What is FERPA?
The Family Educational Rights and Privacy Act (FERPA) of 1974 is a federal law regarding the privacy of student records and the obligations of the educational institution when releasing and providing access to those records. With some exceptions, the law generally says that no student’s private educational information – including applications, forms, letters of recommendation, records, transcripts, etc. – may be released, whether orally or in writing, without prior written consent dated and signed by the student. Additionally, the written consent must specify the offices from which information may be released and to whom the records are to be released.

Generally, FERPA assigns these privacy rights to students who are 18 years of age or older OR who are enrolled in a post-secondary institution. This means that all Presbyterian College of Pharmacy students have rights under FERPA, although parents may share in these rights for students who remain IRS dependents. FERPA rights begin when a student is “in attendance” as defined by the institution. For Presbyterian College, this is when students begin the first day of classes. FERPA rights usually deal with two types of information: 1) directory information, which is considered public and 2) confidential, or private, education records.

1) Directory Information
FERPA designates certain information about students as “directory information.” This information is considered public and may be released to anyone, including parents, without the student’s permission because it is not considered harmful or an invasion of privacy. The key word is “may”; an institution is not obligated to release directory information to anyone. At Presbyterian College, the following pieces of information are considered “directory information”:

- Full name
- Addresses (local, permanent, email)
- Local phone number
- Major field of study
- Photograph
- Participation in officially recognized activities and sports
- Weight and height (for members of athletic teams)
- Dates of attendance
- Classification (P1, P2, P3, P4)
- Degree(s) and awards/honors received

A pharmacy student who desires that directory information not be released without his/her prior permission or consent may preclude such release by notifying the Office of Professional and Student Affairs. To ensure students are aware of the directory information on file and their privacy rights, PCSP requires that all incoming students sign a FERPA Acknowledgment Form prior to the start of classes. This form allows them to request the withholding of directory information, and the request remains valid until a written request to rescind is received by the Office of Professional and Student Affairs.

When any PCSP employee is asked to release directory information for a student who has requested the withholding of directory information, the appropriate response is always, “We have no information regarding a person by that name.” Information released on alumni may include the above, plus the date of graduation. The release of additional information contained in a graduate’s record will require a written authorization from the individual. A permanent authorization may be placed in the record at the discretion of the graduate.

If a pharmacy student requests the withholding of directory information, he or she is responsible for carefully considering the consequences of that decision. Here are a few examples of information PCSP would not be able to release if a student requested that we withhold their directory information:
- We would be unable to perform a verification of enrollment, degree verification, etc. by phone.
• The student’s name would not be included on any Dean’s or President’s Lists that are sent to local newspapers.
• The student’s name and contact information would not be included on PC’s web directory, BannerWeb.

If asked to release directory information about a student, you should always contact the Office of Professional and Student Affairs first to make sure the student has granted access to that information. If you feel uncomfortable releasing information, always use your judgment and err on the side of caution; it is better to say you cannot release information and release it later, rather than inadvertently release information that you should not have.

2) Confidential Student Records
FERPA designates certain information about students as “education records,” which are defined as student records that 1) contain “personally identifiable” information and 2) are maintained by the College. These records are considered confidential and may only be shared with the student and “school officials” who demonstrate “legitimate educational interest” in that information (e.g. advising students, conducting a retention study, admitting students, etc.). This includes information about courses in which the student is enrolled, grades received, locations of courses, information about academic standing, financial aid information, student account information, etc. Education records can come in many forms – Web, print, multimedia, handwritten, typed, etc. – but they must be maintained by the institution in order to be considered “education records.” Informal notes a professor writes about a student and keeps in his office, for example, would not be considered an “education record” whereas notes placed in a student’s academic file in the Office of Professional and Student Affairs would be.

