



## FERPA Presentation

Las Positas  
College

## What is FERPA?

### **Family Educational Rights and Privacy Act (FERPA)**

According to the U.S. Department of Education website, “the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.”

## What is considered a student education record?

Include information that is maintained by the college in any recorded way including, but not limited to:

- Date and place of birth;
- Parent(s) address and emergency contact information;
- Academic information usually found on transcripts;
- Behavioral/disciplinary records;
- Medical records the school creates/collects and maintains;
- Past and current college attendance records;
- Awards, certificates, and degrees conferred;
- Student's identification or Social Security number; and
- Picture or other information that would make it easy to identify or locate a student.

## Why is Las Positas College subject to FERPA?

Las Positas College is subject to FERPA because of its receipt of federal funds from the U.S. Department of Education including voluntary participation in the federal student aid program (financial aid such as Federal Pell Grants) and federal grants including the recent Hispanic-Serving Institution (HSI) grant.

## When does FERPA go into effect for students?

At Las Positas College, FERPA goes into effect upon the submission of the admission application to the college. FERPA compliance is not forfeited if an applicant does not complete any core services (orientation, assessment testing, and student educational plans) or never enrolls or registers for courses.

## How are students informed of FERPA?

At Las Positas College, FERPA information is noted in the college catalog, in the class schedule, and on the college website. FERPA information is also referenced in various forms utilized by Student Services entities including, but not limited to, the Admissions & Records Office and Financial Aid Office.

## What is the role of Las Positas College employees?

All Las Positas College employees are required to be knowledgeable of FERPA and must abide by the federal regulation. Failure to comply with FERPA may result in monetary fines to the college and/or ineligibility to receive federal funds.

## How do students waive their FERPA rights?

FERPA rights may be waived by students upon submission of a completed, signed, and dated written consent by the individual student. The person(s) to be given information regarding the student must be specifically identified on the written statement by name and relationship (e.g., father, mother, etc.).

## What information may be shared with others with consent?

The written consent by the student will dictate what information may be shared with others include, but is not limited to, admission and enrollment status, financial aid, grades, course registration, fees owed to the college, academic standing with the college, and behavioral and disciplinary records.

## What information may be shared with others without consent?

According to the U.S. Department of Education, “generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31).”

## ***Continuation -***

- “School officials with legitimate educational interest;
- Other schools to which a student is transferring;
- Specified officials for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.”

## What is considered directory information?

According to the U.S. Department of Education, "schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them."



## Frequently asked questions which DO NOT nullify FERPA:

1. Parents who pay tuition or provide tax information for financial aid;
2. Spouses or partners inquiring about students; and
3. FERPA release for a sibling or another student.

# FERPA 101

## FERPA resources include:

1. U.S. Department of Education website;
2. Las Positas College Admissions & Records Office webpage; and
3. Chabot-Las Positas Community College District board policy and administrative procedure.



# FERPA 101



Questions regarding FERPA should be directed to the Admissions & Records Office.



Thank you for attending our presentation.

*We appreciate your support with ensuring compliance with federal regulations.*