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, is a federal law that can be summarized by the following two points:

1. **Access.** A *student* is permitted certain rights regarding his/her *education records*:  
Right to inspect and review his/her educational records;  
Right to request an amendment to the records if he/she believes there is an inaccuracy;  
Right to restrict the release of the student’s Directory Information from public access;  
Right to file a complaint with the U.S. Department of Education if he/she feels UW-Whitewater has failed to follow FERPA guidelines.
2. **Confidentiality.** *School officials* must protect the privacy of *education records* and shall not disclose personally identifiable information about a student or permit inspection of the student’s records without his/her written consent unless such action is permitted by the Act.

### **DO NOT DISCLOSE, SHARE, OR TRANSMIT ANY INFORMATION ABOUT A STUDENT WITHOUT THE STUDENT’S WRITTEN CONSENT, UNLESS PERMITTED BY FERPA.**

FERPA permits two exceptions that help us do our jobs without spending all our time obtaining written consent from students:

1. **Directory Information.** FERPA allows us to share a student’s “directory information” unless the student has officially requested to restrict its release (such restrictions are noted in WINS by a light-blue window shade icon). UWW directory information items include only the following:
  - Name, address, email address, and telephone number (excluding cell);
  - Dates of attendance (including term units carried and full-time/part-time status);
  - Classification (e.g. sophomore, senior, graduate student);
  - Major/minor/degree program;
  - Degrees conferred (including dates/anticipated dates);
  - Previous institution(s) attended;
  - Awards and academic honors;
  - Participation in officially recognized sports and activities;
  - Physical factors (weight and height) of members of athletic teams.

A student who wants to restrict the release of his/her directory information must complete and file the “Request To Prevent Disclosure Of Directory Information” form in the Registrar’s Office (the restriction will remain in effect until the student submits written notification to the Registrar’s Office to have it removed).

Non-directory information and restricted directory information must NOT be released without the student’s written, signed and dated consent (see <http://www.uww.edu/registrar/ferpa.php> for Authorization to Release Records form). Such written, signed and dated consent must specify and include the following three items:

- a) The records to be released;
- b) The party or class of parties to whom the records should be released;
- c) The reason or purpose for the release of the records.

2. **UWW school officials who have a *legitimate educational interest*.** FERPA allows a UWW school official to share a student's education record information (directory information and non-directory information), without the student's written consent, with other UWW school officials who have a legitimate educational interest.
- a) OTHER THAN THESE TWO EXCEPTIONS, ALWAYS ERROR ON THE SIDE OF CAUTION AND DO NOT DISCLOSE OR SHARE ANY PERSONALLY IDENTIFIABLE INFORMATION ABOUT A STUDENT. REFER QUESTIONS ABOUT FERPA TO THE REGISTRAR'S OFFICE (Roseman room 2032, x1570).

## **Definition of Terms**

### ***Student--***

A person who is/was enrolled in a UWW course (credit and/or non-credit). However, a person who has been enrolled in one component of UW-Whitewater and who applies for admission to a second component (e.g., an undergraduate student who applies to a graduate program) has no rights under FERPA to inspect the records accumulated by the second unit until enrolled therein.

### ***Education Records--***

The records directly related to a student and maintained by UWW, a UWW school official or by a party acting for the institution.

### ***School Official--***

A person who serves UWW in an administrative, supervisory, academic, research, or support staff position, including UWW law enforcement personnel, health staff, student employees, and field supervisors. This definition also includes a person or company with whom UWW has formally contracted (such as an attorney, auditor, or collection agent); a volunteer or other non-employee performing institutional services and functions; a person serving on an official UWW committee, such as a disciplinary or grievance committee; or a person legitimately authorized to assist another UWW school official in performing his or her professional UWW responsibilities.

### ***Legitimate Educational Interest--***

The demonstrated professional "need-to-know" by a UWW school official. The school official must seek the information within the context of his/her professionally assigned UWW responsibilities and the information must be used within the context of official UWW business.

Disclosure of education record information to a UWW school official having a legitimate educational interest does not constitute authorization for that school official to transmit, share, or disclose any or all of that information to a third party who does not have a legitimate educational interest. An unauthorized disclosure of personally identifiable information from the education record of a student is prohibited.