

University Information Security Office Newsletter

Technology is so much fun but we can drown in our technology. The fog of information can drive out knowledge.

— Daniel J. Boorstin



The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (a.k.a. FERPA or the Buckley Amendment) is federal legislation enacted in 1974 that controls student records. It grants students the right to access their own educational records as well as limiting, for privacy reasons, the release of those same records to anyone other than the student and/or the student's designee. FERPA applies to all current and former students of the University.

What rights are granted to students under FERPA?

- Right to Inspect and Review Records
- Right to Request to Amend Records
- Right to Limit Disclosure of "Personally Identifiable Information" (Information that would directly identify the student or make the student's identity easily traceable)

What records are NOT education records under FERPA?

- Sole Possession Records
- Law Enforcement Unit Records
- Employment Records
- Medical Records
- Post-Attendance Records

Information that is FERPA protected:

- Grades
- Test Scores
- I.D. Numbers or Social Security Numbers
- Financial Records
- Disciplinary Records
- Class Schedule

References: National Cyber Security Alliance, Stay Safe Online

Disclosure of information from confidential educational records is limited to the eligible student or to others:

- To whom the eligible student releases the records;
- Who have a "Legitimate Educational Interest";
- Who are entitled or permitted to know the content of the records by one or more FERPA "exceptions."

*** Items 2 and 3 above are strictly defined under FERPA, so you should check with Legal Counsel or some other administrator familiar with FERPA before releasing any information.

FERPA "Danger Zones" for Faculty (not related to posting of grades):

- Circulating a printed class list with student name and Student ID number or grades as an attendance roster.
- Discussing the progress of any student with anyone other than the student without the consent of the student (e.g. parents, employers, other students).
- Providing anyone with lists of students enrolled in your classes for any commercial purpose.
- Providing anyone with student schedules or assist anyone other than university employees in finding a student on campus.
- Giving out directory information about a student who has requested confidentiality.
- Re-disclosing confidential information to a third party without authorization.
- Including personally identifiable information about student "A" in student "B's" record without student A's permission.
- Including FERPA protected information in a letter of reference without the student's written permission (this includes the student's GPA or grade in your class).

What is FERPA?

The Family Educational Rights and Privacy Act (FERPA) is a federal law that controls access to educational records. This includes a parent's right to access their children's educational records, the right to request changes to those records, and the right to some control over disclosure of any personally identifiable information (PII) contained in those records. However, FERPA rights transfer to the student once they turn 18 years old, or enter a higher education institution at any age.

What does this mean for LUC? Generally, the University may not release confidential, non-directory information about a student without the student's consent. There are certain specific exceptions to this, which include disclosure to schools the student is transferring to, appropriate parties in connection with financial aid, judicial orders, and others. With this in mind, LUC protects FERPA information with our strongest policy and technical controls. Please see our Data Classification Policy for more information on how data is controlled: http://www.luc.edu/its/itspoliciesguidelines/data_classification_policy.shtml.

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To avoid FERPA "Danger Zones" related to the posting of grades, MAKE SURE TO:

- Never leave graded tests in a stack for students to pick up by sorting through the papers of all students. You may leave them with an assistant and/or receptionist to give out to the student and you may place each test in a sealed envelope with the student's name on it.
- Never require students to use social security numbers, student ID numbers, birthdays, phone numbers, auto tag numbers, or derivatives of those numbers. Use a pin number that only the professor and the student know.
- Never link the name of a student with that student's ID number in any public manner.
- Never post the grades, even if coded, in alphabetical order or any other recognizable order.
- Post grades only for students who have given written consent for such a posting.
- Never mail grades to students UNLESS consent is received and a self-addressed envelope (no post cards) is supplied by the student.
- Use e-mail as a last resort. While emailing grades is permissible under FERPA, the Department of Ed has ruled that an institution will be held responsible for a violation if any unauthorized individual sees the grade via your electronic transmission.
- If you are giving out grades or other FERPA protected information over the phone, make sure that the person you

are speaking to is your student. Ask questions that only the student could answer, such as the name of the course, an example of an assignment from the course, or questions that were on the final exam.

*Source: Eastern Michigan University

Our March awareness topic is FERPA.

Please visit: http://www.luc.edu/uiso/awareness/loyola_aware.shtml for further information.

If you have any questions in regarding to Loyola Aware, please contact the data security team by email (datasecurity@luc.edu) or call x87373 (703-508-7373)

University Information Security Office For more information or to report a security incident:

Email: DataSecurity@luc.edu

Web: www.luc.edu/uiso

Telephone: (773) 508-7373

Location: GC Room 230

Hours: M-F 8AM-5PM

FERPA Basics



	<p>NO ONE is allowed to sell student education record data.</p> <p>EMPLOYERS can't be given student personally identifiable information unless applicants (or their parents) give consent.</p> <p>3rd PARTIES should not use personally identifiable information from educational records to market to kids and families.</p>
	<p>ANOTHER SCHOOL can receive data if the student intends to enroll in that school</p> <p>SCHOOL OFFICIALS & AUTHORIZED 3rd PARTIES must have a legitimate educational interest for accessing student data before they can view them.</p> <p>DATA RECIPIENTS must safeguard student data, including using data only for the purpose for which they were disclosed and destroying data when no longer needed for that purpose.</p> <p>AUTHORIZED 3rd PARTIES can use data only for the purpose for which it was shared, and only under the direction of the school district or state education agency.</p>
	<p>STUDENT'S PARENTS can access their child's data if the child is younger than 18 and not enrolled in postsecondary education</p> <p>STUDENT'S TEACHER can access the student's data to meet educational needs.</p> <p>SCHOLARSHIP & FINANCIAL AID PROVIDERS Can receive data when the student has applied for or has received financial aid from that entity.</p> <p>HEALTH & SAFETY student data can be shared for reasons of health and safety in certain emergencies</p>