The following records are considered confidential student records at the Presbyterian College School of Pharmacy. Therefore, they can only be accessed by students and “school officials” with “legitimate educational interest” in the records, unless the student specifies otherwise through writing.
• **Admissions Records**: Those records assembled by the Office of Professional and Student Affairs in the School of Pharmacy to provide for the screening and selection of students.
• **Active Academic Records**: Those academic records retained by the Office of Academic Affairs in the School of Pharmacy to account for the enrolled student's academic performance and status, to include records maintained by instructors.
• **Inactive Academic Records**: Those records retained by the Office of the Registrar that pertain to the academic performance of persons no longer enrolled at Presbyterian College.
• **Financial Aid Records**: Those records maintained by the Office of Financial Aid that relate to a student's eligibility for a receipt of financial assistance, except that information considered confidential to a parent.
• **Career Services Records**: Those records maintained by the Office of Career Services that have been compiled for the purpose of career planning and job placement.
• **Disciplinary Records**: Those records maintained by the Office of Professional and Student Affairs in the School of Pharmacy that relate to a student’s conduct.
• **Health Records**: Those records that provide information on the medical or psychological treatment of a student. (Note: records on a student that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional and are used only in connection with the provision of treatment to the student are not available to anyone other than the persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.)
• **Public Safety Records**: Those records maintained in the Office of Public Safety that relate to a student’s contact with security and law enforcement officials.
• **Financial Records**: Those records maintained by the Business Office that relate to a student’s financial account.
At PCSP, access to confidential student records is the responsibility of the officers of the College as specified below:

<table>
<thead>
<tr>
<th>Record</th>
<th>Responsible Officer</th>
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<tbody>
<tr>
<td>Admissions Records</td>
<td>Assistant Dean for Professional and Student Affairs, School of Pharmacy</td>
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<tr>
<td>Academic Records</td>
<td>Associate Dean for Academic Affairs, School of Pharmacy</td>
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<tr>
<td>Financial Aid Records</td>
<td>Dean of Admissions and Financial Aid</td>
</tr>
<tr>
<td>Career Services Records</td>
<td>Assistant Dean for Professional and Student Affairs, School of Pharmacy</td>
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<tr>
<td>Disciplinary Records Assistant</td>
<td>Assistant Dean for Professional and Student Affairs, School of Pharmacy</td>
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<tr>
<td>Health Records</td>
<td>Assistant Dean for Professional and Student Affairs, School of Pharmacy</td>
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<tr>
<td>Public Safety Records</td>
<td>Executive Vice President for Business and Finance</td>
</tr>
<tr>
<td>Financial Records</td>
<td>Executive Vice President for Business and Finance</td>
</tr>
</tbody>
</table>

These officers may designate other employees of the College (other “school officials”) to have access or control of confidential student records. The officers or other employees responsible for confidential student records shall maintain a record kept with the confidential record of each student, which will indicate all individuals (other than parents or guardians of a dependent student or others specifically authorized by the student), agencies, or organizations outside Presbyterian College that have requested or obtained access to the student’s record. The record will indicate specifically the legitimate interest that each such person, agency, or organization has in obtaining this information. Such record of access shall be available only to the subject student, college officials, and substitutes who are responsible for the custody of such records. Records are typically kept for three years following a student’s graduation.

**Wrap-Up:** Under FERPA, faculty and staff do NOT have access to student education records unless their normal job duties require access. For example, a professor might have permission to access the class roster and grade book for classes he or she is teaching, but not necessarily for other courses. Similarly, professors generally do not have access to students’ financial aid information because it is usually not relevant to their job responsibilities. A student worker in admissions, on the other hand, might have access to students’ financial information but not necessarily to course grade books.

**Exceptions to FERPA Law**

As a staff or faculty member, you have a responsibility to protect educational records in your possession. You may not disclose personally identifiable information about students or permit inspection of their records without written permission from the student, unless such action is covered by certain exceptions permitted by FERPA.

Appropriate faculty/staff *may*, for example, share education records with the following:
- To “school officials” who have a “legitimate educational interest” in the student, as mentioned above. “School official” is defined as an individual classified as faculty, administrative, or professional, and the staff such school officials supervise; contractors, volunteers, and other non-employees performing institutional functions as school officials with legitimate educational interests. In general, a school official has a “legitimate educational interest” if the official needs to review an education record in order to fulfill his or her professional responsibility to the College. Records should be used only in the context of official educational business.
- To another institution to which a student seeks or intends to enroll.
- To federal, state, and local authorities involving an audit or evaluation of compliance with education programs.
- In connection with financial aid (such as the administration or continuation of aid).
- To individuals or organizations conducting studies for or on behalf of an educational institution.
- To regional or professional accreditation organizations.
- To parents of a dependent student, if the parent has provided to the Registrar’s Office evidence that they declare the student as a dependent on their most recent Federal Income Tax form (Form 1040).
• In response to a lawfully issued court order or subpoena (normally handled by the Registrar, Bursar, other official record custodian and/or Legal Counsel).
• In the event that the release of information is necessary to protect the health or safety of the student or other individuals.
• If the disclosure is the result of a disciplinary hearing where the student is the perpetrator for a crime of violence or a non-forcible sex offense. Under this exception, information may be released to anyone, including the media. No information on the victim or witnesses may be released.
• To parents of a student under the age of 21 who has committed a drug- or alcohol-related offense.

