

FERPA “Do’s & Don’ts” Guide for Teachers

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The Family Educational Rights & Privacy Act

Teacher Guide

FERPA is a federal law that requires confidentiality of student information by telling schools **what information** it may share, and **when & who** they may share such information with. It also gives parents the right to consent to the disclosure of their child's **personally identifiable information ("PII")**.

Educational Records

Educational records are records **directly relating** to a student that are maintained by the school or by a **third party** that the school enlists for certain functions.

For example, a company that provides you with course management software.

Directory Information

Directory information is educational records that are generally not considered harmful to students if publicly released, such as name, age, address, and grade level.

*PII can be **either** directory information or non-directory information.*

Non-Directory Information

Non-directory information is educational records that are more sensitive than directory information, such as social security & student ID numbers, grades, disciplinary history, and attendance record.

What does this mean for me?

Under FERPA, you **cannot share non-directory, PII** information without parental consent. Generally, you **can share directory information** without parental consent, unless parents have told the school otherwise. **So**, think carefully about whether an activity, like an online assignment submission program, means sharing student information without parental consent. On the back page is a list of **Do's** and **Don'ts** for some routine classroom activities.

FERPA Dos & Don'ts

Do's

- **DO** ask yourself:
 - Am I sharing student information?
 - Can someone personally identify my student from this information?
 - Do I have parental consent?
- **DO** check your school's annual FERPA notice to see which educational records it has designated as directory information.
- **DO** check with the administration office to see if any parents have told the school not to share their child's directory information.
- **DO** shred student documents before disposal.
- **DO** use educational technology pre-approved by your school.
- **DO** check for parental consent before including non-directory information in a student recommendation.

Dont's

- **DON'T** use educational technology programs that your school does not have a contract for. Check with your school administration if you are unsure whether a contract exists for a particular program.
- **DON'T** send student grades and other non-directory information via e-mail – if parents ask for their child's grades, pick up the phone instead!
- **DON'T** publicly post students' personal information online without parental consent.
- **DON'T** use social networks to connect students with classroom pages and events without parental consent.



Tips

Records that you keep for your own personal memory aid and are for your eyes only, like classroom notes, are **not** subject to FERPA.

You may disclose non-directory information in an **emergency**. That is, when it is necessary to protect the health and safety of student(s).

For additional FERPA resources, visit www2.ed.gov/fpco and <http://ferpasherpa.org/>.

Bibliography & Additional Resources

The materials in the packet were adapted from and/or informed by the following resources & materials:

U.S. Department of Education, *Laws & Guidance, FERPA*

<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html?src=rn>

<http://www2.ed.gov/policy/gen/reg/ferpa/index.html>

Consortium for School Networking (CoSN)

<http://www.cosn.org/focus-areas/leadership-vision/protecting-privacy>

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<http://ferpasherpa.org/p-s.html>