



FERPA SCENARIOS

In your groups, read each of the following scenarios. Based upon your knowledge of FERPA, discuss and determine the correct course of action for each of the situations described.

1. You leave your room for a few minutes during your planning time. Before you left you were working with personal student information and you did not lock your computer. While you were gone, an unauthorized person came by your room and retrieved some of the personal student information from your computer screen. Under FERPA, is your school responsible?
2. Your students are always asking you about their grades on assignments. You decide to post the grades in your room according to the last four digits of the student's social security number. On the first day of posting grades this way, one of the students complains, so you change to posting the grades according to student ID numbers. Is this a violation of FERPA in either case?
3. Skipping has become a problem in your school. Your principal and the local police have been looking for students who are not in school during the day. You receive a phone call from the local police department asking if a particular student was in attendance in your class yesterday. They tell you that they are investigating whether the students were involved in some vandalism and need to know their whereabouts. Can you give them the information?
4. During class time you receive a message that a parent of one of your students has called for you. You call them back after school and they tell you they are just curious how their son or daughter is doing in class. They would like to know about their attendance and grades. Can you give this information to the parent over the phone?
5. You are in charge of a staff meeting to demonstrate a new computer program that manages student test data. As part of your demonstration, you are showing a report to the entire staff on a screen that shows student test scores on a state-wide assessment. The report shows the student names and their ID number. In addition, as a way to show the teachers the type of information they can print out about the test data, you have given them a paper copy of the report. You use your own class data so that no one else will be embarrassed. Have you violated FERPA in any way?
6. A parent comes into your room one day after school. Her daughter's birthday is next week and she would like to have a list of students in the class to send out invitations to a party they are having. She would also like to make personalized treat bags for each student on her daughter's birthday to bring to class. You have known this parent for years and trust her. Can you provide her with the names of the students in the class?



FERPA ANSWERS

1. Information on a computer screen should be protected the same way as printed reports. Computer programs with confidential information should be closed when you are not using them and computers should be locked when you leave the room. Printed reports should be filed in a secure area and not left on your desk.

The medium that holds the information is not important. No information should be left accessible or unattended, including computer screens. Recent changes have allowed damage recovery as well as cease and desist requirements.

2. It has been determined that a student's social security number or any portion of the social security number is considered an educational record and is protected by FERPA. In addition, any type of identifying number such as a student ID or UIC number that could be considered "easily traceable" also falls into this category. So both instances would be considered a violation of FERPA.

Student social security numbers (SSNs), or partial sequences of SSNs, may not be disclosed as directory information because they can be used to obtain sensitive, non-public information about individuals.

3. You cannot give the attendance information to the police department. Attendance records are considered part of the educational record and cannot be released without the consent of the student (if over 18) or the parent.

Unless a warrant is served, providing the information to any outside party, including the local police department would violate FERPA. The law does provide the release of information if it is designated as **directory information**; it could be released if the criminal activity was related to a health/safety emergency. If the district employs a police liaison officer on staff, that person would have access to the information. Additionally, FERPA allows this information to be released if the student is being adjudicated under the juvenile court system.

4. Your school should have a procedure to attempt to verify that the person you are calling is identified as the parent. Once verified, yes, you can discuss information with them. The only exception to this rule is a student who is over 18 years of age who is not claimed as a dependent by either parent for tax purposes.

5. It is a violation of FERPA to display the results of the assessment to the entire staff. Even though it was data for that discussion leader's class, it was not information that was readily available to the public (district or school scores). In addition, the fact that student names were displayed, although in an educational setting, is also a violation. Plus the fact that the information pages, including names and ID numbers was distributed to staff is also a violation of FERPA.

The exception would be a group of teachers working on a specific student strategies (last year's teacher, this year's teacher, and next year's teacher) as they are a specific population that then has a "legitimate educational interest" in the information.

6. Each school district is required to identify the categories of information that they consider to be **directory information**. As long as the school board has given annual notice, this information can be disclosed without securing prior written consent of the parent or 18 year old student. You will want to check with your school district to see what they have identified as directory information. School districts may choose to select no information as directory information.