As always, when in doubt, contact the Office of Professional and Student Affairs to determine what information is appropriate for release. Also keep in mind that just because information is not protected by FERPA does not mean it can be shared freely. For example, sole possession records ("desk notes" that faculty/staff store in their own office for personal use) do not have to be shared with a student or coworkers if the owner does not wish to. Additionally, medical records – while not covered under FERPA – operate under HIPAA, which protects the privacy rights of patients. You should always refer to HIPAA laws if presented with medical information about students or coworkers.

**Deceased Students**
The privacy rights of an individual expire with that individual's death. Access to records held by an institution for a deceased person is not a FERPA issue but a matter of institutional policy. Presbyterian College can exercise its own discretion in deciding whether, and under what conditions, information should be disclosed to survivors or third parties. Individuals requesting information from the record of a deceased student should be directed to Office of Professional and Student Affairs.

**Student Workers & Committee Members**
FERPA does not preclude an institution from identifying students as "school officials" with a "legitimate educational interest" for specific purposes. The same requirements and responsibilities for a full time school official exist for student workers and students who serve on committees. The student workers and committee members must be trained on FERPA just as if they were faculty or staff and must only deal with confidential student information if it is relevant to their job duties.

**What Rights Do Students Have?**

**General Rights**
Under FERPA schools must generally afford students who are 18 years or over, or attending a postsecondary institution:
• Access to their education records;
• An opportunity to seek to have the records amended;
• Some control over the disclosure of information from the records.

**Access to Education Records**
Schools are required by FERPA to:
• Provide a student with an opportunity to inspect and review his or her education records within 45 days of the receipt of a request;
• Provide a student with copies of education records or otherwise make the records available to the student if the student, for instance, lives outside of commuting distance of the school;
• Redact the names and other personally identifiable information about other students that may be included in the student's education records.

It is the policy of Presbyterian College in particular that students are allowed access to their official College records to ensure that information contained in official records is not inaccurate, misleading, or otherwise in violation of their rights or privacy. A student who wishes to review his/her student record will
make a request directly to the person in charge of the office in which the record is maintained. A time for the review which is satisfactory to both parties will be announced by the person in charge of the file.

It is also the policy of Presbyterian College that students may obtain non-notarized, machine duplicated copies of college documents contained in the official student records at no cost. Students who have outstanding financial obligations to the College, however, cannot receive documents until all accounts are paid in full.

As a school, Presbyterian College is not required by FERPA to:
- Create or maintain education records;
- Provide students with calendars, notices, or other information which does not generally contain information directly related to the student;
- Respond to questions about the student.

Amendment of Education Records
Under FERPA, a school must:
- Consider a request from a student to amend inaccurate or misleading information in the student’s education records;
- Offer the student a hearing on the matter if it decides not to amend the records in accordance with the request;
- Offer the student a right to place a statement to be kept and disclosed with the record if as a result of the hearing the school still decides not to amend the record.

If, during the review of a record, the student finds information or data that he/she believes is inaccurate, misleading, or otherwise inappropriate, he/she should bring it to the attention of the person in charge of the office and request the desired correction. If the matter cannot be resolved between the student and the person responsible for the maintenance of the record, the student will submit a written request to the Dean of the School for a hearing on the disputed information. The request will contain sufficient justification to support a charge that erroneous or improper information is contained in the file.

A school is not required to consider requests for amendment under FERPA that:
- Seek to change a grade or disciplinary decision;
- Seek to change the opinions or reflections of a school official or other person reflected in an education record.

Annual Notification
*Presbyterian College must annually notify students in attendance that they may:*
- Inspect and review their education records;
- Seek amendment of inaccurate or misleading information in their education records;
- Consent to most disclosures of personally identifiable information from education records.

*The annual notice must include:*
- Information for a student to file a complaint of an alleged violation with the Family Policy Compliance Office (FPCO) (this is a federal office; for more information, visit http://www2.ed.gov/policy/gen/guid/fpc/index.html);
- A description of who is considered to be a school official and what is considered to be a legitimate educational interest so that information may be shared with that individual;
- Information about whom to contact to seek access or amendment of education records.

