

## **FERPA for Faculty and Staff**

### Privacy of Student Information for Buffalo State Faculty and Administrators

Buffalo State and the Office of the Registrar take the privacy and security of our student's records very seriously. To that end, we provide the following resource to assist faculty and staff when making decisions about the disclosure of student information.

Privacy rights are outlined in the Family Educational Rights and Privacy Act (FERPA – 20 U.S.C., 1232g; 34CFR Part 99) and administered by the U.S. Department of Education.

Student scores or grades cannot be displayed publicly where someone else can match the student with the score or grade. Student ID numbers are considered personally identifiable information and as such, must not be used in public displays in whole or in part. The one exception to the prohibition on posting scores/grades is when an instructor assigns a unique identifier known only to the instructor and the student. If this method is chosen, the identifier cannot be composed of personally identifiable information such as birth date, phone number, etc., and the list cannot be in alphabetical or seating order. If all grades in a course are the same, those grades should not be posted.

If class rosters or attendance sheets are passed around class to take attendance, they must not include student ID numbers.

Grades or degree audits distributed for purposes of advisement should not be placed in plain view in open mailboxes located in public areas.

Graded papers or tests should not be left unattended on a desk in plain view in a public area nor should students sort through them to retrieve their own work. Returning work to a student using a sealed envelope taped to a door with the student's name on it is not appropriate, as it makes student information available in a public place.

Information cannot be provided to parents without written permission from the student except as noted under the Sharing Concerns about Students section below.

Below is a summary of items that CANNOT be disclosed to others without the student's written consent:

Student ID number; includes Banner ID, SSN or any unique number assigned to a student

Grades, scores and GPA's

Attendance

Locations or times of courses in which students are currently enrolled

Courses students have taken

Credit hours earned

Probation/dismissal status

Gender

Ethnicity

Country of citizenship

Financial Aid or veteran's status

Test results; includes ACT/SAT results

This list is not exhaustive.

There is also some information which you CAN share because Buffalo State University has designated the following categories of student information as public or directory information. Examples of that information include:

Name

Address

Email Address

Telephone Number

Dates of Attendance (Term begin and end)

Part-time/ Full-time Status

Academic Advisor

Previous institution attended

Major Field of Study

Awards

Honors (including Dean's List)

Degrees Conferred

This list is also not exhaustive. Please visit the "Directory Information Policy" webpage for additional information.

Please note that there are instances in which a student has requested that this Directory Information not be shared. That indication is a warning sign and the text “Confidential Information for [Student Name]” located on the “General Student Information” Banner SSB page in the top left hand corner. The confidential indication is also on the class roster in Banner.

If you have any questions, please feel free to call the Office of the Registrar at 878-4907.

### Sharing Concerns about Students within FERPA Guidelines

Given the interactions that faculty and staff have with students, there may be occasions where they feel it is necessary to share information about a student with others. Listed below are circumstances under which information can or cannot be shared if you have a personal concern about a student.

#### Disclosure to Other School Officials

Without the student’s consent, you can disclose personally identifiable information to other Buffalo State officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record to fulfill his or her professional responsibility. (A school official is a person employed by the university in an administrative, supervisory, academic or research, or support staff position.) For example, an instructor could share a student composition that contained disturbing text or illustrations with the department chair or director, dean’s office, and the Counseling Center or University Police, as appropriate.

#### Disclosure in Health or Safety Emergencies

In an emergency, FERPA permits universities to disclose information from education records to appropriate parties, including parents, if knowledge of the information is necessary to protect the health and safety of the student or others. This exception is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student’s education records. Universities are given autonomy in determining if a health or safety emergency exists.

All health or safety emergencies should first be referred to University Police at extension 6333. The university must record the “articulable and significant threat” that formed the basis for the disclosure, so it is important that all relevant information be shared with University Police at the time of notification. Within a reasonable period of time the articulable and significant threat that formed the basis of the disclosure and the parties to whom the information was disclosed must be recorded in the student’s education records.

#### Disclosure to Provide Timely Warning of Crimes

FERPA does not preclude campuses from complying with The Clergy Act which requires timely warnings of crimes that represent a threat to the safety of students or employees.

Anyone who becomes aware of a crime or a planned or attempted crime should immediately report the circumstances to University Police at extension 6333.

#### Disclosure of Personal Observations

Information that is based on a school official's observation or personal knowledge, and not based on a student's education records, may be shared with parents. Therefore, FERPA would allow an instructor or other school official to advise a parent of his or her concern about their son or daughter that is based on personal knowledge or observation.

A school official, based on his or her own observations, may also notify law enforcement officials of suspicious activity or behavior. For this University, "law enforcement officials" means University Police at extension 6333.

If you have concerns about the behavior of a student, you are encouraged to advise appropriate officials on campus, beginning with your departmental chair or director and including the Counseling Center, Dean of Students, Weigel Health Center, Disability Services Office, or University Police, depending on the nature of your concern. The Dean of Students chairs the Students of Concern Care Team, a group which intervenes to provide support for students whose actions raise concerns about their potential for harm to themselves or others. If a student's behavior is inappropriate or troubling, or a student appears to be disturbed or in distress, those in the best position to assist the student should be notified. Intervention can assist in supporting a student's personal and academic life, enabling him or her to achieve success, or in more serious cases, initiate referral for internal or external judicial action.

#### Disclosure to Parents Signed FERPA Release

School officials can release student information to parents if the student has added them specifically in Banner as their FERPA designees. Once this is done, it permit their parents access to their student records, either by certifying that their parents can claim them as dependents for federal income tax purposes or by acknowledging access to those records by their parents. This consent would be in effect one year from the date that appears on the designees information in Banner. This information needs to be renewed by the student each subsequent year.

#### Dependent Student

School officials may share any information from a student's education records with parents without a student's written consent when it is determined that the son or daughter is a dependent according to IRS regulations. Contact the Registrar's Office if you believe this option is needed.