



NORTH ORANGE COUNTY COMMUNITY COLLEGE DISTRICT

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CYPRESS COLLEGE Minds. Motivated.

SCHOOL OF CONTINUING EDUCATION Change. Cultivated.

FULLERTON COLLEGE Excellence. Elevated.

FERPA at a Glance

The Family Educational Rights and Privacy Act

What is FERPA?

The Family Educational Rights and Privacy Act of 1974, as amended, sets forth requirements regarding the privacy of student records. FERPA governs: (1) release of these records (known as education records) maintained by an educational institution and (2) access to these records. This law applies to K-12 as well as postsecondary education.

Who must comply with FERPA?

Any educational institution (school or other entity that provides educational services and is attended by students) and educational agency (entity that administers schools directly linked to it) that receives funds under any program administered by the U.S. Secretary of Education.

What does FERPA require for educational institutions to be in compliance?

- Notify students annually. Schools must notify students of their rights on an annual basis. There is no specific method that schools must use to notify students; it is up to the institution. Notice must take a form that is “reasonably likely” to notify students. Recommended and most frequently used ways include:
 - ☞ Student bulletin, handbook, or catalog
 - ☞ School or local newspaper
 - ☞ Student registration packet
- Protect students’ rights to inspect and review their education records.
- Protect students’ rights to request to amend their education records.
- Protect students’ rights to limit disclosure of personally identifiable information contained in education records.
- Ensure that third parties do not redisclose personally identifiable information (except under a few circumstances).
- Keep records of requests for and disclosures of student education records in limited situations.

Who has FERPA rights at the postsecondary level?

A student “in attendance” (regardless of age) and former students.

- Student applies to all students attending – including continuing education students, students auditing a class, distance education students, and high school students enrolled in college.
- In attendance applies to and is determined by the institution. If the institution has not defined when a student is “in attendance” that date becomes the day the student first attends a class at the institution.

What rights does FERPA provide for students?

- Right to inspect and review their education records.
- Right to request to amend their education records.
- Right to limit disclosure of some “personally identifiable information” (information that would directly identify the student or make the student’s identity easily traceable) known as directory information.

What is considered Directory Information?

- Student’s name, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous public or private school attended by the student, and any other information authorized in writing by the student.

FERPA

What is FERPA? FERPA is the **F**amily **E**ducation **R**ights and **P**rivacy **A**ct of 1974. It's a federal law that protects the privacy of student education records. It basically tells us what we can and cannot do with student information. For more information about FERPA, you can visit their home page at: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

FERPA states that institutions can give out directory information without the consent of the student. FERPA defines **directory information** as name, address, phone number, birth date, etc. However, the NOCCCD Board of Trustees have further defined what we, NOCCCD, can give out as directory information in **Board Policy 5040, section 5.0**. This policy states that the *only* information we can give out without student consent is:

- Student participation in officially recognized activities and sports including weight, height and high school of graduation of athletic team members.
- Degrees and awards received by students, including honors, scholarship awards, athletic awards and Dean's List recognition.
- See http://www.nocccd.edu/Policies/PDFs/5040.BP_062005.pdf

What does this all mean to me?

By having a **Banner login**, you have access to information that is covered by FERPA. It is very important that you understand the seriousness of keeping student information confidential.

Do you currently use someone else's username to access Banner?

Do you allow others to use your Banner username and password?

***NEVER loan out your username and password!** If someone else uses your username and password and violates FERPA, you can be held accountable.

***NEVER use anybody else's username or password!** This is against NOCCCD policy.

Under the law, **individual's can be held responsible for FERPA violations**, not just the institution.

If your supervisor will be out of the office for an extended period of time, and you need more access rights to Banner, call the Help Desk at 84849. With the proper approvals, changes can be made to your Banner security on a temporary basis. **DO NOT use your supervisor's username and password.**