*Means of Notification:*
The annual notice or rights:
- Can include student newspaper; calendar; student programs guide; rules handbook, or other means reasonably likely to inform students;
- Notification does not have to be made individually to students.

**How Does FERPA Affect Faculty?**

**Grades**

Faculty members are normally considered “school officials,” but a faculty member will still have to demonstrate “legitimate educational interest” (e.g. advising students, retention study, etc.) to receive access to student records beyond their class and grade rosters. As previously mentioned, faculty do not have access to student academic records unless their normal job duties specifically require access.

One of the main ways that FERPA affects faculty is when handling student course grades. The primary consideration to keep in mind when dealing with student grades is that access to those grades should remain available only to instructors in the course, the student him or herself, and any faculty/staff whose job responsibilities require they have access. Under no circumstances should a student’s grades be placed or shared in a manner that would allow other students or people without a legitimate educational interest to view them.

**Posting Grades**

The public posting of grades either by the student’s name, student identification number, or Social Security number, without the student’s written permission, is a violation of FERPA even if the names are obscured. Instructors can assign students unique numbers or codes that can be used to post grades, but the order of the posting must not be alphabetic. When in doubt, do not post grades.

**Returning Graded Papers and Assignments**

Distributing graded work in a way that exposes the student’s identity (such as on a web site) or leaving personally identifiable, graded papers unattended is no different from posting grades publicly. If the papers contain “personally identifiable” information, then leaving them unattended for anyone to see is a violation of FERPA. Possible solutions for distributing grade information to students would be to leave the graded papers (exams, quizzes, and homework) with an assistant or secretary who would ask students for proper identification prior to distributing them, leave graded work in a sealed envelope with only the student’s name on it, or use a code name or number known only to the student and faculty member to identify graded work (this number cannot be a Social Security number or student ID number).

**Sending Grades to Students**

Instructors can notify students of their final grades via the U.S. mail if the information is enclosed in an envelope. However, notification of grades via a postcard would violate a student’s privacy. Notification of grades via email is permissible since the student must authenticate using an ID and password, but there is no guarantee of confidentiality. Posting grades to a secure site or system where only the student and instructors have access to them, such as Blackboard or BannerWeb, is acceptable. However, posting grades on a web site that is open to public access or in a way that exposes individual grades to other class members is not acceptable.

**Parents Requesting Information**

Another issue many faculty run into is how to deal with parents requesting academic information for their children. When a student reaches the age of 18 or begins attending a post secondary institution, regardless of age, FERPA rights transfer to the student. Such things as progress in a course, deficiencies in a subject area, scores and grades on papers, exams, etc. are all examples of “personally identifiable information” that make up part of the student’s education record. This information is protected under FERPA, and parents may not have access unless the student has provided written authorization that specifically identifies what information may be released to the parent(s) OR the parent(s) establish that the student is still a dependent according to the IRS. When asked for information from a parent—either directory information or education record material—you should always contact the Office of Admissions to a) see if the student has authorized the release of directory information and b) to see if the student is an IRS dependent. When in doubt, do not release information to anyone.
Letters of Recommendation
Written permission from the student is required for a letter of recommendation if any information included in the recommendation is part of the "education record" (courses taken, grades, GPA and other non-directory information). The signed release must specify the records to be disclosed, the purpose of the disclosure, and the party to whom the disclosure can be made. If the letter of recommendation is kept on file by the person writing the recommendation, then it becomes part of the student’s education record, and the student has the right to read it unless he/she has specifically waived that right of access. The only time a written release from the student is not required is if the recommendation will be based solely upon personal acquaintance/observation with the student and the letter will not contain any information derived from educational records concerning the student’s participation, performance, or academic achievement in school.

Whom to Contact with Questions & for Crises/Emergencies
General Questions
General questions may be directed to the Office of Professional and Student Affairs or to the office responsible for the information being sought.

Crisis or Emergency
If confidential information is needed to resolve a crisis or emergency situation, the College may release that information if it determines that the information is “necessary to protect the health or safety of the student or other individuals.” Factors considered in making this assessment are the severity of the threat to the health or safety of those involved, the need for the information, the time required to deal with the emergency, and the ability of the parties to whom the information is to be given to deal with the emergency. Requests of this nature should be directed to the Assistant Dean for Professional and Student Affairs:

Dr. Laura Fox
Presbyterian College School of Pharmacy
307 North Broad Street
Clinton, SC 29325
Phone: 864-938-3912
Email: lfox@presby.edu
TEST

Description: This test is designed to evaluate your understanding of FERPA law and its relationship to your role as a staff or faculty member at the Presbyterian College School of Pharmacy. It will take approximately 35 minutes to complete, including the time to read the FERPA Training document.

