
JACKSON STATE UNIVERSITY FERPA TRAINING 2022

FERPA TRAINING OVERVIEW

This **JSU FERPA training course** covers the basics of the Family Educational Rights and Privacy Act (FERPA) for all JSU Employees. After completing this training employees will be aware of the following:

- What is the FERPA ACT
- FERPA Violations and Penalties
- Key Terms under FERPA Act regulations
- What actions are required or permitted under FERPA
- Students rights under FERPA
- Avoiding FERPA Violations
- How/When to Report an incident with FERPA Data

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

What is FERPA?

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.

How Does FERPA Apply To JSU?

The FERPA **law applies to all schools** that receive funds under an applicable program of the U.S. Department of Education (Ex. **Financial Aid**)

FERPA VIOLATION PENALTIES

Failure to comply with FERPA results in:

- ✓ **The U.S. Department of Education will investigate the violating institution and its practices**
- ✓ **The U.S. Department of Education will withdraw funds from the institution or agency** that has violated the FERPA law
- ✓ The state of Mississippi's laws on privacy may also apply penalties

FERPA TERMS & DEFINITIONS

Student

Any individual who is or has been in attendance at JSU and regarding whom JSU maintains education records.

Personally Identifiable Information (PII)

Information alone or in combination, is linked or linkable to a specific student that would allow anyone to identify the student with reasonable certainty

- (a) Names (Students, Parents/Family)
- (b) Address (Students, Parents/Family)
- (c) Personal identifier(SSN, J#, or biometric record)
- (d) Indirect identifiers (Birth Date or Place, mother's maiden name)

FERPA TERMS & DEFINITIONS

Legitimate Educational Interest

A university official/employee needs to access and review an education record in order to fulfill his or her professional responsibility, job role and duties at Jackson state university.

Education Record

Any information recorded in any way that directly relates to a student and is maintained by JSU. Records may be (handwritten, printed) etc.

Designated University Official

A person designated as an employee by an institution in an administrative, supervisory, researcher, support staff, auditor, attorney, collections agent, temporary employee, graduate assistant and students worker position.

FERPA TERMS & DEFINITIONS

Directory information

Information in an education record of a student that would **not** generally be considered harmful or **an invasion of privacy** if disclosed.

- (a) Major/Field of study; Grade level; Enrollment status
- (b) Degrees
- (c) Honors & Awards,
- (d) Dates of Attendance
- (e) Most recent institution attended

WHO HAS RIGHTS UNDER FERPA?

FERPA Rights Belong to students and parents under certain conditions:

Parents

- ✓ Parents of students **under age 18** (Have Full FERPA Rights)
- ✓ Parents of students **over age 18** only have rights if student gives college/university (JSU) a signed written consent form

Students

- ✓ Students **over the age of 18** (Have Full FERPA Rights)
- ✓ A student who has attended or is attending JSU
- ✓ FERPA Rights **Do Not cover** students who were **not admitted** to JSU or **never attended** JSU

STUDENTS & ELIGIBLE PARENTS FERPA RIGHTS

Current and Former Students & *Eligible Parents with full FERPA Rights*

Have the right:

- ✓ To inspect their education records
- ✓ To request an amendment of their record
- ✓ To request a hearing if the request for amendment of their education record is unsatisfactory

STUDENTS & ELIGIBLE PARENTS FERPA RIGHTS

Current and Former Students & *Eligible Parents with full FERPA Rights*

Have the right:

- ✓ To overturn disclosure of their directory information
- ✓ To expect JSU to keep their education records confidential and secure (except where special provisions are made)
- ✓ To File a complaint with the U.S. Office of Education if they feel these rights have been violated

WHEN FERPA RIGHTS BEGIN/END?

FERPA Rights Begin When

- ✓ A student is in attendance as defined by JSU.
- ✓ At JSU this means the student officially completed registration, is enrolled and attending courses.
- ✓ Students continue to have FERPA rights even after they have left JSU.

FERPA Rights End When

- ✓ Student FERPA Rights are only terminated upon death of the student.

