



FAQs (Frequently Asked Questions)

Is it okay to provide FERPA protected information over the phone after making a reasonable effort to confirm the student's identity?

FERPA does not specifically prohibit a school from disclosing personally identifiable information from a student's education records over the telephone, it does require that the school use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the school discloses personally identifiable information from education records. (34 CFR §99.31(c)).

The university is responsible if a violation occurs so the university should ensure that it has an appropriate system in place to identify and authenticate the requestor's identity.

Is it okay to use Blackboard/Acemail (university provided e-mail) to communicate FERPA protected information with students?

Yes, as this provides the university with a means through which to verify student identity.

Can student workers input grades/handle FERPA protected information?

No, student workers are not considered school officials and should not have access to FERPA protected information.

May an educational agency or institution disclose directory information without prior consent?

Education records that have been appropriately designated as "directory information" by the educational agency or institution may be disclosed without prior consent. See 34 CFR §§ 99.31(a)(11) and 99.37. FERPA defines directory information as information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. 34 CFR §99.3. [A&M-Texarkana Directory Information](#).

FERPA provides that a school may disclose directory information if it has given public notice of the types of information which it has designated as "directory information," the parent or eligible student's right to restrict the disclosure of such information, and the period of time within which a parent or eligible student has to notify the school in writing that he or she does not want any or all of those types of information designated as "directory information." 34 CFR § 99.37(a). A school is not required to inform former students or the parents of former students regarding directory information or to honor their request that directory information not be disclosed without consent. 34 CFR § 99.37(b). However, if a parent or eligible student, within the specified time period during the student's last opportunity as a student in attendance, requested that directory information not be disclosed, the school must honor that request until otherwise notified.



If I am a parent of a college student, do I have the right to see my child's education records, especially if I pay the bill?

The rights under FERPA transfer from the parents to the student, once the student turns 18 years old or enters a postsecondary institution at any age. However, although the rights under FERPA have now transferred to the student, a school may disclose information from an "eligible student's" education records to the parents of the student, without the student's consent, if the student is a dependent for tax purposes. Neither the age of the student nor the parent's status as a custodial parent is relevant. If a student is claimed as a dependent by either parent for tax purposes, then either parent may have access under this provision. (34 CFR §99.31(a) (8)).

Who is a "school official" under FERPA?

A school official is a person or entity: (a) employed by the university or the university system in an administrative, supervisory, academic or research, or support staff position; (b) serving on a university governing body or duly authorized panel or committee; or (c) employed by or under contract to the university to perform a special task, function, or service for the university.

What constitutes "legitimate educational interest?"

According to the US Department of Education, a school official has a legitimate educational interest if the information requested is necessary for that official to (a) perform appropriate tasks that are specified in his/her position description or in the performance of regularly assigned duties by a lawful supervisor; (b) fulfill the terms of a contractual agreement; (c) perform a task related to a student's education; (d) perform a task related to the discipline of a student; or (e) provide a service or benefit relating to the student or student's family, such as health care, financial aid, job placement, or former student-related activities. *Legitimate educational interest does not convey inherent rights to any and all student information.*