Instructions: After carefully reviewing the FERPA Training document located under Course Content, proceed to take this test. Note that you will not be able to go back and forth between questions, so you should carefully think through all responses before proceeding to the next question. Referring to the FERPA Training document while completing the test is acceptable.

If you have any issues while completing the test, please contact Beth Wilkerson in office 127, abwilkers@presby.edu, or ext. 3908.

1. Question: When do the FERPA rights of a Presbyterian College student begin?
   a. When the application for admission is received
   b. When the student is formally admitted
   c. When the student pays his or her first tuition bill
   d. When the student is “in attendance” as defined by the institution
   Answer: D
   Response: Correct. Presbyterian College defines this as when a student attends the first day of classes.

2. How does FERPA define directory information?
   a. Information that is generally private but can be released with a student’s permission
   b. Information that is generally public and not an invasion of privacy
   c. Information that only the school maintains and must release to anyone
   d. All of the above
   Answer: B
   Response: Directory information is defined as that which is considered public and not an invasion of privacy. However, students can request the information remain private.

3. Question: Which of the following statements about directory information is accurate?
   a. It is private but can be made public at the student’s discretion.
   b. It is public and may always be shared with anyone.
   c. It is public but can be made private at the student’s discretion.
   d. It is considered private and can only be shared with school officials.
   Answer: C
   Response: Correct. Directory information is public and may be shared with anyone, unless the student indicates he or she would like it to be private.

4. Question: Which of the following would NOT be considered directory information by the Presbyterian College School of Pharmacy?
   a. Dates of attendance
   b. Marital status
   c. Local phone number
   d. Photograph
   Answer: B
   Response: Correct. Marital status is not considered directory information and should not be shared unless someone has a legitimate educational interest in knowing. PCSP directory information includes the following: full name; addresses (local, permanent, email); local phone number; major field of study; photograph; participation in official activities and sports; weight
and height for members of athletic teams; dates of attendance; classification; and degree(s) and awards/honors received.

5. **Question:** True or False: An institution must give its students the opportunity to withhold the release of any or all designated items of directory information.
   **Answer:** True
   **Response:** Correct. The Acknowledgment of FERPA Form is provided to all incoming students prior to the start of classes and allows them to request directory information not be released.

6. **Question:** True or False: An institution must release any information identified as directory information by the institution to anyone upon request.
   **Answer:** False
   **Response:** Correct. FERPA gives permission for the university to release information designated as directory. It is not required. The operative word is “may,” and the student can request that no information be released at all.

7. **Question:** To be an “education record,” a piece of information must be:
   a. personally identifiable to a student
   b. maintained by the College
   c. kept in the Registrar’s office
   d. made available to the law enforcement unit
   e. a and b only
   f. a, b, c only
   g. a and d only
   **Answer:** E
   **Response:** Correct. To be an educational record, information must be identifiable to the student and maintained by the College. Records not maintained by the College, such as outside employment records or criminal records, are not covered under FERPA.

8. **Question:** Education records should only be accessed by and shared with people with “legitimate educational interest.” Which of the following people would not display legitimate educational interest?
   a. a faculty member who wants to view course grades for her students in PHRM 5101
   b. a staff member in the Registrar’s Office who wants GPA information from pharmacy admissions staff to produce a student’s transcript
   c. a community pharmacist who wants names of the top 10 percent of the pharmacy school’s class so she can hire the best possible candidates
   d. an adviser who needs to obtain course information to advise a student
   **Answer:** C
   **Response:** Correct. A community pharmacist is not considered a school official and therefore does not have "legitimate educational interest" to view education records, even if this information would benefit our students. This information can only be shared with students’ written approval.

9. **Question:** Which of the following is required from students by FERPA before releasing education record information about them?
   a. verbal consent to release the information
   b. written permission unless the release is covered by any exception listed in FERPA
   c. verbal consent from the student’s advisor
   d. written consent from the parents of a dependent student
   **Answer:** B
   **Response:** Correct. The student would need to indicate in writing which information could be released and to whom, even if the student is a financial dependent of his/her parent(s).
10. **Question**: True or False: Faculty have the right to inspect and review all the education records of their advisees.
   **Answer**: False
   **Response**: Correct. Faculty do not have access to student academic records unless their normal job duties specifically require access. For advisers, this would generally include course and GPA information.

