Slide 2
Here is my direct contact information and I'm very pleased to have you call me to speak with me about the Family Educational Rights and Privacy Act or anything else that my office might be able to provide you as a service of the Registrar's office.

Slide 3
The Family Educational Rights and Privacy Act, which I'll refer to as FERPA, is managed by the Family Policy Compliance Office, which is part of the United States Department of Education and is occasionally referred to as the Buckley Amendment.

Slide 4
The law, in general, provides for three specific things: it's designed to protect the privacy of student educational records, it provides guidelines for appropriate use and release of student records, and it's intended so that students' rights can be broadly defined and applied. The student is considered the owner of his educational record and the institution is considered the custodian of that record and in that way we take good care, we hope, of the student’s records.

Slide 5
Some of the key terms and definitions of the Educational Rights and Privacy Act are “just what is ‘an education record?’” That's a record that’s maintained by the institution related to the student in whatever format or medium (with some narrowly defined exceptions) within the sole possession of the maker, and I'll discuss the sole possession record for just a moment. Sole possession means that those are private notes that you as an instructor or academic advisor or in some other role as a faculty member at the University might keep for your own private, memory jogging, kind of notes. There are other records that are maintained separately and those include, on the list, the law enforcement records, employment records, any medical or psychological records and alumni records because they're created after the student has graduated from the institution. And to go back to employment records briefly, those records are maintained separately but together if the student
is considered an employee of the University and is working as a graduate assistant or using work-study or other wage paid positions.

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Some commonly held examples of directory information, which is that information that we can release to a third party without generally considering that's going to be an invasion of privacy, are the name, address, telephone, the program of study, dates of attendance, date of birth, the most recent education institution attended, and any degrees or awards that the student has received from the University. I will point out that we do not release the physical address information of a student as it’s not considered to be safe. So if you are asked, in your role, to provide address information, we would request that you not provide physical location information of the student whether it's in university housing or in a private residence.

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There are other pieces of information that cannot be included. That’s the individual’s race, gender, Social Security number, or University ID number (which is the number that we institutionally provide and use to refer to the student), the student’s grades, GPA, country of citizenship, or religion.

Slide 8
In directory information, every student must be given the opportunity to have directory information suppressed from public release. When we use our student system called Banner, this flag is called a confidential indicator or confidential flag. Everyone within the institution must respect a student's confidentiality when the indicator is present on the record.

Slide 9
So when do FERPA rights begin? FERPA-related college records began for a student when he or she becomes 18 or enrolls in a higher education institution at any age. So for us at ODU, the student’s record is FERPA-covered and is a private record owned by the student because he or she is enrolled at ODU.

Slide 10
There are some specific issues for faculty and instructional staff that I would like to bring to your attention. Posting grades: grades can never be directory information and is generally inappropriate to post grades in a public setting. So if you as an instructor post grades in such a manner that only you or the individual student know the posted grade -- for example, if you use a personal ID or test ID, and no portion of the Social Security number -- then that would be acceptable but that should be agreed-upon solution between you and the student. And if you do post a list, the list should not be in the same order as the class roster or in alphabetical or numerical order or any way that would actually identify the student with the particular test score. We recommend that you not post any grades or test scores because you can do that in Blackboard, which is your teaching tool, or you can do it in Leo Online which is where you actually report grades to the registrar's office.

Slide 11
There are some specific issues for faculty and instructional staff. In course websites, in this age of increasing technology, many courses are supported by class websites, discussion groups, Blackboard, etc. and only directory information can be available to the general public or other class members. It’s recommended that such websites have a secondary layer such that only class members and instructors can access appropriate information.

Slide 12
So, in general, there is a list of things we recommend that you not do. You shouldn't post lists of students with IDs in alphabetical order, post personally identifiable information on web pages, discuss grades or other personal information with anyone on the telephone or by e-mail, e-mail student information directly to an address that is not an odu.edu address, or keep personal notes in a shared file.

Slide 13
When in doubt, just say no -- and sometimes that will be difficult.