FERPA PRIVACY RIGHTS (STUDENTS)

Current and Former Students

FERPA Privacy Rights:

- ✓ A student has the right to request their directory information not be released.
- ✓ Students must submit a request in writing to withhold disclosure of their directory information.
- ✓ Non disclosure of the student's JSU directory information will remain effective until the student submits a written request specifying otherwise.

FERPA: DISCLOSING & RELEASING DATA

Rules for Disclosing Student FERPA and PII Data:

A JSU Employee **May Not**:

- ✓ Disclose or **release a student's PII** without their written consent, unless the release of student PII is covered by exceptions permitted by the FERPA Act.
- ✓ Permit **inspection** of a student's **records** without their written consent, unless such action is covered by exceptions permitted by the FERPA Act.

FERPA: RELEASING STUDENT DATA

Rules for Releasing Student FERPA and PII Data:

Students, and Colleagues:

- ✓ Students- release of data may be on paper(via mail), online behind a secure web portal (ex. **JSU PAWS**) by phone, or via the email listed in JSU student directory, and in person(photo of Student ID).
- ✓ Colleagues- data may be released by phone or email only after you have verified who you are talking to and that it is "**a legitimate educational interest**".

Note: Upon each release reasonable methods must be used to identity authentication & verification of student, colleague , 3rd party

FERPA: RELEASING STUDENT DATA

Rules for Releasing Student FERPA and PII Data Continued:

Third Parties, Law Enforcement :

- ✓ 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
- ✓ State and local authorities, within a juvenile justice system, pursuant to specific State law

FERPA: WHO CAN ACCESS STUDENT DATA

Student FERPA and PII Data May Be Accessed By:

- ✓ Students may access their information.
- ✓ Parents who claim the student as a dependent on taxes (**must provide proof to registrars office**).
- ✓ Any party that the students authorizes by providing JSU with a written and signed consent form (**must include: date, which data/records to release, recipient's name & student signature**).
- ✓ Designated employee of JSU may access student data if it is needed to conduct their job duties & who have a "**legitimate educational interest**".

WHAT TYPE OF DATA NEEDS PROTECTION

The following types of FERPA and PII data should be kept secure:

- ✓ Registration Forms (**paper & electronic**)
- ✓ Student Transcripts
- ✓ Student Grades
- ✓ Schedules
- ✓ Class Rosters
- ✓ Documents with student SSN
- ✓ Any student PII data displayed electronically

AVOIDING FERPA VIOLATIONS

Handle FERPA documents securely:

- ✓ **Don't Just Throw FERPA Documents Away.** Be sure to shred any documents that contain student PII or records if it is no longer needed.
- ✓ **Create a strong password** with characters, letters, numbers, and symbols and **do not share your password** with others.
- ✓ **Do not transmit FERPA /PII data** through any electronic messaging (i.e. email, instant messaging, text messaging) even to other authorized users unless it has been encrypted first.

AVOIDING FERPA VIOLATIONS

Handle FERPA documents securely:

- ✓ **Store paper documents** containing FERPA/PII data in a secure place (ex. locked office or locked in a storage cabinet).
- ✓ **Use a screen saver** to protect FERPA/PII data when computer is not in use.
- ✓ **Report any incident** involving a misuse, vulnerability or breach of data to the proper personnel immediately.

AVOIDING FERPA VIOLATIONS

JSU Employee Failure to Follow Policies:

- ✓ Compliance with these data protection policies and safeguards under the FERPA Act is the responsibility of all members of the University community.
- ✓ Violations of these policies and laws will be dealt with seriously and will include sanctions, up to and including termination of employment.
- ✓ Employees suspected of violating these policies may be temporarily denied access to the data as well as University information technology resources during investigation of an alleged abuse.

REPORTING FERPA VIOLATIONS

Report an Incident or Violations

Suspected violations of JSU's and FERPA's data protection policies must be reported to the JSU Cyber Security Officer or the IT department immediately.

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Report Cyber Incidents to:

cybersecurity@jsums.edu