11. **Question**: True or False: An adviser does not have to allow a student to inspect and review her personal notes about the student that are held in a file in the desk of the adviser’s office.
   **Answer**: True
   **Response**: Correct. These notes would be considered “sole possession records” and not a part of a student’s educational record.

12. **Question**: A student calls you wanting a copy of his course grades for the past two semesters. You can confirm the student’s identity so you know it is all right to release this information. However, after viewing his file, you realize he hasn’t paid his tuition for the current semester, which was due three weeks ago. What should you do?
   a. Go ahead and give him copies of the information because his lack of payment doesn’t affect his right to view his education records.
   b. Tell him he cannot receive copies of the information until he has paid his tuition in full.
   c. Proceed to make copies, but charge the student a fee to copy the materials.
   **Answer**: B
   **Response**: While the student legally has the right to view his education records under FERPA, Presbyterian College stipulates that information does not have to be released for students who have outstanding financial obligations to the university.

13. **Question**: True or False: A faculty member has posted the grades of all the students in his class on the wall outside his office. This is acceptable as long as he identifies the grades by the student’s PC ID instead of their full name.
   **Answer**: False
   **Response**: If by name, student ID number, Presbyterian College ID, Social Security number (or part thereof), or something that can be fairly easily interpreted by a third party, then posting grades in this manner is a FERPA violation. If the grades are posted by some “code” known only by the student and instructor (as opposed to by name, student ID number/ID, or Social Security number) then it is not a violation. However, it is best not to post grades in any way.

14. **Question**: True or False: A student’s degree may be confirmed to some external (outside of PCSP) source without first obtaining the permission of the student because PCSP identifies “degree” as directory information.
   **Answer**: True
   **Response**: Any information listed as directory information can be released without the student’s permission unless the student has indicated otherwise on his/her Acknowledgement of FERPA Form. When in doubt, however, do not release the information.

15. **Question**: In 2015, a faculty member comes into the Office of Professional and Student Affairs at the Pharmacy School and asks one of the staff for the names of all of the graduates in the program since its beginning in August 2010. Which of the following statements is true?
   a. The faculty member can legally obtain this information under FERPA as long as he has written permission from the dean or designee.
   b. The faculty member cannot legally obtain this information since it is excluded from FERPA.
   c. The faculty member must provide a valid educational reason before obtaining the information.
**Answer:** C
**Response:** Correct. Graduation information is not considered directory information. If the faculty member provides reasons relating to legitimate educational interest to the university, he may be allowed this information.

16. **Question:** A student believes that her cumulative GPA for the Fall 2010 semester has been miscalculated in her official pharmacy school records. She approaches a staff member in the Office of Professional and Student Affairs and requests to see her file so she can change it. What is the best thing for the staff member to do?
   a. Let the student view the file since it is part of her personal education record but tell her she will not be able to ever change it.
   b. Tell the student she cannot view the file because GPA information cannot be altered anyway.
   c. Give the student an opportunity to view the file and consider a request from the student to amend inaccurate or misleading information.

**Answer:** C
**Response:** Correct. A student has a right to inspect information in his or her file in the Office of Professional and Student Affairs. Faculty and staff are not required to change education records, such as grades or GPA, that have been correctly calculated and recorded. However, legally they should let a student view the information and request amendments if the information has been calculated or recorded incorrectly.

17. **Question:** True or False: Student representatives on committees (e.g., honors, judicial, etc.) have the right to see other students’ education records during the deliberations of that committee if they have been designated as school officials.

**Answer:** True

**Response:** Correct. Students should be instructed as to the confidentiality of all information learned in these types of committees; they should undergo FERPA training like any other employee.

18. **Question:** A student approaches you for a letter of recommendation and provides a copy of his resume to help you write it. In writing the letter, you notice the student has included grades from relevant courses, as well as his cumulative pharmacy GPA, on the resume. Since the student put this information on the resume, it is acceptable for you to include it in the letter?

**Answer:** No

**Response:** Correct. GPA and grade information, no matter how high, should not be included in a letter of recommendation unless the student gives explicit written permission.

19. **Question:** True or False: A student’s written permission is required before an institution releases information to a national research organization conducting a study on the advantages and disadvantages of selective admissions.

