

FERPA

You Can't Always Get What You Want (Unless You Know These Rules)

Would you like Minnesota State Community and Technical College to be able to provide you with information like your student's academic progress or even tuition balance? If so, read on. You may be surprised to learn that in most cases, M State will need your student's written consent. M State has a duty to protect student privacy and we encourage you to act now to ensure access to student information when you need it - or at least avoid the frustration of being caught unaware of the rules.

Why do colleges and universities say they need to protect the privacy of student records?

It's not just a school policy, but it's the law. Minnesota State Colleges and Universities are subject to federal law, the Family Educational Rights and Privacy Act (FERPA), and state law, the Minnesota Government Data Practices Act (MGDPA), which contain detailed rules about student record privacy. One key provision of those laws is that college and university *students* have the right to control disclosure of private education records about themselves to third parties - including parents, spouses or other family members. These rights apply to all college or university students - even if they are minors.

What is an "education record"?

"Education records" that are subject to these privacy laws encompass a wide scope of information. Examples of education records include: grades, housing information, class enrollment, attendance information, counseling or medical records from campus health centers, disciplinary records, tuition balance information, and much more. Most education records are classified as "private." Schools may release private education records to third parties (including family members) only if the law permits, or if the student has signed a valid authorization.

Of course, students themselves may release their own information as they wish.

When can school officials release private education records to family members?

It depends on a number of factors; some situations do not require the student's consent. For example, where the health or safety of the student or others is in danger, school officials may release information in order to deal with that emergency. Those are rare situations.

In most circumstances, family members will need to show a signed, dated authorization for release of information. A form has been developed for this use and can be emailed to your school upon request. However, any document that includes the following would be valid: who is authorized to release the information; to whom the information may be released; what information may be released; the purpose for which the information may be used; the student's signature; and a date. A simple email from the student is not a sufficient authorization.

What do we do with the completed Release of Information Forms?

The completed release of information forms should be kept on file at the high school. An original release form is not required. School officials may honor a copy of a valid release, including a fax. An authorization could permit disclosure of information by phone or e-mail so long as an otherwise valid release is on file. A form could also authorize on-going disclosures, such as grades each semester.

The Release of Information forms are school specific, so if a student has one on file from another college, they must fill out a separate form for M State.

We encourage you to discuss with your student signing a release before issues of access arise. Releases may be as broad or as limited as desired.

Can't a college or high school require students to sign a release to parents?

No. Any release of privacy rights requested by the school must be voluntary.

Is there any information that is public about students at a college or university?

Each college or university defines certain information about its students as "directory." This information was selected because M State officials determined that disclosing this information would not generally be considered to be an invasion of privacy. M State's definition of "directory" information can be found in the student handbook or on the website at www.minnesota.edu. It is subject to change. Directory information is available to anyone, and no student consent is required to release it. However, students have the right to suppress their directory data so that it is treated as "private." For those students, school officials may not release their directory information without written consent or other legal authority.