**Answer:** False

**Response:** Correct. This information falls under the purview of “legitimate educational interest” so it may be shared.

20. **Question:** You have a 26-year-old student in your PHRM 5101 class whose mother calls wanting information about her progress in the course. What is the best thing to do in this situation?
   a. Give the mother the information since you know the student well and know she won’t mind.
   b. Tell the mother you cannot release information about the student since she is over the age of 18 and a college student; she’ll have to ask the daughter herself.
   c. Verbally ask the student after class if it’s all right to share the information, and after she says yes, proceed to share it with the mother.
d. Check with the Office of Professional and Student Affairs to confirm that the student is an IRS dependent, and then share the information with the mother.

**Answer:** B or D  
**Response:** Correct. If a pharmacy student is over 18 but still a financial dependent, FERPA stipulates that you may share information with the parent(s). However, you should always contact the Office of Professional and Student Affairs first to make sure the student is a dependent.

21. **Question:** A student has the right to review which of the following information about him that is maintained by the institution?
   a. parental financial information  
   b. letters of recommendation  
   c. law enforcement unit records  
   d. admissions records related to the denial of his application into another college of the institution  
   e. all of the above  

**Answer:** B  
**Response:** Correct, but only if the student did not waive the right to see the letter of recommendation. If the students waived the right to see it, the letter remains confidential.

22. All of the items listed in the following questions are found in various offices of the institution. Please answer whether or not they would be considered education records.

   a. a class roster with all students’ names on it  
   **Answer:** Yes  
   **Response:** Correct

   b. the annual giving record of an ex-student  
   **Answer:** No  
   **Response:** Correct. This type of information is not considered an educational record.

   c. a note made in the student record by a faculty member of an advising session with a student  
   **Answer:** Yes  
   **Response:** Correct. Although a note by a faculty member, it was made in the student’s record. Therefore, it becomes a part of that record.

   d. student photographs on a department’s bulletin board identifying the majors in that department  
   **Answer:** No  
   **Response:** Correct.

   e. medical records made and maintained by the university’s contracted doctor related to the treatment of a student  
   **Answer:** No  
   **Response:** Correct. Medical records are not considered part of the educational record, but are held in confidence by other federal policies.

   f. the employment records of an individual who is a full-time employee of the institution and is also a part-time student  
   **Answer:** No  
   **Response:** Correct. Employment records are not covered by FERPA and should not be included in any educational record files.
g. a faculty member’s note about a student having an epileptic seizure in one of his classes and kept in his locked office files

**Answer:** No

**Response:** Correct. Personal notes made by a faculty or staff member for personal use are not considered educational records and are not covered by FERPA.

h. financial information on a student’s parents filed in the Financial Aid Office

**Answer:** No

**Response:** Correct. Parent information is not considered an educational record and therefore not covered under FERPA.

23. **Question:** You receive a call from pharmacy student Joe Smith wanting to know the cell phone number of classmate Elaine Woods with whom he is doing a group project. You look in Elaine’s file to retrieve her phone number but see she has requested the withholding of directory information. Legally, what is your best option in this situation?
   a. Tell Joe he’ll have to wait to see Elaine at school.
   b. Tell Joe you are not authorized to release any information about Elaine.
   c. Share the information with Joe since you know Elaine would share her number anyway if she knew Joe needed it.
   d. Look up numbers of several other classmates that Joe can call to see if they know Elaine’s number.

**Answer:** A

**Response:** If Joe were a caller you didn’t know, you would respond, “We have no information regarding a person by that name.” However, if you can successfully identify Joe on the phone, you could simply indicate that you cannot share Elaine’s information. You could, however, suggest he look in BannerWeb to find phone numbers of other classmates who would know how to get in contact with Elaine, although the safest option is not to release any information.

24. **Question:** Two of your students in PHRM 5201 are roommates and regularly study together. You’ve often heard them discuss their course grades with one another after class. One of them is sick the day you return a quiz, and his roommate asks if he can take the quiz home to him. What is the best thing for you to do in this situation?
   a. Give the quiz to the roommate since the sick student said it was all right.
   b. Tell the roommate you legally cannot give the quiz to him since it contains private student information.
   c. Email the sick student his quiz grade because emailing grades is not a violation of FERPA.
   d. All of the above are acceptable.

**Answer:** B.

**Response:** B is the best response. Because you do not have written permission from the sick student to share the quiz information, you should not give it to the roommate. While you can legally email the sick student the grade, you should not do so unless the student specifically requests it. The best thing to do is give the quiz to the student once he returns to class.

25. **Question:** You get a frantic phone call from an individual who says that he is a student’s father and must get in touch with her immediately because of a family emergency. Can you tell him when and where her next class is today?

**Answer:** No

**Response:** Correct. For the safety of the student, you cannot tell another person where a student is at any time. You may, however, expedite getting a message to the student. You may also put the father in touch with the Office of Professional and Student Affairs to determine if sharing the information is warranted in this situation.
26. **Question**: True or False: Grades may be posted for students if only the last 4 numbers of the Social Security number or student ID number are used as identification for the students.  
   **Answer**: No  
   **Response**: Correct. Posting any exam, midterm or final grade for public viewing where the name or any portion of the Social Security number or student ID number is shown is a violation of FERPA.

27. **Question**: True or False: Education information on a current student may be released to prospective employers upon request.  
   **Answer**: False  
   **Response**: Correct. Education information may never be released without written consent of the student.

28. **Question**: A student made the Dean’s List for Fall 2010 but is disappointed to discover her achievement was not published in The Clinton Chronicle along with her classmates’ information. She calls the pharmacy school wanting to know why. What is the most likely explanation?  
   a. The Dean’s List is compiled from confidential information and can never be shared with outside parties.  
   b. The student was mistaken; she didn’t actually make the Dean’s List.  
   c. Her information was not released because she requested non-release of information on her FERPA Acknowledgment Form.  
   **Answer**: C. Correct; this is the most likely response. Information such as Dean’s List and President’s List can be released unless a student requests the withholding of directory information on their FERPA Acknowledgement Form. To change this request, the student may contact the Office of Professional and Student Affairs and indicate so in writing.

29. **Question**: True or False: Access to student information is a right of every PCSP employee.  
   **Answer**: False  
   **Response**: Only those employees who have a legitimate educational interest should have access to student information. For the interest to be a legitimate educational one, a school official must need to review an education record in order to fulfill his or her professional responsibility.

30. **Question**: True or False: Your department head asks for a list of names and addresses for students who are enrolled in a specific course in the department. The addresses will be used to mail a survey about the quality of the course. Results of the survey will be used to improve the course. Is this an appropriate use of student records?  
   **Answer**: Yes  
   **Response**: Only those employees who have a legitimate should have access to student information. For the interest to be a legitimate educational one, a school official must need to review an education record in order to fulfill his or her professional responsibility.

31. **Question**: True or False: Only paper files on a student are considered education records.  
   **Answer**: False  
   **Response**: FERPA covers education records maintained in any medium, including but not limited to, the following: handwriting, computer media, print, video - or audiotape, film, microfilm and microfiche, and e-mail.

32. **Question**: The Office of Professional and Student Affairs is preparing a mailing to students about a critical academic deadline. Should the mailing list include the name and address of a student who has requested non-release of directory information on his Acknowledgement of FERPA form?  
   **Answer**: Yes
**Response:** The student's name and address may be used for this mailing. Information for students with a request to withhold directory information may still be shared with school officials to meet the direct educational needs of the student.

**33. Question:** A registered student organization asks a department for a list of student names and addresses in order to send out an informational mailing about a local career fair. Should the department provide the information?

**Answer:** No

**Response:** Do not give out the information. Although addresses are considered “directory” information, do not provide such a list to anyone not using it for official university business. Student organizations must work with their administrative sponsors to obtain authorization for mailings.

**34. Question:** You are facing an emergency situation where you fear the health and safety of people are in jeopardy if you do not release certain protected information to a third party. Can you exercise judgment and release the information?

**Answer:** Yes

**Response:** The health and safety of members of the PCSP community is paramount, and FERPA is not intended to increase the risk of individuals’ safety in an emergency situation. The health and safety provision in FERPA states that you may release information from an educational record to an appropriate person in connection with an emergency if knowledge of the information is “necessary to protect the health or safety of the students or other individuals.” In such situations, consultation with the Office of Professional and Student Affairs is recommended.

**35. Question:** You receive a phone call from the local police department indicating that they are trying to determine whether a particular student was in attendance on a specific day. Since they are in the middle of the investigation, are you allowed to give them this information?

**Answer:** No

**Response:** This request must be accompanied by a subpoena. Non-directory student information will be released only with written authorization from the student or with a legal subpoena.